

RECOUP Waste & Recycling Policy Update

December 2022



Due to the significant developments and updates shared by Defra, the European Commission, devolved governments and others, RECOUP has issued a short summary document on the following:

- Extended Producer Responsibility (EPR)
- Packaging and Packaging Waste Regulation (PPWR)
- Separate Collection of Waste Materials for Recycling in Wales
- Deposit Return Scheme (Scotland)
- Deposit Return Scheme (Republic of Ireland)

RECOUP will continue to share updates and information on EPR and other areas of policy as it becomes available.

Defra update on Extended Producer Responsibility

In November, Defra hosted a number of webinars on Extended Producer Responsibility (EPR), specifically focusing on the data requirements due from early 2023.

The webinars were recorded, and are available to view on YouTube at the following links:

[Extended Producer Responsibilities \(EPR\) - January 2023 Requirements Webinar \(1 of 2\) - YouTube](#)
[Extended Producer Responsibilities \(EPR\) - January 2023 Requirements Webinar \(2 of 2\) - YouTube](#)

These provide updates on:

- An overview of Collections and Packaging Reforms
- EPR requirements from 1 January 2023
- Packaging definitions
- Differences between Household and non-Household Packaging
- Producer types
- Demonstration of the Obligation Checker
- Offsetting against EPR costs through bespoke collection schemes
- Data submission

A draft Statutory Instrument (SI) was laid in Parliament on 22 November 2022, which will require producers of packaging to collect and report data on the amount and type of packaging that they

place on the market. This data is required to calculate the fees that these producers will be required to pay to cover the cost of managing this packaging as part of the Extended Producer Responsibility (EPR) for packaging scheme which is planned to start in 2024, and with modulated fees expected to be introduced within two years of this. This draft SI is for England, but has been closely developed with the devolved administrations, who will shortly be laying mirroring SI in their own nations. Whilst separate, they are drafted to allow producers to capture and report their packaging data at a UK level into a single UK wide data reporting system. The [Statutory Instrument](#) is available to read on the Defra website.

UK organisations are being asked to begin collecting their packaging data from 1 January, though this won't become mandatory until March 2023. This will be ahead of reporting being required from July 2023. These regulations will apply to UK organisations and may also include products imported from outside the UK and online marketplaces. Organisations with a turnover of more than £1m, and handle more than 25t of packaging, will be required to report their data but not obligated under EPR fees, whilst those over £2m and more than 50t will be fully obligated. Exported material will not be included in these fractions.

Details were provided around offsetting, with bespoke collection schemes for items that are 'not commonly collected' (i.e. have less than 75% collection provision at kerbside) being highlighted as an example.

An example of the reporting requirements was shared, showing the differences in waste being moved between the devolved nations, categorisation by material type, and how in-scope DRS items and those 'commonly found in litter bins' are reported separately. The latter of these is due to be a static definition by packaging type, the proportion of which will be decided by Defra.

As well as updating the [existing packaging waste: prepare for extended producer responsibility](#) guide, Defra has published new guidance on '[how to collect your packaging data for EPR](#)'. This new guidance covers:

- what data you need to collect
- packaging activity data
- packaging material and weight data
- packaging category data
- waste type data
- check if you need to report nation data
- how parent companies should report data
- how your data will be used
- examples of how to report data

These webinars focused on EPR, not other upcoming legislation such as Deposit Return Schemes (DRS) and Consistent Collections. As part of the Q&A session, a number of queries and specifics were raised. Whilst some were answered, we are waiting on further information to come from Defra to clarify some of these points. As part of their communications, Defra has begun releasing responses to these questions as part of a FAQ.

More information on the implementation and requirements for EPR are expected throughout 2023, and if you would like to receive updates from Defra around EPR, a newsletter is available. To subscribe, please [click here](#).

RECOUP will continue to share updates and information on EPR as it comes available.

EC Packaging and Packaging Waste Regulation (PPWR) update

On 30 November, the European Commission (EC) published the new proposed Packaging and Packaging Waste Regulation (PPWR). These will undergo a period of negotiation prior to any implementation in the future.

Whilst this legislation is only binding to EU Member States, due to the significant trade link between the UK and EU, the UK is likely to be impacted due to the large amount of trade importing and exporting packaging with the bloc and there is an inevitable overlap in terms of how it will impact the packaging that is placed on the UK market and disposed of in its waste streams. The UK Government may also choose to adopt some of these policies and targets itself.

