



European Snacks Association

ESA considerations on the Inception Impact Assessment on the Review of the requirements for packaging and other measures to prevent packaging waste

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The European Snacks Association asbl (ESA) is Europe's only trade organisation dedicated to advancing the savoury snacks industry on behalf of member snack manufacturers and suppliers, as well as national trade organisations.

ESA members are involved in the manufacture of potato crisps, corn chips /tortillas, pellet snacks, baked snacks, crackers, pretzels, savoury biscuits, popcorn, pork rinds, meat snacks, fruit snacks, peanuts, other snack nuts and various other savoury snacks in this category.

Our members have a high interest in decreasing the quantities of packaging that go into their products as volume and weight of packaging is a determining factor in the costs of packaging purchase, transport, and logistics and end of life, on top of environmental considerations. They have made noticeable efforts to reduce the use of packaging by e.g. investing in innovative packaging technology, such as light weighting or switching to materials that confide a higher resistance/weight ratio to the packaging. Close collaboration with their packaging suppliers and customers has been instrumental in these efforts.

Our members support the objectives of promoting a transition to a circular economy model and are striving to manufacture products with packaging that maximise the use of resources and minimise waste, while constantly ensuring the optimum safety and quality of the food.

ESA welcomes the opportunity to submit its views to the inception impact assessment on the review of the requirements for packaging and other measures to prevent packaging waste.

I. Key facts on savoury snacks packaging

Functionality and design

The majority of savoury snacks are packaged using flexible plastic films because they are one of the most resource efficient options which are currently available. It is made of several different types of plastics laminated together generally including a thin layer of aluminium. Furthermore, savoury snacks are much more susceptible to light, temperatures, levels of oxygen in comparison to other packaged food products. Flexible packaging is currently the only light weight solution that responds to the requirements.

These have a specific purpose: **they are lightweight** (thereby reducing waste energy for transport and production), **they are hygienic** and, depending on the needs of the product and the choice of materials, **they can provide excellent moisture, oxygen, aroma and UV light barrier properties.** The **food is protected and its shelf-life significantly extended, thereby reducing food waste.** Longer shelf-life also **allows products to be exported** within the Single Market and to compete in foreign markets.



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Savoury snacks products differ significantly in density, size, shape and fragility, while packaging techniques and technologies will vary to accommodate the contents to meet essential requirements and consumers' needs.

Savoury Snacks manufacturers are working on innovation to improve the sustainability of their plastic packaging, for instance to increase their recyclability, or to make them biodegradable or compostable. However, **today there are still a limited number of flexible packaging materials that are promoted as alternatives to current technologies.** The key issue is how functional these alternatives are when compared to existing packaging solutions, and the reality is that **very few have an equivalent performance standard.** Another relevant issue is the need to have support from recycling technologies; there are opportunities to recycled flexible packaging but the sector needs a stronger extended producer responsibility system in place that would incentivise the collection and sorting of flexible films, as well as greater investments in other recycling technologies such as chemical recycling.

Some savoury snacks manufacturers are **involved in research programmes and consortiums at European¹ and international level to mature more sustainable packaging options and work on the recyclability** (from the packaging design, the collection and the sorting to the development of reprocessing infrastructure).

Circularity

All plastics materials are in theory recyclable, but the mixture may not allow for full recovery. Moreover, **there is a lack of infrastructure in place in many EU countries to collect and reprocess this kind of materials.** If collection and segregation of plastic film could be introduced at scale and promoted to consumers then the recycling technologies will become financially viable and will lead to a reduction in waste disposal of these materials.

