



EIBF INFOSHEET

EU Packaging and Packaging Waste
Regulation (PPWR)

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BOOKSELLERS FEDERATION

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The voice of booksellers



INTRODUCTION

Within the framework of the European Green Deal and the importance given to the green transition by the European Commission, in 2018 the EU adopted the Packaging and packaging waste directive (PWWD), amending legislation from 1994, to provide a harmonised European approach on the packaging made available on the European market, and the subsequent management of the waste it produces, as well as to set out measures to prevent packaging waste in the first place.

The revised Directive should have been transposed into national law across all EU countries by mid-2020. However, substantial delays in its implementation in several member states and the continuous increase of packaging waste led the European Commission to introduce further amendments by means of a 'Proposal for a Regulation on packaging and packaging waste' (PPWR), to ensure equal and harmonised compliance and enforcement across all EU member states.

Both the European Parliament and Member States have adopted their respective positions on the proposal, and as of March 2024, both co-legislators reached a preliminary agreement.

What were the key objectives under the 2018 directive and what are the main changes under the new revision? And most importantly, what do these new rules mean for bookshops? This info sheet will shed light on these questions.

OBJECTIVES

The aim of the regulation is primarily to tackle the growing generation of packaging waste and to remove barriers to packaging circularity and recycling, which are problems driven by poor implementation and enforcement of the previous PPWD.

To do so, the proposed regulation seeks to harmonise national measures and standardise requirements on packaging and the management of packaging waste, to bolster and facilitate a high level of environmental protection across all industries and member states.

Until now, the EU legislation on packaging has been a directive, which is an EU law that sets out binding goals and objectives to be carried out across all EU countries, allowing each member state to enact its own laws to comply with the directive's objectives.

However, the 2022 proposal now turns this legislation into a regulation, an EU law which, once in force, becomes immediately applicable in all member states simultaneously and in the same way.

DEFINITIONS

The regulation lays out the following definitions outlining the different 'economic operators', i.e. the different categories of companies who must abide by certain rules and fulfil certain duties:

Manufacturer: anyone who manufactures packaging or a packaged product, or anyone who trademarks a packaging or packaged product with their own company logo;

- **Producer:** anyone who introduces packaging or packaged products for the first time within a respective EU member state;
- **Supplier:** anyone who supplies packaging or packaging material to a manufacturer;
- **Importer:** anyone who places packaging or packaging material on the EU market from a third country;
- **Distributor:** anyone, other than the manufacturer or importer, who makes packaging or packaging products available on the market.

As explained below, depending on their operations, bookshops may fall under the category of distributors, importers and producers and will, therefore, have to comply with certain rules and obligations.

WHO IS AFFECTED BY THIS REGULATION?

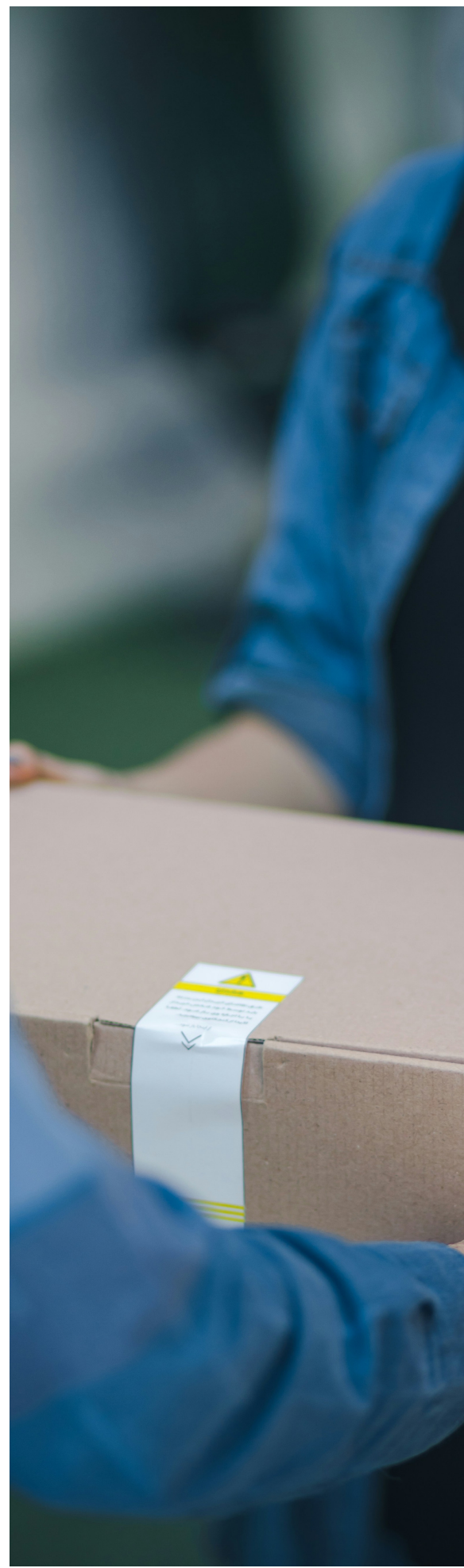
The regulation concerns ‘**economic operators**’, which, as defined above, are packaging manufacturers, producers, importers, suppliers of packaging materials, final distributors and fulfilment service providers. **As a result, booksellers can be considered as economic operators, and will have to comply with certain rules regarding packaging and packaging waste.**

