



**Reusable packaging:  
Existing EU rules on reuse, its  
calculation and reporting as well  
as EC's current and future work  
on the reuse of packaging**

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## EU: key developments since last 2 years

**Plastic strategy (January 2018)** lays foundations for “a new plastics economy”; the design and production fully respect reuse, repair and recycling needs; “**by 2030, all plastic packaging placed on the EU market is either reusable or can be recycled in a cost-effective manner**”.

**Revision of the waste legislation** on **4 July 2018** (MS have 2 years (5/7/2020) to transpose it).

It concerned mostly **WFD, PPWD, Landfill Directive** + less **WEEE and ELV and Batteries Directives**.

New rules help make the **circular economy** reality:

- will **help to prevent waste** and **significantly step up recycling of municipal and packaging waste with new 2025 and 2030 recycling targets (60% MW; 70% PW by 2030) + new material specific packaging recycling targets**
- will **phase out landfilling** (>10% by 2035); ban landfilling of separately collected waste (+ MS to justify any derogations from separate collection); separate collection for glass, plastic, metal and paper (since 2015) + bio-waste (2023), hazardous household waste and textiles (2024)
- MS obliged to use **economic instruments**, such as **EPR schemes** (clarified + strengthened; eco-modulation of fees + mandatory schemes for PW by 2024) (Art. 4(3) WFD)
- obligation on MS to adopt **waste prevention and reuse measures** (Art. 9 WFD)
- Commission to examine “**the feasibility of reinforcing the essential requirements** with a view to, inter alia, **improving design for reuse** and promoting high quality recycling, as well as strengthening their enforcement.”

**SUP Directive (5 July 2019)** – Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment

## Promotion of Reuse and new waste legislation

### WFD, Article 9(1): Prevention of waste

MS shall take measures to prevent waste generation. These measures shall at least (...)

- (a) Promote and support sustainable production and consumption models;
- (b) Encourage the design, manufacturing, use of products that are (...) durable, repairable, **re-usable**, upgradable;
- (d) **encourage the re-use of products and the setting up of systems promoting repair and re-use activities**, including in particular for EEE, textiles and furniture, as well as **packaging** and construction materials and products.

### PPWD, Article 5(1): Reuse

In line with the waste hierarchy laid down in Article 4 of Directive 2008/98/EC, **Member States** shall take measures to **encourage the increase in the share of reusable packaging** placed on the market and of **systems to reuse** packaging in an environmentally sound manner and in conformity with the Treaty, without compromising food hygiene or the safety of consumers.

Such measures may include, inter alia:

- (a) use of **deposit-return schemes**;
- (b) setting of **qualitative or quantitative targets**;
- (c) use of **economic incentives**;
- (d) setting up of a **minimum percentage** of reusable packaging placed on the market every year for each packaging stream.

## How to use reuse to adjust the recycling targets?

### PPWD, Article 5(2) and 5(3)

**5(2) A Member State may decide to attain an adjusted level of the targets** referred to in points (f) to (i) of Article 6(1) for a given year (*i.e. recycling targets*) **by taking into account the average share, in the preceding three years, of reusable sales packaging placed on the market for the first time and reused as part of a system to reuse packaging.**

The adjusted level shall be calculated **by subtracting:**

**(a) from the targets laid down in points (f) and (h) of Article 6(1) (*i.e. from the overall packaging targets for recycling of min. 65% by 2025 and min. 70% by 2030 by weight of all packaging waste*), the share of the reusable sales packaging** referred to in the first subparagraph of this paragraph **in all sales packaging placed on the market, and**

**(b) from the targets laid down in points (g) and (i) of Article 6(1) (*i.e. from material specific recycling targets*), the share of the reusable sales packaging** referred to in the first subparagraph of this paragraph, **composed of the respective packaging material, in all sales packaging** composed of that material placed on the market.

