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A negative list of packaging characteristics can hinder a circular economy for packaging

FINAT, the European association of self-adhesive labels, fully supports the objectives of the revision of the Packaging and Packaging Waste Directive to contribute to the effective functioning of the internal market while reducing the impacts of packaging and packaging waste on the environment and human health.

We consider that the definition of recyclability of packaging, as well as the process to assess recyclability of packaging, must be **technology and material agnostic**. Therefore, **we strongly oppose the inclusion of a “negative list of packaging characteristics”** in the text of the new legislation. **A generic list of this sort cannot be comprehensive, science-based and future-proof**. It assumes that anecdotal evidence fully describes state-of-the-art recycling processes, ignoring recent and ongoing developments and innovations in manufacturing and recycling of packaging. In fact, **packaging with several of the suggested “characteristics” is recyclable and is currently recycled in practice** (as we already pointed out in detail on [our feedback to the stakeholder questionnaire in March 2022](#)).

A generic “negative list” **conflicts with the establishment of Design for Recycling criteria** that account for the compatibility of packaging materials and components in material- and format-specific recycling processes in an **effective and non-discriminatory manner**. These criteria are already being established by cross-sector projects (such as **RecyClass** for plastic packaging, **4evergreen** for fibre-based packaging and **CEFLEX** for flexible packaging, among others), and can be further tuned with a broader set of stakeholders within a Packaging Forum Expert Group. In fact, the **“red columns” of these guidelines already act as de facto negative lists**, as their use is strongly discouraged along the supply chain. In our opinion, the definition of performance classes within each of the packaging categories would result in the same effect that is intended by a “negative list”, but with a **more certain and science-based approach**. Any definition of a “negative list” prior to the establishment of comprehensive Design for Recycling criteria would be **premature and fail to provide regulatory certainty for business**, severely **discouraging ongoing investments** in developing materials, components and recycling for current and future packaging solutions, thus preventing the development of a circular economy for packaging.

We therefore encourage the European Commission to **emphasise the development of parameters to ensure comprehensive Design for Recycling criteria** and **refrain from including a “negative list”** in the upcoming Packaging and Packaging Waste Regulation. This approach will ensure that packaging placed in the EU market is compatible with the recycling streams in place, contribute to effective recycling of packaging waste in high rates, and yield high quality secondary raw materials to enable a true circular economy.

FINAT represents over 600 member companies covering the complete value chain of the self-adhesive label industry. The label printing industry directly employs over 100.000 people in the EU, with a yearly revenue over €14B. FINAT is committed to increasing the sustainability of the value chain and to applying circular economy principles in packaging.

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