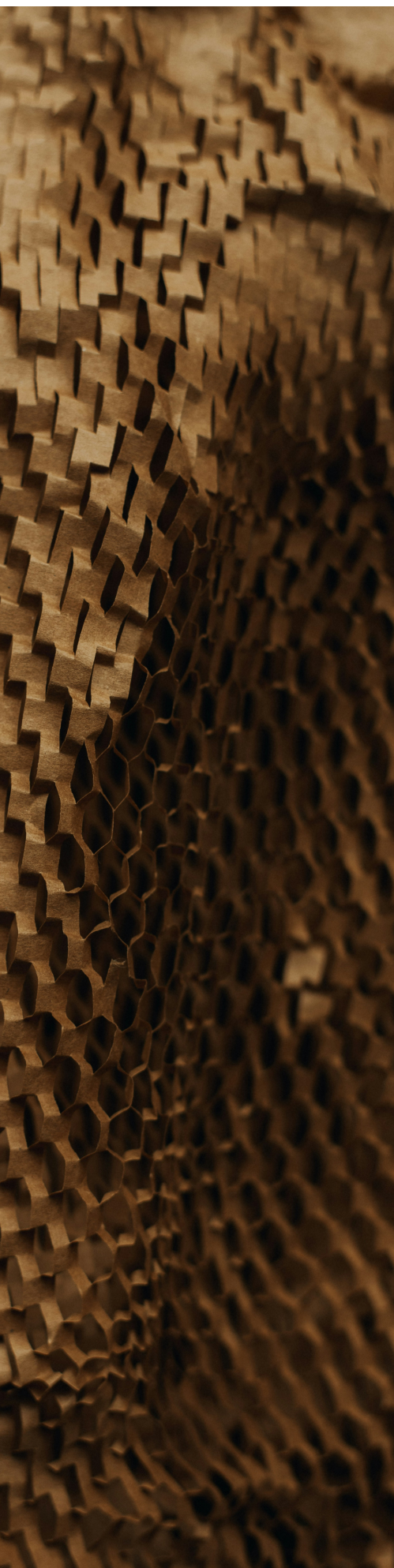
That said, the responsibilities vary depending on what type of role a company operates as in the market. For instance, manufacturers will have to comply with different duties and requirements than distributors, as will be explained below.

EU member states’ governments are also impacted, as they must adopt measures to ensure that the annual consumption of certain packaging does not exceed a specific threshold and that recycling and re-use targets are reached by agreed deadlines.

GENERAL REQUIREMENTS

- **Packaging reduction targets** (5% by 2030, 10% by 2035 and 15% by 2040) for EU countries, requiring them to reduce, in particular, the amount of plastic packaging waste.
- A general requirement for all packaging placed on the EU market to be **recyclable**, as well as **reusable** and **sustainably functional** (void space ratio must not exceed 50%).
- Reuse targets for grouped, transport, sales and e-commerce packaging. **However, cardboard boxes are exempted from the obligation to meet the transport or sales packaging re-use targets** (Article 26).
- Certain **single use plastic packaging types** to be banned from 1 January 2030, such as miniature accommodation toiletries, food & beverages consumed in premises, miniatures cosmetics etc.
- A harmonised **labelling system** based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on the waste containers to increase customer knowledge and awareness.





- Introduction of **national registries** in each member state in which entities introducing packaging in that respective member state have an obligation to be registered in, to better monitor packaging compliance.
- Ensuring that **Extended Producer Responsibility (EPR) schemes are established by end of 2024** to cover the full waste management costs of packaging and to facilitate adequate controls by said authorities.
- Ensuring that each participant in the product life cycle (producer, manufacturer, importer, distributor, etc...) abides to the obligations laid out by the regulation.

Depending on their role, bookshops can be both importers and distributors of packaging or a packaged product. Therefore, there are several specific obligations and rules they will have to comply with:

PRODUCERS

Through the PPWD and the PPWR, the EU imposes the legal obligation of meeting the recovery and recycling targets on Member States. This obligation is often delegated or passed on to producers/importers through the setting of **packaging recovery systems** and **Extended Producer Responsibility (EPR) schemes**.

Extended Producer Responsibility (EPR) is a system which obliges producers and importers from certain sectors to pay for and manage the waste of their products at the end of their lifespan in order to meet the EU recycling targets.

