

EXPRA Position Paper clarifying the role of different stakeholders in EPR

This paper is a response to recently published comments on the operation of Extended Producer Responsibility (EPR) systems in the European Union. EXPRA welcomes open discussion on EPR and is happy to engage with all stakeholders and discuss the importance of EPR with them.

In principle we can endorse the position of stakeholders who have identified the points below and accurately portrayed them in the public domain, we therefore broadly support the following:

1. EXPRA supports the demand that all Member States have to implement the Packaging and Packaging Waste Directive via EPR.
2. It is the responsibility of a Producer Responsibility Organisation (PRO) to design an appropriate collection system.
3. That PROs and municipalities should work together to choose the collection system that is feasible.
4. That the type of costs that should be covered by the overall collection costs must be agreed in advance.
5. There must be only one calculation method which is used by every Member State which also stipulates that the point of measurement of recycling is at the input of the recycler.
6. Multiple PRO's for the same (household) waste stream are not appropriate in a territory.
7. Management of household waste is a service of general interest.

However it is evident to EXPRA that on some aspects of EPR, some confusion exists and so we seek to explain and defuse any misconceptions that are held by stakeholders, through the points below:

1. EXPRA supports ambitious targets for recycling that should be fixed. These targets have to be based on reliable and comparable data and have to be feasible, which means that the economic costs stay in balance with the environmental benefits.
2. EXPRA agrees that there should be a level playing field for European recyclers and that all recyclers have to fulfill the same standards. Certification systems like EuCertPlast might be a good way forward and should be further analyzed. However, statements relating to recycling outside Europe, which claim that it is not effective cannot be supported. Several hundred Euros are paid for a sorted bale of used packaging, which the recycler should be free to sell to his customers.
3. EXPRA fully opposes any demands that obliged industry / PRO's have to pay all costs for the management of all packaging, especially packaging that has not been sorted correctly by households or has been littered by consumers:
 - It should be taken into account that obliged industry and PRO's have to fulfill a certain recycling target and are not responsible for 100% of packaging. The same should therefore be true for the associated costs. Of course the objective of the PROs is to separately collect and recycle as much packaging waste as possible.
 - A full payment system, irrespective of where the used packaging ends up will not motivate the local authorities to optimize their collection system, or to adapt their local communications or their enforcement system. Thus, the incentive of financial support for more packaging ending up in the right

container will push local authorities to improve their collection system, for example by introducing additional economic instruments like PAYT, special waste statutes asking the inhabitants to sort their waste, enforcement etc.

- Equally the PRO is (currently) not asking for a financial contribution from local authorities for household waste which is wrongly put in the separate collection bins. If a PRO would have to pay for packaging in the general household waste bin, consequently it would make sense for the local authority to pay for waste in the packaging bins.
- Every stakeholder should only pay for those operations they influence. Littering depends mainly on the behavior of inhabitants so that obliged industry cannot change it. This is the responsibility of the authorities who should educate the inhabitants correctly, while offering an appropriate infrastructure for waste collection, also outside the home, and who should enforce and fine people who behave incorrectly. So, the polluter (the one who litters) should pay.

EXPRA also believes the following considerations should be made when assessing EPR and the role of municipalities in relation to waste management. Observing these suggestions will enhance the role of EPR and municipalities in delivering effective and efficient services:

1. Municipalities should move forward and introduce green procurement regulations for their own purchasing, to encourage the inclusion of recycled materials.
2. Transparency is not only necessary for PRO's (which EXPRA fully supports), but also for the operations of municipalities, therefore the costs for the waste treatment including publishing the costs for several options of collection and treatment should be made public by the respective local authorities.
3. Efficiency in operations is not only an obligation for PRO's but also for municipalities. So, municipalities should always go for the most efficient collection system and continuously improve their performance.
4. EXPRA agrees that municipalities have the right to decide to use less efficient collection systems, but the costs that a PRO has to reimburse to the municipality can only cover the costs for the optimum system.
5. EXPRA agrees that all stakeholders share a responsibility for appropriate communication towards inhabitants, including municipalities and PRO's. Shared responsibility should consequently lead to shared costs. If PRO's have to pay the full costs for communication, they have the right to decide what and how to communicate.

EXPRA supports all stakeholders who wish to contribute to improving the functioning of EPR schemes, it is important that all facts and considerations are taken into account to ensure that EPR is implemented in the most effective manner for both economic and environmental benefit.

About EXPRA

Established in 2013, the Extended Producer Responsibility Alliance aisbl (EXPRA) represents packaging and packaging waste recovery and recycling systems which are owned by obliged industry and work on a not-for-profit basis. EXPRA acts as the authoritative voice and common policy platform representing the interests of all its members, which are founded and run by or on behalf of obliged industry. For additional information, please visit www.expra.eu