**No more than 5% of such share can be taken into account for the calculation of the adjusted target level.**

## New calculation rules

### **Commission Implementing Decision (EU) 2019/665 amending Decision 2005/270/EC establishing formats relating to the database system pursuant to Directive 94/62/EC (17 April 2019)**

- rules for the calculation, verification and reporting of data for the calculation of 2025 and 2030 recycling targets and new formats for data reporting
- only waste that enters the recycling operation or waste that has achieved end of waste status should be used for calculation of the recycling target
- as a general rule, the measurement of waste should be at the input to the recycling operation
- composite packaging: reporting per material contained in the packaging (5% threshold)
- sets out calculation points for the main packaging materials and recycling operations
- enhanced rules on the quality control of the reported data
- **harmonises reporting on reusable packaging and reusable sales packaging + calculation of the amount of wooden packaging to be reported for reuse**



## How to use reuse to adjust the recycling targets?

### Article 6a of Decision 2019/665:

(1) For the purposes of attaining an adjusted level of the recycling targets set in points (f) to (i) of Article 6(1) of Directive 94/62/EC by taking into account **the average share, in the preceding three years, of reusable sales packaging placed on the market for the first time and reused as part of a system to reuse packaging**, as provided for in Article 5(2) of Directive 94/62/EC, the amount of reusable sales packaging which is discarded after its first rotation shall be deducted from the total amount of reusable sales packaging placed on the market for the first time in a given year.

(2) The percentage points that may be subtracted from the recycling targets to determine the adjusted level referred to in Article 5(2) of Directive 94/62/EC shall be calculated as **a simple average of the percentage points that represent the share of reusable sales packaging in each of the preceding three years. That share shall be calculated by dividing the amount of reusable sales packaging determined in accordance with this Article that is composed of the packaging material to which the recycling target applies, by the amount of all sales packaging composed of that packaging material and placed on the market for the first time in a given year.**

## Format for reporting for the purpose of adjusting the recycling rates in accordance with Art. 5(2) PPWD

(%)

1	2	3	4	5
Packaging waste material	Share of reusable sales packaging in all sales packaging year n-3	Share of reusable sales packaging in all sales packaging year n-2	Share of reusable sales packaging in all sales packaging year n-1	Average share of reusable sales packaging in the three years preceding year n
Plastic				
Wood				
Ferrous metal				
Aluminium				
Glass				
Paper and cardboard				
All				

### Notes:

1. Light shaded boxes: Data is obligatory only for the material for which the Member State has decided to achieve an adjusted target.
2. Dark shaded boxes: the calculation of data is automatic and represents the simple average of columns 2, 3 and 4.

## New calculation rules – some remarks

### Conditions for calculating the adjusted level of the recycling targets applicable in 2025 and 2030:

- The possibility applies only to reusable sales packaging which is **placed on the market for the first time**; not to the sales packaging that is reused in subsequent rotations
- The adjustment of the target shall be calculated by dividing the **reusable sales packaging placed on the market for the first time by all sales packaging placed on the market for the first time** (despite the fact that recycling targets apply to all packaging incl. transport, grouped)
- The possibility only applies to reusable sales packaging which is **part of a system to reuse packaging** (see EN 13429:2004 (hybrid systems to be excluded?))
- Data required:
  - yearly data for all sales packaging placed on the market
  - yearly reusable packaging placed on the market for the first time
  - reusable sales packaging which is part of a system to reuse packaging, and
  - for all packaging materials mentioned in the PPWD
- **The adjustment is voluntary** and therefore the provision of such data is obligatory only for MS seeking an adjusted level of a target
- **But reporting on reuse is now mandatory under Art. 12 PPWD!**



**Format for reporting on reusable packaging (reporting on reuse is obligatory under Art. 12 PPWD!)**

1	2	3	4	5	6	7	8	9	10	11
Packaging material	Packaging placed on the market for the first time				Reusable packaging placed on the market for first time		Rotations <sup>(3)</sup>			
	All packaging <sup>(1)</sup>		Sales packaging <sup>(2)</sup>		All reusable packaging (t)	Reusable sales packaging (t)	All reusable packaging		Reusable sales packaging	
	(t)	(units)	(t)	(units)			(t) <sup>(4)</sup>	(number)	(t) <sup>(4)</sup>	(number)
Plastic										
Wood										
Ferrous metal										
Aluminium										
Glass										
Paper and cardboard										
Other										
All										

*Note:* Light shaded boxes: provision of data is voluntary.

