

EXPRA position paper on labelling

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The use of labelling, either on packaging or a product, to inform consumers of environmental product credentials or recycling options, is becoming increasingly popular. The promoters of such labels view this as a means to obtain environmental objectives, support consumers to make responsible purchase choices or enable them to make the best end-of-life treatment decision of the packaging. However, this may not always be the case.

The work of the Extended Producer Responsibility Alliance's (EXPRA) members focuses on co-organising the collection, sorting and recycling of used packaging (particularly household packaging) on behalf of obliged industry and together with the local authorities. Therefore, this paper will focus on mandatory labels used to give waste recycling recommendations.

EXPRA's position can be summarised as follows:

- EXPRA calls for caution in relation to the introduction of mandatory recycling labelling initiatives as they can, if not operated well, cause confusion in relation to achieving waste prevention, waste sorting and collection for recycling.
- Due to the myriad of different packaging collection systems, waste infrastructure and standards across EU Member States, EXPRA is of the opinion that it would neither be suitable nor practically possible to use harmonised recycling labels at EU level. Neither would it be possible to create one label that would be understandable to all citizens. As waste management infrastructure and collection systems often differ between regions and countries, the use of such labels can create confusion and provide misleading information to consumers.
- National mandatory recycling recommendation labels can impede the functioning of the internal market.
- EXPRA is of the opinion that consumer information on separate collection and recycling should come from Producer Recovery Organisations (PROs) together with municipalities as they can provide the most suitable and targeted information, also taking local circumstances into consideration.
- In addition to the European Commission Decision 1997/129/EC, establishing the identification system for packaging materials to facilitate collection, reuse and recovery including recycling, producers may use voluntary national packaging logos. However, if they sell products in other countries, they should be aware of possible differences in packaging waste collection and consult PROs beforehand in order to inform the consumers in the most appropriate manner.

Recycling labels and packaging recycling

Effective packaging recycling is a truly joint effort. Before waste can be separately collected and recycled, the consumer has an important responsibility to separate and sort their packaging waste in an appropriate manner, ensuring that they do not place the wrong material inside the collection equipment. In light of this, some stakeholders promote the use of recycling labels on packaging as a means to ensure that packaging can be properly separately collected and recycled.

What is key though, is to ensure that the right tools are in place to ensure economically and environmentally sound waste management and recycling. In light of this, various studies carried out for the European Commission have found that EPR is an effective tool to ensure sustainable waste management¹. The 2014 study on the development and guidance on EPR, notes for example that EPR should be considered as *'a major instrument in support of the implementation of the European Waste Hierarchy'*². EXPRA welcomes these findings, as we are convinced that extended producer responsibility (EPR) is the most effective and efficient way to deliver a circular economy. EPR makes companies responsible for ensuring that their packaging is managed in a cost-effective and environmentally sound manner. This can be ensured without the introduction of new labels.

Over the past 20 years, EXPRA's members have co-organised the collection, sorting and recycling of used packaging (particularly household packaging) on behalf of industry, to fulfill their legal take back and recycling obligations. Based on our experience in ensuring efficient waste management and recycling, EXPRA calls for caution when it comes to the introduction of new recycling labelling initiatives, as such initiatives can cause confusion in relation to achieving waste prevention, high quality separate collection and recycling. The reasons for this are outlined below.

Mandatory labelling

Mandatory labelling can be introduced both at EU and national level, requiring companies to display certain information on its packaging or product. In order to facilitate collection, reuse and recovery including recycling, the Commission Decision of 28 January 1997, establishing the identification system for packaging materials pursuant to the European Parliament and Council Directive 94/62/EC on packaging and packaging waste (article 8), is an example.

Mandatory environmental labelling schemes are, however, complex. EXPRA is of the opinion that it would be very difficult to harmonise any packaging waste recycling label at EU level, that would be agreeable to all EU Member States on the one hand, and understandable to consumers on the other. It could in fact prove counterproductive.

There are various factors to keep in mind in this regard. Packaging waste collection systems differ and are not harmonised at the EU level. Instead, different countries use different systems, and these may even look dissimilar in different regions of the same country. There can also be a myriad of different collection systems in the same country. An example is Germany, where there are over 50 diverse collection systems in place. EXPRA believes that it would neither be suitable, nor practically possible to use harmonised recycling labels at EU level.

At national and/or regional level, the introduction of mandatory recycling labels can also impede the smooth functioning of the internal market and lead to barriers to trade. Labelling schemes can in fact be misused to protect domestic producers. If a product with recycling / recyclability information tailored for a specific market is imported to another country the information is most likely to become inaccurate. It can lead to the product being sorted and then collected for the wrong recycling stream. It can also lead to certain products which are not recycled in a particular country to be separately collected by the citizens and, as such, the recyclers end up with unwanted materials that may contaminate their waste streams.

