

Reference document for AMI article “Interpretation of the newly adopted PPWR for the capsules industry”

[Texts adopted - Packaging and packaging waste - Wednesday, 24 April 2024 \(europa.eu\)](#)

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- (1) ‘packaging’ means ***an item, irrespective of the materials from which it is made, that is intended to be used by an economic operator for the containment, protection, handling, delivery or presentation of products to another economic operator or to an end-user, and that can be differentiated by packaging format based on its function, material and design, including:***
- (a) ***an item that is*** necessary to contain, support or preserve a product throughout its lifetime, without being an integral part of the product, and which is intended to be used, consumed or disposed of together with the product;
 - (b) ***a component*** of, and ancillary ***element*** to, an item referred to in point (a) that ***is*** integrated into the item;
 - (c) ***an*** ancillary ***element*** to an item referred to in point (a) that ***is*** hung directly on, or attached to, the product and that ***performs*** a packaging function, without being an integral part of the product, ***and*** which is intended to be used, consumed or disposed of together with the product;
 - (d) ***an item*** designed and intended to be filled at the point of sale ***in order to dispense the product, also referred to as ‘service packaging’;***
 - (e) ***a*** disposable ***item*** sold and filled or designed and intended to be filled at the point of sale ***and which performs*** a packaging function;
 - (f) ***permeable tea, coffee or other beverage bags, or soft after-use system single-serve units that contain tea, coffee or another beverage, and which are*** intended to be used and disposed of together with the product;
 - (g) ***non-permeable tea, coffee or other beverage*** system single-serve unit ***intended for use in a machine and which is*** used and disposed of together with the product;

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1. By **way of derogation from Article 6(1), by ... [36 months from the date of entry into force of this Regulation]**, packaging **placed on the market** referred to in Article **3(1)(f) and** sticky labels attached to fruit and vegetables **shall be compatible with the standard for composting** in industrially controlled conditions in bio-waste treatment facilities **and shall be compatible, when required by the Member States, with home composting standards referred to in paragraph 6.**

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6. **By ... [12 months from the date of entry into force of this Regulation], the Commission shall request the European standardisation organisations to prepare or update harmonised standards laying down the detailed technical specifications of the requirements on compostable packaging. When doing so, the Commission shall request that, in line with the latest scientific and technological developments, parameters such as retention times, temperatures and stirring, which reflect the actual conditions in home composts and in bio-waste treatment facilities, including anaerobic digestion processes, are taken into account. The Commission shall request that those standards include verification that the compostable packaging undergoing the biological decomposition subject to the specified parameters, results ultimately in conversion into carbon dioxide or, in absence of oxygen, methane, mineral salts, biomass and water.**

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- (54) For limited packaging applications made of biodegradable plastic polymers, there is a demonstrable environmental benefit of using compostable packaging, which enters composting plants, including anaerobic digestion facilities under controlled conditions. Furthermore, where **Member States apply the provision established in second paragraph Article 22(1) of Directive 2008/98/EC and** appropriate waste collection schemes and waste treatment infrastructures are available in **those Member States**, there should be a **flexibility** in deciding whether to **allow, on its territory**, the use of compostable **packaging for coffee, tea or other beverage system single-serve units if composed of other than metal packaging material, very lightweight plastic carrier bags and lightweight plastic carrier bags and other packaging that Members States had required them to be compostable before this Regulation.** In order to avoid consumer confusion about the correct disposal **route** and considering the environmental benefit of circularity of the carbon, all other **packaging** should go into material recycling and the design of such packaging should ensure that it does not affect the recyclability of other waste streams.

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2. ***By way of derogation from Article 6(1), where Member States allow waste with similar biodegradability and compostability properties to be collected together with bio-waste pursuant to Article 22(1) of Directive 2008/98/EC and appropriate waste collection schemes and waste treatment infrastructure are available to ensure that **compostable packaging** enters the organic waste management stream, Member States **may** require that **the following packaging** shall be made available on their market for the first time only if **the packaging is compostable**:***
- (a) packaging referred to in Article 3, point (1)(g) composed of material other than metal, very lightweight plastic carrier bags and lightweight plastic carrier bags;***
 - (b) packaging other than those mentioned in point (a) for which the Member State already required that they be compostable before the date of application of this Regulation.***

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2. ***By way of derogation from Article 6(1), where Member States allow waste with similar biodegradability and compostability properties to be collected together with bio-waste pursuant to Article 22(1) of Directive 2008/98/EC and appropriate waste collection schemes and waste treatment infrastructure are available to ensure that **compostable packaging** enters the organic waste management stream, Member States **may** require that **the following packaging** shall be made available on their market for the first time only if **the packaging is compostable**:***
- (a) packaging referred to in Article 3, point (1)(g) composed of material other than metal, very lightweight plastic carrier bags and lightweight plastic carrier bags;***
 - (b) packaging other than those mentioned in point (a) for which the Member State already required that they be compostable before the date of application of this Regulation.***

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- (44) In order to provide an internal market for high-quality recycling of plastics and the use of secondary raw materials, the plastic part in packaging placed on the market should contain a certain minimum percentage of recycled content recovered from post-consumer plastic waste per packaging type and format as listed in Table 1 of Annex II, calculated per manufacturing plant and year. The packaging type should be understood as referring to the predominant polymer the packaging is made of, while packaging format should be understood as referring to the size and shape of a specific packaging unit.***

- (c) introduce the possibility to achieve the targets set out in Article 7(1) and (2) of this Regulation by using bio-based plastic feedstock instead of recycled content recovered from post-consumer plastic waste in case suitable recycling technologies for food contact packaging complying with the requirements laid down in Regulation (EU) 2022/1616 are not available;***