<sup>(1)</sup> This means all reusable and single-use packaging comprising sales, transport and grouped packaging.

<sup>(2)</sup> This means reusable and single-use sales packaging.

<sup>(3)</sup> This means the number of rotations that reusable packaging completes in a given year.

<sup>(4)</sup> This means the number of rotations that reusable packaging completes in a given year multiplied by their mass.;

## How to use reuse to adjust the recycling targets?

Packaging material	Sales packaging placed on the market	Reusable sales packaging which is part of a system to reuse packaging, placed on the market for first time	Reusable sales packaging as share of all packaging placed on the market
	Tonnage	Tonnage	Percentage
	(a)	(b)	(c) = (b)/(a)
Glass			
Plastic			
Paper/cardboard			
Ferrous metal			
Aluminium			
Wood			
Other			
Total			

## How to use reuse to adjust the recycling targets?

Packaging waste material	Share of reusable sales packaging in all sales packaging year n-3	Share of reusable sales packaging in all sales packaging year n-2	Share of reusable sales packaging in all sales packaging year n-1	Average share of reusable sales packaging in the three years preceding year n
	(%)	(%)	(%)	(%)
	(d)	(e)	(f)	(g)=(d+e+f)/3
<b>Glass</b>				
<b>Plastic</b>				
<b>Paper/cardboard</b>				
<b>Ferrous metal</b>				
<b>Aluminium</b>				
<b>Wood</b>				
<b>All</b>				

## How to use reuse to adjust the recycling targets?

Packaging waste material: glass Year:	Sales packaging placed on the market	Reusable sales packaging which is part of a system to reuse packaging, placed on the market for first time	Reusable sales packaging as share of all packaging placed on the market
	Tonnage	Tonnage	Percentage
	(a)	(b)	(c) = (b) / (a)
2022	155 000	5 200	3.35%
2023	160 000	5 000	3.13%
2024	165 000	4 800	2,91%
2025	155 000	4 500	2,90%

Packaging waste material	Share of reusable sales packaging in all sales packaging year n-3 2022 (%)	Share of reusable sales packaging in all sales packaging year n-2 2023 (%)	Share of reusable sales packaging in all sales packaging year n-1 2024 (%)	Average share of reusable sales packaging in the three years preceding year 2025 (%)
	(d)	(e)	(f)	(g) = (d + e + f) / 3
Glass	3,35	3,13	2.91	3,13
...				

Packaging material	Recycling target		Average share of reusable sales packaging in the preceding three years; maximum 5 % points	Adjusted level of the target	
	2025 <sup>1</sup>	2030 <sup>1</sup>		2025	2030
	(h)	(i)	(j) = (g) <sup>2</sup>	(k) = (h-j)	(l) = (i) - (j)
Glass	70	75	3,13	66,87	
...					

## How to use reuse to adjust the recycling targets?

Packaging material	Recycling target (%)		Average share of reusable sales packaging in the preceding three years; maximum 5 % points	Adjusted level of the target (%)	
	2025 <sup>1</sup>	2030 <sup>1</sup>		2025	2030
	(h)	(i)	(j) <sup>2</sup>	(k) = (h-j)	(l) = (i) - (j)
<b>Glass</b>	<b>70%</b>	<b>75%</b>			
<b>Plastic</b>	<b>50%</b>	<b>55%</b>			
<b>Paper/cardboard</b>	<b>75%</b>	<b>85%</b>			
<b>Ferrous metal</b>	<b>70%</b>	<b>80%</b>			
<b>Aluminium</b>	<b>50%</b>	<b>60%</b>			
<b>Wood</b>	<b>25%</b>	<b>30%</b>			
<b>All</b>	<b>65%</b>	<b>70%</b>			