¹ See BIO IS, 2012, *'Use of Economic Instruments and Waste Management Performances*, http://ec.europa.eu/environment/waste/pdf/final_report_10042012.pdf and BIO IS, 2014, *Development and Guidance on Extended Producer Responsibility* <http://epr.eu-smr.eu/documents/BIO%20by%20Deloitte%20-%20Guidance%20on%20EPR%20-%20Final%20Report.pdf?attredirects=0&d=1>

² BIO IS, 2014, *Development and Guidance on Extended Producer Responsibility*, p. 10

The French example: the “Triman” pictogram

One concrete example of a recycling logo is the “Triman” pictogram in France (Decree 2014/1577 of 23 December 2014). It aims to inform consumers about the recyclability of products which are subject to an EPR system.

Industry associations have expressed significant concerns over the Triman pictogram, and EXPRA agrees with the apprehension that has been created, despite the fact that the requirements that were included in the final text had been simplified.

Even if the packaging is declared in compliance with the packaging essential requirement standard EN 13430 – Packaging Requirements for packaging recoverable by material recycling, it should be kept in mind that the packaging sorting and collection systems in other countries differ from the system in France. In light of this, the information contained on this packaging can be misleading to consumers and inaccurate for other systems. It can also be directly burdensome to companies involved in trading operations in, or with, France. In addition, there can be cost implications related to repackaging and relabelling of products.

Voluntary labelling

Voluntary labelling is increasingly considered as a useful tool to inform consumers about environmental credentials and protection. EXPRA is of the view that producers should be able to use voluntary national sorting logos, instead of recycling logos. However, if they sell products in other countries, they should be aware of possible differences in packaging waste collection and consult PROs beforehand in order to inform the consumers in the most appropriate manner.

The contribution of EPR schemes to better sorting habits, effective waste management and recycling

Instead of introducing new environmental packaging labels, EXPRA considers that focus should be placed on ensuring that the necessary requirements are in place for the smooth functioning of waste management and recycling tools. In this context, Producer Responsibility Organisations (PROs) have important roles to play when it comes to fulfilling EU waste targets (in particular for household packaging) and the use of EPR is a way of ensuring that used packaging is managed in a cost-efficient and environmentally sound manner.

The success of PROs depends on the awareness, engagement and trust of citizens, as they need to separate and sort their waste. Therefore, EXPRA’s members are continuously developing and implementing information campaigns to consumers through various media, contributing to enhanced environmental awareness and better sorting habits and waste prevention.

In this work, PROs work closely with municipalities and local authorities and the strategies and means are adapted to local and national characteristics and circumstances. Environmental regulations, standards and variations in infrastructure also need to be taken into consideration when these strategies are adopted.

EXPRA believes that consumer information on sorting and recycling should come from PROs and/or municipalities as they can provide the most suitable and targeted information.

The introduction of various different labels could, in fact, lead to reduced recycling levels. With the proliferation of different labels with nutrition, environmental information, etc. it must be ensured that consumers are not confused by too many labels, as this may lead to inaccurate sorting or reduced recycling levels.

Conclusion

Contrary to what is often claimed on the environmental benefits of the introduction of different waste recycling recommendation labels on packaging, EXPRA calls for a cautious approach to be taken when it comes to the introduction of new environmental labels.

EXPRA is of the opinion that it would neither be suitable nor practically possible to use harmonised mandatory recycling labels at EU level, due to the myriad of different packaging collection systems, waste infrastructure and standards across EU Member States. It would also be very difficult to introduce harmonised packaging waste recycling labels at EU level that would be agreeable to all EU Member States on the one hand, and understandable to consumers across the EU Member States on the other hand.

National recycling labels, on the other hand, can impede the smooth functioning of the internal market, and lead to cost increases for actors such as packaging producers who may need to adapt their packaging.

Voluntary sorting labels can have positive effects, as long as the producers whose products are being sold in other countries prove to have thought about the consequences and have contacted the respective PROs for consulting.

EXPRA considers that it remains indispensable to inform citizens about separate collection and recycling, but not by introducing different recycling labels, which can prove to be confusing to the citizens. Instead, this should be carried out through tailored information campaigns by PROs and municipalities and making sure that these are adapted to local circumstances and audiences. Another possibility is to use environmental labels already defined by European law.

About EXPRA

Founded in 2013, EXPRA is the Extended Producer Responsibility Alliance – the organisation for packaging and packaging waste recovery and recycling systems which are owned by obliged industry and work on a not-for-profit or profit not for distribution basis. EXPRA acts as the authoritative voice and common policy platform representing the interests of its members, which are all founded and run by or on behalf of obliged industry. Over the past 20 years, our members across 20 countries thereof 15 EU Member States have co-organised the collection, sorting and recycling of used packaging (with a focus on household packaging) on behalf of obliged industry, to fulfil their legal take back and recycling obligations, serving over 200 million inhabitants and recycling over 14.5 Million tons of packaging per year. For more information, please visit www.expra.eu

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