Task Force 3 Meeting 14 January 2016

Attending:

Phil Conran (Chair) Barry Turner

Adrian Whyle Gordon Henman

Dick Searle Peter Sainsbury

Norman Lett Roy Hathaway

Jane Bickerstaffe Daniel Card (Defra)

Simon Weston Rachel Longley (Defra)

Apologies:

Rebecca Cocking Adrian Hawkes

**Key issues**

1. Extended Producer Responsibility
   1. Does Article 8a apply to the Packaging Waste Directive? If yes, then we need a better understanding of paragraph 4 responsibilities and how they would be applied.
   2. What does ‘cover entire cost of waste management for the products it puts onto the market’ mean in practice.
   3. What does 8a 4.c ‘optimised costs’ mean in relation to
   4. Does it mean that regardless of targets, the packaging industry must collect any waste packaging produced?
   5. Does it mean they have a right to revenues?
   6. Concern that packaging supply chain will have responsibility for targets without control over waste quality.
   7. Does it just relate to household packaging or to commercial packaging as well?
   8. Need clarification on role of EPR in relation to litter.
   9. Need to ensure there is no cross subsidy between materials which must each reflect their own net costs.
2. Definition of ‘prepare for reuse’ within the targets
   1. Unclear as to how this would be applied and whether it is applicable to the UK where there is extremely limited packaging return schemes. This seems to strongly favour MS with deposit return schemes.
   2. How would it be evidenced and monitored?
   3. How do you avoid the risk of ‘carousel’ recycling?
   4. What is classed as reuse? Does glass reused as aggregate qualify, for instance?
   5. What is the position on tote boxes, cages, pallets etc?
3. Definition of recycling
   1. There still appears to be an ambiguity about the point at which recycling weight is counted and ‘final recycling process’ needs clarification.
   2. Article 11a 3 (b) suggests a 10% tolerance on sorting outputs?
   3. There seems to be no recycling efficiency de minimis?
   4. What is deemed ‘the final recycling process’? If a bale of plastic enters a facility that produced pellets but it has 30% losses of which half could be further recycled through a different process, how would then fit with the definition?
4. Definition of backfilling – ‘or for engineering purposes in landscaping or construction instead of other non-waste materials which would otherwise have been used for that purpose.’
   1. Does this include the use of glass in aggregates or other non-melt applications?
5. Targets
   1. It was agreed that it was difficult to comment on the targets without a better understanding of the definition of reuse and of recycling. It was understood that the targets were derived from an assessment of well-performing Member States and the view was that the proposals for 2025 were achievable.
   2. However, there was concern that the 2030 targets crossed a threshold of reasonableness in terms of the practical requirements of % participation x % collected.
   3. There is concern as to whether the same method of calculation is used by some high performing MS whose performance has been used to determine the proposed targets.
   4. Concern that targets still do not reflect resource efficiency eg could we end up collecting material that has net negative environmental impact.
   5. Concern expressed over the inadequacy of the Impact Assessment.
   6. TF Group will do further work on assessing targets once definitions are clearer.
6. Consumer participation
   1. Disappointment that the Plan included no measures aimed at consumer responsibility.
   2. Further work needed on this to consider proposals.
7. Devolved Administrations
   1. The point was strongly made by NL that the task of meeting the challenges of the Action Plan on packaging would be significantly harder if it was considered and applied separately be each DA.
   2. Clarification is therefore also required on how debate and positioning on the Plan was going to be conducted within the UK.
8. Demand mechanisms
   1. The need for measures to stimulate demand for the additional material that would be collected was discussed.
   2. ESA advocate a range of measures including recycled content, VAT differentials etc. However, there were concerns expressed on the potential for counter productive market distortions. There was general acceptance that if packaging was covered by EPR, this would apply demand stimulus to producers to ensure targets could be met.
   3. However, it was recognised that from a Circular Economy and Resource Security perspective, there would need to be more state intervention to stimulate demand for SRM to reduce primary material use.
9. Proximity reprocessing
   1. There was general agreement that measures to force proximity reprocessing and recycling would be unworkable in a global market.