## Calculation of the wooden packaging that is repaired for reuse

**PPWD, Art. 5(3):** A Member State may take into account the amounts of **wooden packaging that is repaired for reuse in the calculation of the targets** laid down in point (f), point (g)(ii), point (h) and point (i)(ii) of Article 6(1) *(i.e. in the general PW recycling targets + specific recycling targets for wood (25% by 2025 and 30% by 2030))*

### **Article 6b of Decision 2019/665:**

(1) Where a Member State takes into account the amounts of **wooden packaging that is repaired for reuse** in the calculation of the targets laid down in point (f), point (g)(ii), point (h) and point (i)(ii) of Article 6(1) of Directive 94/62/EC, **the amount of wooden packaging that is repaired for reuse shall be added to both the generated packaging waste and the recycled packaging waste.**

(2) The amount of wooden packaging that is repaired for reuse shall be established on the basis of **the mass of the repaired wooden packaging units that are subsequently reused** and shall **exclude wooden packaging or components** of wooden packaging that are **directed to waste treatment operations.**



## Reporting on the recycling targets in Art. 6 PPWD

Packaging waste material	Waste generation	Recycling			Repair of wooden packaging	Energy recovery <sup>(1)</sup>	Other recovery <sup>(2)</sup>
		Recycling in the Member State	Recycling in other Member States	Recycling outside the EU			
All							
Plastic							
Wood							
Metal (total)							
Ferrous metal							
Ferrous metal from IBA <sup>(3)</sup>							
Aluminium							
Aluminium from IBA <sup>(4)</sup>							
Glass							
Paper and cardboard							
Other							

# Definitions

- **Reuse** means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived (WFD, Art. 3(13))
- **Reusable packaging** shall mean packaging which has been conceived, designed and placed on the market to accomplish within its life cycle multiple trips or rotations by being refilled or reused for the same purpose for which it was conceived (PWD, Art. 3(2))
- **Sales packaging** (...) conceived so as to constitute a sales unit to the final user or consumer at the point of purchase (PPWD, Art. 3(1)(a))
- **Rotation:** a trip performed by reusable packaging from the moment it is placed on the market together with the goods it is intended to contain, protect, handle, deliver or present, to the moment it is sent back for reuse in a system to reuse packaging with a view to its repeated placing on the market together with the goods (Art. 1(f) Decision 2019/665)
- **System to reuse packaging:** organisational, technical or financial arrangements which ensure that reusable packaging performs multiple rotations. (Art. 1(g) Decision 2019/665)
- **CEN Standard EN 13429 (2014): packaging – reuse gives 3 possibilities for a reuse system:**
  - **A closed loop system** – in which packaging is circulated by a particular company or group of companies;
  - **An open loop system** – in which packaging circulates amongst unspecified companies; or
  - **A hybrid system** – in which the end-user retains the reusable packaging and uses auxiliary one-way packaging to refill it

## Single-use plastics Directive I (2019/904)

Art. 4(1): Member States shall take the necessary measures **to achieve an ambitious and sustained reduction in the consumption** of the single-use plastic products listed in **[cups for beverages including their caps and lids and food containers]**, in line with the overall objectives of the Union's waste policy, in particular **waste prevention**, leading to a **substantial reversal of increasing consumption trends**. Those measures shall **achieve a measurable quantitative reduction in the consumption** of the single-use plastic products listed in Part A of the Annex on the territory of the Member State by **2026 compared to 2022**.

### List of possible measures:

- national consumption reduction targets,
- **making re-usable alternatives available at the point of sale,**
- economic instruments, such as a fees at the point of sale
- voluntary agreements between competent authorities and the economic sectors concerned
- **marketing restrictions** in derogation from Article 18 of Directive 94/62/EC for the purposes of preventing such products from becoming litter **in order to ensure that they are substituted with alternatives that are re-usable** or do not contain plastic.