The flexible packaging used within our sector is legally required to meet specific food safety requirements which are set out within the food contact materials regulations. **For instance, due to the lack of traceability within the recycling chain, the use of recycled materials in primary packaging is therefore extremely challenging.**

II. Review of the requirements for packaging and other measures to prevent packaging waste

The EU Packaging and Packaging Waste Directive (PPWD) provides a longstanding and successful legislative framework, enabling continuous innovation and environmental improvements, as well as sustainable growth and jobs. As stated above, packaging plays an important role in protecting food products as they make their way to consumers across Europe and beyond. To ensure that the review of the requirements for packaging and other measures to prevent packaging waste achieves its

¹For instance, CEFLEX, a collaborative project of a European consortium of companies and associations representing the entire value chain of flexible packaging to enhance the performance of flexible packaging in the circular economy. <https://guidelines.ceflex.eu/?sf236093724=1>



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objectives while balancing potential trade-offs, we recommend including the following elements in the impact assessment:

Economic impacts

- With Europe facing a recession of historic proportions² and an uncertain economic recovery, it is imperative that the European Commission's impact assessment take into account the **economic implications for consumers** of potential revisions to the Packaging and Packaging Waste Directive when combined with other ongoing packaging measures: EU / national plastics taxes, extended producer responsibility fees, adaptation to the Single-use Plastics Directive and litter clean-up cost requirements.
- The **competitiveness of products that are exported** from Europe should be considered.
- Market trends and **retailers' and consumers' actual willingness to pay more** for sustainable packaging should be considered.
- The mechanism for ensuring that investments could be **rewarded through lower extended producer responsibility fees** and better consumer acceptance should be examined thoroughly. If the essential element of consumer acceptance will be neglected, consumer purchasing decisions might lead to detrimental effects with regards to environmental sustainability.
- The **administrative burden and cost of proving compliance for businesses** should be considered.

Social impacts

- Packaging plays an important role in ensuring that food makes it to the consumer in perfect condition. **Food safety and quality** for consumers is of utmost importance, especially for food packaging, and must be a priority.
- The Commission's roadmap states that packaging manufacturers and fillers may face an increase in costs as they adapt to the new requirements. The assessment should therefore consider the impact of this **for consumers in lower socio-economic groups**.

Environmental impacts

- When considering the complexity of packaging materials, it should be fact-based and should consider that **recycling processes can evolve** over time.

Policymaking focussed on packaging has to be done in view of an entire life cycle assessment, i.e. considering all unintended eventualities like increase of food waste etc. allowing policymakers to take decisions as to what is the best environmentally wise option

III. Considerations on some of the policy options mentioned in the Inception Impact Assessment document

Measures on packaging waste reduction are novel to the PPWD, because until now there were only targets on packaging recycling and reuse in the directive. Hence, special consideration has to be given to their design and establishment, e.g. measures should make an **overall clear distinction**

²https://ec.europa.eu/info/business-economy-euro/economic-performance-and-forecasts/economic-forecasts/spring-2020-economic-forecast-deep-and-uneven-recession-uncertain-recovery_en



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between reduction of packaging and reduction of packaging waste, together with clear rules on how to reach the targets set on carbon footprint and food waste reduction. This should be one option considered amongst a combination of other measures to work in association.

Furthermore, the following elements should be taken into account:

- **Reusable models should be considered when they make environmental sense** and along with a **transition phase** to accommodate for a systemic, sustainable, and effective industry change that respects the complexities in supply chains.
- There is a requirement for a **clear definition of overpackaging**. Examples from our sector that should be excluded are packaging units containing a greater number of individual products (**multipacks**) that are designed for their functionality in facilitating consumer and retail transport, retail delivery as well as help addressing issues of diet and calorie intake and food waste avoidance.
- The **potential setting of product packaging ratios** would eventually lead to the preferential choice of bigger portions. This would not be in line with dietary considerations and might increase the risk of food waste.
- Critical areas of packaging like **consumer acceptance, logistic reference and packaging filling processes have to remain within the EN13428:2004 standard**. Packaging has a critical role to play in purchasing decisions and the way brands communicate to and inform consumers. A **clear definition for recycled content as well as recyclable packaging** (no prescriptive lists of positive and negative materials) should be developed together with all stakeholders involved in the supply chain (not only recyclers) and that there should be enough incentives for innovation while remaining technology neutral.
- There is a requirement to specify and define what packaging materials can be considered compostable **in-home compost in comparison to industrial composting**.
- Any proposed measures for the essential requirements should be set as much as possible at European level to **avoid fragmentation of the Single Market**. Our sector relies on **harmonised standards** across the EU to avoid barriers to commercialisation of goods in the EU member states while ensuring a **transparent and predictable way for our members to comply and report**.