



Branded Food
and Beverage
Service Chains
Association

Serving Europe Viewpoint on the review of the Packaging & Packaging Waste Regulation: Proposed new packaging rules should take into account the context-specific needs of the foodservice sector

Serving Europe, the Branded Food and Beverage Service Chains association, welcomes the release of the European Commission's proposal for a Packaging & Packaging Waste Regulation.

Serving Europe fully supports and aligns with the objectives of the proposal to transition to *a safe and sustainable new balance between sensible single use and responsible reuse* in serving food and drinks to European consumers *and will work towards that goal*. Our sector is at the forefront of innovation and investment, with many of our members having launched trials of reusable packaging systems in their restaurants.

However, in its current form, the proposal is not fit for purpose and will introduce measures that could have long lasting consequences on the foodservice sector:

- The way that specific obligations are formulated for packaging to be “recycled at scale” by 2035 would result in practice in a de facto ban on takeaway food and drinks by 2035. While the proposed criteria may be feasible for most classical grocery packaging, the target of at least 75% of the EU population having access to collection, sorting and recycling – for both reusable and single use foodservice packaging – by 2035 cannot realistically be achieved (from a virtually “zero” start point). According to the PPWR proposal, all foodservice packaging would thus be banned by default and the majority of foodservice operators would no longer be in a position to offer safe, hygienic takeaway foodservice.

Recommendation:

- *Exclude foodservice packaging from this criterion, unless an obligation is put on Packaging Recovery Organisations to take back such packaging in their sorting and recycling schemes.*

- The proposal sets unsubstantiated, arbitrary reuse targets. These targets are not based on science-based research (as admitted by the Commission) and do not take into account the wide variety of situations where reuse may actually be damaging for the environment and the wider circularity goals.

Recommendation:

- *set an obligation to achieve circularity – via either reuse system or recyclable and recycled single use packaging, or a combination thereof – and leave it to the foodservice operators to choose the best option in each case, based on a scientifically sound life cycle assessment that takes adequate account of environmental impact.*

- There is a worrying lack of emphasis on food safety within the proposal. Furthermore, the proposal hints that operators may be obliged to accept reusable customer containers. This would present an unacceptable threat to public health and to the safety of our staff and consumers¹.

Recommendations:

- *add a provision in the Regulation to emphasise that food safety should never be disregarded, whichever packaging option is chosen (reuse system/circular single use).*
- *remove the obligation on operators to accept customer containers, clarifying that this may be done on a voluntary basis.*

¹ In addition, this practice would create responsibility/liability issues for the foodservice sector.

- The proposal puts forward rigid and unworkable timelines to meet its objectives.

Recommendations:

→ *favour gradual, planned changes in a fair timeframe to allow manufacturers and users to adapt and make the transition to more circular business models, taking full account of running industrial investments.*

- The text keeps certain essential concepts and definitions vague and leaves the door open to Member States interpretation and own measures. Businesses require legal certainty to be able to invest with confidence. Following our experience with the so-called Single Use Products Directive, it is clear that the approach of the proposed Regulation (which should promote maximum harmonisation for an open and predictable Single Market) will lead to diverging implementation and will further disrupt the single market for packaging.

Recommendations:

→ *Provide clear definitions on all the concepts touched upon by the Regulation.*

→ *Delete provisions encouraging Member States to develop their own diverging measures that go beyond the PPWR in a way that disrupts the single market.*

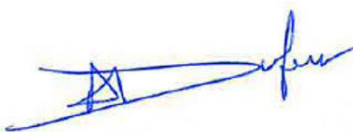
- The proposal does not address the need for investment in collection, sorting and recycling infrastructures for both reuse systems and circular single use and the role of public authorities in creating them, only putting the emphasis on businesses. However, these infrastructures are critical to achieve circularity and sustainability of packaging, whether for circular single use or reuse systems.

Recommendations:

→ *Add a provision requiring Member States to put in place the necessary infrastructures to ensure collection and recycling for both single use and reusable products.*

Serving Europe and its members look forward to a constructive dialogue with the EU institutions to ensure the most safe and sustainable way forward.

Yours sincerely,



Aurélie Dufour,
Chairwoman

Serving Europe is:

