

# COMMENTS ON THE PLANNED REVISION OF EU RULES ON FOOD CONTACT MATERIALS

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European Recycling Platform (ERP) welcomes the European Commission's initiative to revise legislation on food contact materials (FCM) and the publication of the inception impact assessment.

As pan-European producer responsibility organisation (PRO) for packaging, batteries, and electrical and electronic equipment, we have helped to implement EPR in several countries of the European Union and beyond and operate at the very interface between producers, consumers, waste collectors, and recyclers. We know the challenges associated with increasing reuse and recycling of food packaging and with promoting more sustainable alternatives, and, therefore, fully agree with both the objectives and policy options proposed in the inception impact assessment.

With this paper, we want to encourage the European Commission to maintain the path it has taken and to put forward a corresponding proposal for a regulation. We also want to share some additional thoughts on the matter based on our long-term operational experience and expertise.

## Comments on the proposed objectives and policy options

ERP particularly welcomes the European Commission's proposals

- to **harmonise EU rules and standards for FCM** aiming for a better functioning of the internal market and a level playing field for the closed loop recycling of FCM packaging;
- to **integrate a modern, simplified and digitalised system** for material and compliance data management as this would substantially improve the information flow and, thereby, enhance the confidence on FCMs including recycled materials, leading to an increased demand for the latter;
- to **address new recycling technologies such as chemical recycling** contributing towards the recycling targets across the EU, would not only complement the already existing recycling technologies, but also allow for an increased production of recycled materials that can be used in FCM packaging; This shall maintain high quality standards for superior quality FCM packaging ensuring consumer safety while at the same time boosting the circular economy; Also, this would address the problem that secondary materials obtained from mechanical recycling today often cannot be used for FCM packaging which prevents the offtake of recycled materials in FCM; Moreover, this would further promote research, innovation and investments in the field within the EU;
- to **develop rules for any FCM** including non-plastic, reusable and bio-based materials and to evaluate their consumer safety and ecological performance in an equal manner as this would create a level playing field, prevent undesirable market developments, and build trust among consumers;

- to **implement an enforceable regulatory system for FCMs** at EU level with equal rules for FCMs regardless whether produced within the EU or imported from third countries and placed on the EU market as this would assure a level playing field among all actors; and
- to **leverage further the excellent information generated within the REACH legislation** over the past years to further enhance public safety
- to a **tiered approach for prioritizing the regulations and assessment of substances** present in and migrating from FCMs based on consumer exposure and other relevant factors, potentially benefiting more sectors, such as cosmetics and detergent packaging industries, currently often operating without individualized standards and adapting the FCM standards.

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## About ERP

European Recycling Platform was founded in 2002 in response to the introduction of the European Union's Waste Electrical and Electronic Equipment (WEEE) Directive. ERP's mission is to ensure high quality and cost effective implementation of the Directive, for the benefit of its customers and the environment. In June 2014, ERP became part of the Landbell Group, an international supplier of service and consulting solutions for environmental and chemical compliance. ERP and Landbell Group have collected more than 5 million tonnes of packaging, more than 3.5 million tonnes of e-waste, and over 75,000 tonnes of portable batteries.

ERP is the first and only pan-European producer responsibility organisation authorised to operate in Austria, Denmark, Finland, Germany, Ireland, Israel, Italy, Norway, Poland, Portugal, Slovakia, Spain and the UK. By passing on the advantages of multinational recycling operations to customers, ERP has proved to be the most competitive solution for companies in the countries where it operates for WEEE, batteries and packaging compliance, as well as take-back services.

For more information on ERP, please visit: [www.erp-recycling.org](http://www.erp-recycling.org)

