

# **EVALUATION OF FOOD CONTACT MATERIALS LEGISLATION - COMMENTS OF INDEPENDENT RETAIL EUROPE -**

**2 MAY 2019**



## INTRODUCTION

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With a view to the evaluation of the food contact materials legislation, Independent Retail Europe favours a practical approach. The rules on food contact materials should be reviewed in to the context of the current policy on plastic waste. In addition, a solution for recycled food contact materials needs to be found.

Since most of the questions in the public consultation are very technical, we recommend our members to answer individually and will only provide some comments on recyclates with this contribution.

One of the objectives of the recently adopted plastics strategy is a substantial increase of the proportion of recycled material in plastic products by 2030. At the moment, PET is the only plastic that, when recycled, has been identified as safe for food. There is not enough PET on the market to meet the anticipated demand to reach the objectives of the plastics strategy. This means that more recycled plastics will need to be identified as safe for food. Where materials have been identified as safe food contact materials, there should be non-bureaucratic, straight-forward and simplified procedures to allow the use of these materials in food packaging.

## CONSIDERATIONS ON RECYCLATES

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According to a recent study by the German B2B-Market research institute for the packaging market (*Gesellschaft für Verpackungsmarktforschung*)<sup>1</sup> for only 10% of all plastic packaging no, or very few, obstacles to their use as recyclates can be found. In addition, there is an overall lack of recycled material on the plastics market. In the case of food contact materials, this is also directly caused by the legal framework – at national as well as at EU level.

Certain requirements for food contact materials, e.g. as regards the resistance of the packaging, are significant obstacles to the use of plastic recyclates for food. This could partly be overcome by mixing with virgin plastics. However, the mixing of recycled plastics with virgin material inevitably has a negative effect on the quality of the product life cycle in the long run.

Other issues arise from the question on how recyclates are to be mixed with virgin materials. It is also difficult to develop legal requirements for a minimum recycled content in plastic packaging since there are still no coherent, EU-wide approach in this area. Additionally, from the point of view of ecological assessment, there is a clear conflict in objectives (waste prevention vs. recycling). Because recycled plastics will always have worse technical properties than equivalent virgin materials, and therefore a shorter product life cycle.

The introduction of legislative guidelines or far-reaching commitments by economic operators to a minimum recycled content in plastic packaging would dramatically increase the demand for recycled plastics and stimulate the further development of the recycled plastics market.

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<sup>1</sup>“Hemmnisse für den Rezyklateinsatz in Kunststoffverpackungen”, Gesellschaft für Verpackungsmarktforschung, commissioned by the German Retail Federation, March 2019

However, it would also create certain problems:

- Certain packaging materials which are currently relatively affordable would suddenly become much more expensive due to the increased demand.
- An increase of production without the introduction of quality standards, would lead to a decrease of the quality of the material cycle.

In conclusion, we believe that sustainable improvements to the situation of recycled plastics as a food contact material could be obtained by:

- The establishment of EU-wide quality standards
- Accelerating -and reducing bureaucracy for- the approval of food contact recyclates
- Increasing consumer acceptance of recycled plastics and the associated consequences. For example: Packaging does not necessarily have to be transparent and there is no reason to object to grey packaging.

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*Established in 1963, **Independent Retail Europe** (formerly UGAL – the Union of groups of independent retailers of Europe) is the European association that acts as an umbrella organisation for the main groups of independent retailers in the food and non-food sectors.*

*Independent Retail Europe represents retail groups characterised by the provision of a support network to independent SME retail entrepreneurs; joint purchasing of goods and services to attain efficiencies and economies of scale, as well as respect for the independent character of the individual retailer. Our members are groups of independent retailers, associations representing them as well as wider service organizations built to support independent retailers.*

*According to the most recent statistics, Independent Retail Europe represents 24 groups and their 380,969 independent retailers, who manage more than 762.000 sales outlets, with a combined retail turnover of more than 978 billion euros and generating a combined wholesale turnover of around 297 billion euros. This represents a total employment of more than 6.506.000 persons.*

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