

PRO EUROPE COMMENTS

European commission regulation on recycled plastic materials and articles intended to come into contact with foodstuffs

February 2005

PRO EUROPE represents 26 national schemes responsible for the collection, recovery and recycling of packaging waste which are active in 21 Member States, Bulgaria, Romania, Turkey, Norway and Canada¹. As practitioners who are closely involved in the management of packaging waste, PRO EUROPE welcomes this opportunity to present its views on the draft Regulation on recycled plastic materials and articles intended to come into contact with foodstuffs.

GENERAL COMMENTS

PRO EUROPE welcomes the Commission's draft Regulation as a positive step in the development of legislation leading to the safe use of recycled materials and articles intended to come into contact with food.

The percentage of PET bottles collected by PRO EUROPE's members is on the increase. A closed material circuit or "bottle-to-bottle" process has been carried out over the past years which shows that when using the so-called "super-clean" recycling processes, "bottle-to-bottle" recycling of "post-consumer" PET bottles is possible.

In fact, analyses of recycled PET flakes derived from non-food packaging applications which were subjected to the "super-clean" recycling process have shown that there is no difference between those flakes and virgin PET material in relation to unwanted migratory substances.

At present, it is technically unfeasible to separate collected food contact from non-food contact PET packaging. **On average, PET packaging that has been in contact with non-food products represents a percentage of no more than 10% of the overall collected PET packaging for recycling. Therefore, any restrictions to the use of non-food contact PET packaging for recycling would undermine the existing systems for no improvement of consumer safety.**

The growing use of recycled plastic as a food contact material provides a real opportunity for diversification in the industry, and will undoubtedly contribute to ensuring the future of the recycling industry in Europe and beyond. In light of this, PRO EUROPE is in support of legislation in this field in order to, above all else, ensure consumer safety and secondly to allow the free movement of goods on the European market.

¹ ARA - Altstoff Recycling (Austria); DSD - Duales System Deutschland AG (Germany); Eco-Emballages (France); Eco Embalajes Espana (Spain); EcoPack (Bulgaria); Eco-Rom Ambalaje (Romania); ERO (Estonia); FOSTPlus (Belgium); GreenPak (Malta); HE.R.R.CO (Greece); REPA (Sweden); REPAK (Ireland); SPV - Sociedade Ponto Verde (Portugal); VALORLUX (Luxembourg); Materialretur (Norway); CEVKO (Turkey); EKO-KOM (Czech Rep.); EnviPak (Slovak Rep.); Green Dot Cyprus (Cyprus); Latvijas Zalais Punkts (Latvia); ÓKOPANNON (Hungary); RekoPol (Poland); SLOPAK (Slovenia); Zaliasis Taskas (Lithuania) and the co-operation partners VALPAK (UK) and CSR (Canada).

DETAILED COMMENTS

PRO EUROPE wishes to give its views on the potential restrictions that the draft Regulation could impose on the use of recycled plastics, provided that they do not pose a risk to human health, for food contact applications

We believe that it is neither useful nor necessary to limit the amount of household plastic packaging which has had a non-food contact in its first life from coming into contact with foodstuffs in a recycled form. Due to technological advances and the use of highly accurate decontamination processes, recycled PET of a high quality is increasingly being produced from bottles that might have had non-food contact i.e. bottles containing shampoo or hand soap.

Decontamination processes, such as the Amcor (SuperCycle) or the Wellman (Ecoclear) processes, have been rigorously tested to demonstrate that potential contamination levels in recycled PET have been reduced to such a point whereby they do not pose a risk to human health. PRO EUROPE would reiterate that it believes the safety of the consumer should be the leading consideration in the formulation of this Regulation.

In light of this, **PRO EUROPE would call on the Commission to reconsider the requirements for the recycling process laid down in the draft Regulation. The limitations on the quantity of household packaging that has had a non-food contact in its first life should be removed in order to allow their recycling for food contact applications provided that the safety for human health can be guaranteed.**

The recent study conducted by Fraunhofer Institute for Process Engineering and Packaging IVV² demonstrates that it is possible to start with 100 % PET flakes derived from non-food applications to create a recycle via the “super-clean” recycling process whose migration potential is no higher than that of virgin PET. We are at your disposal to discuss in further detail the tests and conclusions of this study.

As experts in the collection and recycling of packaging waste, we look forward to sharing our knowledge and participating in an open and collaborative process with the Commission in the shaping of this legislation.

PRO EUROPE's member organisations are responsible for meeting the recovery and recycling targets laid down in EU Directive 94/62/EC on Packaging and Packaging Waste.

The Green Dot (“Der Grüne Punkt”) is the most widely used trademark in the world, and an international symbol for the implementation of producer responsibility by the companies involved. It shows that companies have made a financial contribution to a national compliance and recovery scheme providing for the take-back and recovery of the packaging put on the market.

² Fraunhofer Institute for Process Engineering and Packaging IVV, *Gas Chromatographic Screening and Challenge-Tests in the “bottle-to-bottle” recycling of PET Bottles from DSD Collections*, Freising, Germany, January 2003