There are a number of key sustainability targets which are outlined as follows:

Packaging Waste Prevention

The target of this legislation is to reduce packaging waste in European Union Member States by 15%, by 2040. Packaging waste generated per capita should be reduced compared to a baseline of 2018 by:

- 5% by 2030
- 10% by 2035
- 15% by 2040

Recycled Content

From 1 January 2030 plastic packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging:

- 25% for contact sensitive plastic packaging
- 50% for single use plastic beverage bottles (20% higher than that set out in the SUPD)
- 45% for all other plastic packaging

From 1 January 2040:

- 50% for contact sensitive plastic packaging
- 65% for single use plastic beverage bottles
- 65% for all other plastic packaging

This will be achieved by increasing reusable packaging options, getting rid of unnecessary packaging, limiting overpackaging, and providing clear labels to support correct recycling. It will also seek to decrease the need for virgin materials, boost Europe's recycling capacity, and make Europe less dependent on primary resources and external suppliers.

A methodology for calculating and verifying the percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging will also be established.

Reuse and Refill Targets

The legislation also details targets for re-use or refill of packaging by 2030, and 2040. These are as follows:

Packaging Type	January 2030	January 2040
Large household appliances	90%	NA
Cold and hot beverages filled into a container at the point of sale for take-away	20%	80%
Take-away ready-prepared food	10%	40%
Alcoholic beverages other than wine	10%	25%
Wine except sparkling wine	5%	15%
Non-alcoholic beverages	10%	25%
Transport packaging: pallets, crates, foldable boxes, pails and drums	30%	90%
Transport packaging for the transport and delivery of non-food items via e-commerce	10%	50%
Transport packaging: pallet wrappings and straps for stabilisation and protection of products on pallets	10%	30%
Grouped packaging: boxes used outside of sales packaging to group a certain number of goods to create a SKU	10%	25%

Compostable Packaging

By 24 months after the regulation comes into force, only the following packaging shall be manufactured from compostable plastic polymers:

- Tea bags
- Filter coffee pods disposed together with the used coffee products
- Sticky labels attached to fruit and vegetables
- Very lightweight carrier bags (below 15 micron).

Where appropriate waste collection schemes and waste treatment infrastructure is available, member states are empowered to require that lightweight plastic carrier bags (below 50 micron) shall be made available on the market for the first time only if it can be demonstrated that they have been entirely manufactured from compostable polymers.

Labelling, Marking and Information Requirements

There are a number of targets around packaging labelling and marking, which include:

- By 18 months after entry into force, the commission shall adopt an implementing act to establish harmonised labelling requirements.
- By 24 months after the publication of the implementing act, packaging shall be marked with a label containing information on its material composition to facilitate consumer sorting.

EPR and DRS Schemes

Two schemes are required:

- Extended Producer Responsibility (EPR) schemes are to be set up by 31 December 2024 (C&I packaging is not exempt from this).
- By 1 January 2028 Deposit and Return Systems (DRS) are to be set up for, as a minimum, single use plastic beverage bottles with the capacity of up to 3 litres. This excludes wines and spirits and milk and milk products. If the member state achieves a collection rate of 90% for the target packaging types without a DRS then they are exempt from DRS requirements. Should levels fall under 90% for three consecutive years a DRS will need to be implemented.

There are also targets for:

- Packaging minimisation (excessive packaging).
- Lightweight carrier plastic bags.
- Recycling targets (remain unchanged).
- Single use plastics.
- A range of reporting requirements including re-usable packaging included within recycling rates.

More information can be found on the EC website by [clicking here](#).

Consultation on the Separate Collection of Waste Materials for Recycling in Wales

Wales has released a consultation on increasing the pre-collection sorting for business and household recycling.

The consultation seeks opinions on the separation requirements that are to take place from October 2023. The new separation requirements would ban several items from incineration and introduce at least six streams of pre-collection separation.

The consultation is live until 15 February 2023. To see or response to the full consultation, you can visit the Welsh Government website by clicking [here](#).

Circularity Scotland share DRS webinar recording and slides from November event

Circularity Scotland has shared access to the Deposit Return Scheme (DRS) Conference 2022 platform through its website, following the event in November, and ahead of DRS being introduced in Scotland in August 2023.

The platform allows access to the recordings, slides and exhibitor information and resources from the conference, and can be accessed by [clicking here to register](#).

Republic of Ireland Deposit Return Scheme launched ahead of 'go live' date in February 2024

On 28 November, the government of the Republic of Ireland launched its Deposit Return Scheme (DRS) for PET bottles and aluminium and steel cans operated by Deposit Return Scheme Ireland CLG. This is to align with the country's targets of performing separate collection of 77% of plastic beverage bottles POM by 2025, and 90% by 2025.

A €0.15 cent deposit will apply to containers between 150ml and 500ml, and a €0.25 deposit for containers between 500ml and 3 litres. All producers and retailers are legally obliged to register with [Re-turn](#) and can do so now, with the [separate collection \(deposit return\) regulations 2021 \(SI599 of 2021\)](#) and DRS 'go live' date for customers planned for February 2024.

This launch takes place among the DRS launch in Scotland in August 2023, and the rest of the UK at a later date.

More information can be found on the Irish Government website at: <https://www.gov.ie/en/press-release/b3f2f-minister-smyth-launches-irelands-deposit-return-scheme/>