## Single-use plastics Directive II

- Art. 5 and Part A of Annex: From 3 July 2021, Member States shall prohibit placing on the market of:
  - plastic cotton buds,
  - cutlery,
  - plates,
  - straws and beverage stirrers,
  - balloon sticks,
  - food and beverage containers as well as beverage cups out of expanded polystyrene
- products made out of oxo-degradable plastic.
- Art. 9 and Part F of the Annex: Beverage bottles with a capacity of up to 3 l, including their caps and lids will need to be separately collected for recycling: 77% by 2025 and 90% by 2029 of such bottles placed on a market in a given year by weight.

## Plastic bags Directive 2015/720 (consolidated into PPWD)

- The Directive requires MS to take measures to achieve a “**sustained reduction in the consumption**” of lightweight plastic carrier bags, such as national reduction targets and/or economic instruments (e.g. fees, taxes) and marketing restrictions (bans), provided that the latter are proportionate and non-discriminatory.
- Member States should adopt measures that **annual consumption would not exceed 90 bags per person by 2019, 40 by 2025, and/or that by end of 2018 such bags would not be free of charge at the point of sale.**
- Compared to the baseline scenario (2010) this is a 50% reduction in consumption by 2019 and 80% by 2025.
- **Marketing restrictions on reusable plastic carrier bags (thicker than 50 microns) not allowed!**
- **Verification of results and further measures**
  - By 30 June 2020, MS are to report data for the first time on annual consumption for 2018 (starting in May 2018).
  - By end of November 2021, Commission to study the results and present a report and, if deemed necessary, a legislative proposal for EU measures for reduction in the consumption of lightweight plastic carrier bags

## Future Outlook

### PPWD, Article 5(5): Reuse

**By 31 December 2024**, the Commission shall **examine data on reusable packaging** provided by Member States in accordance with Article 12 and Annex III with a view to considering the feasibility of setting **quantitative targets on reuse** of packaging, including the calculation rules, and any further measures to promote reuse of packaging. To that end, the Commission shall submit **a report** to the European Parliament and to the Council, accompanied, *if appropriate*, by **a legislative proposal**.



## Essential Requirements Review

- **Packaging to be placed on the market only if it complies with all ER (Art. 9)**
- **= criteria for (1) minimization of weight and volume + hazardous substances, (2) on packaging reuse and (3) on packaging recovery.**
- **By 31 December 2020, the Commission to “examine the feasibility of reinforcing the ER with a view to, inter alia, improving design for reuse and promoting high quality recycling, as well as strengthening their enforcement”.**
- **Problems:**
  - formulated in a general manner => poor enforcement => failed to unfold their full potential
  - ER do not adequately address prevention and integrate eco-design principles
- **Ongoing study:**
  - Improving implementation and enforcement: identifying obstacles & solutions
  - Analysing ER’s adequacy and effectiveness vis-a-vis objectives of the revised waste legislation & CE policies
  - Identifying options to make them more effective/implementable/enforceable
  - Preliminary scoping of impacts of different options
- **Way forward:** end of study December 2019; launching of the Impact assessment study 2020; presentation of a report and possible legislative amendments end of 2020

## Current Essential Requirements on Reuse

- **Requirements specific to the reusable nature of packaging (Annex II; point 2, PPWD)**

The following requirements must be simultaneously satisfied:

- the physical **properties and characteristics** of the packaging shall **enable a number of trips or rotations** in normally predictable conditions of use,
- possibility of **processing the used packaging** in order to meet **health and safety** requirements for **the workforce**,
- **fulfil the requirements specific to recoverable packaging** when the packaging is **no longer reused** and thus becomes waste.

- **Requirements specific to the recoverable nature of packaging (Annex II; point 3(a), PPWD)**

(a) Packaging recoverable in the form of material recycling

Packaging must be manufactured in such a way as to **enable the recycling of a certain percentage by weight (...)** The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.

- **Requirements specific to the manufacturing and composition of packaging**

Packaging shall be so manufactured that **the packaging volume and weight be limited to the minimum adequate amount** to maintain the necessary level of **safety, hygiene and acceptance (...)**

Packaging shall be **designed, produced and commercialised in such a way as to permit its reuse or recovery, including recycling**, in line with the waste hierarchy, and to minimise its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.