Under the 2018 PPWD, EU member states already had to set up **packaging recovery systems** and ensure that **Extended Producer Responsibility (EPR) schemes** are in place by the end of 2024. In each country, the schemes are typically developed by an official government agency dealing with business policy (i.e. a Chamber of Commerce, enterprise agency, or relevant ministry). For instance:

- In some member states, EPR schemes are funded by fees paid by producers and/or importers, which typically cover a large part of the costs of packaging collection, sorting, and consumer awareness activities. In some countries (such as Spain and Czechia), these fees are used to outsource these activities to waste management companies, while in others they are used to pay local authorities to do so (such as Austria and Belgium).
- In the Netherlands, the Netherlands Chamber of Commerce, KVK laid out different obligations pertaining to different types of waste on an official website.

IMPORTERS

While the responsibility of complying with EPR schemes primarily applies to producers of packaging (i.e. a company which produces packaging for products), **the new PPWR also extends this obligation to importers of goods from third countries**. Given that these importers are responsible for introducing packaged goods into EU territory, **their responsibilities are likened to the responsibilities of producers**.

Based on the regulation's definition of a producer, this role could apply to a bookshop, as they can deliver packaged products (books) and their relevant packaging (such as boxes) through systems of e-commerce to consumers outside their own country, meaning they are responsible for introducing new packaging into another member state.

As such, producers are obliged to abide by several responsibilities, namely:

- Only exporting packaging that is in conformity with the requirements of the regulation (ensuring that the packaging is recyclable, reusable, adequately labelled, and designed so that its weight and volume is reduced to the minimum necessary to ensure its functionality).
- Ensuring that the labelling of the packaging not only lists its material and composition, but also the contacts of the entity producing the packaging.
- To always collaborate with the market surveillance authorities (in the country to which they export packaging) and contact them if they think their packaging does not comply with the obligations listed above, as well as keeping copies of the EU declaration of conformity related to their packaging.
- **Register with the appropriate government agency and/or authorized scheme/programme, or with producer responsibility organizations (PROs), to comply with EPR schemes in countries where packaging is introduced into the market.**

DISTRIBUTORS

The PPWR also expands on the category of 'distributors' in the list of economic operators. Based on the regulation's definition of a distributor (see above), this role could apply to bookshops, as they are the final operator in the book value chain, making packaged products (books) and their relevant packaging (such as boxes) available in the market to end users (i.e., consumers).

The regulation also includes the introduction of the responsibility of Member States to introduce national registries to monitor packaging producers. Distributors, such as booksellers, would thus need to consult such registries to ensure that their supplier is recognised as a source of packaging that respects the conditions and rules laid out by the regulation.

Distributors hence also have other several responsibilities they need to abide by, namely:

- Ensure that the packaging they place on the market is adequately labelled, following the same criteria mentioned in the Producers section.
- Ensure that the packaging they place on the market complies with the requirements set out in the Producers section.
- Always collaborate with the relevant national market surveillance authorities and contact them if they think their packaging does not comply with the obligations listed above.

WHAT DO BOOKSHOPS NEED TO BE AWARE OF IN PARTICULAR?

If bookshops **import** books from third-countries, or **export** books to **other countries**, they take on the role of producers, meaning that they **must comply with Extended Producer Responsibility (EPR) schemes in the respective countries**. This means signing up to the relevant member state register which lists all the approved packaging producers and importers or delegating this to the PROs responsible for the EPR obligations.

In addition, **as distributors in their own country**, they will also have to make sure that their packaging is adequately labelled and that it complies with the requirements laid out by the legislation. For instance, this could mean either inquiring with book suppliers regarding the details of their supplied packaging (for instance, the boxes used to ship books to bookshops), as well as asking them to provide precise information regarding the nature of the packaging in written form, so that it can be used as proof in case a market surveillance authority requests it.

This information is also crucial to verify whether the packaging respects all of the obligations laid out by the regulation. Namely, that the packaging is recyclable, reusable, adequately labelled, and designed so that its weight and volume is reduced to the minimum necessary to ensure its functionality.



EIBF RECOMMENDATIONS

- EIBF advises national booksellers associations within the EU to monitor any changes regarding packaging and packaging waste legislation in your EU member state.
- As EU countries have until end of 2024 to fully implement the EPR scheme, EIBF advises (EU) national booksellers associations to familiarise themselves with EPR schemes and obligations in their respective countries to ensure compliance for bookshops where necessary.
- We encourage booksellers' associations to remind bookshops to use reusable and recyclable packaging when shipping or returning books and other relevant products.
- We encourage booksellers' associations to inquire and familiarise themselves with their member state's surveillance authority in charge with monitoring the packaging used in their country and to inform booksellers accordingly.
- We encourage booksellers' associations to remind booksellers to keep track of the packaging used within their own business and to, consequently, develop a system of reporting as to facilitate information exchange with authorities when/if requested.

PROCESS & NEXT STEPS

The European Parliament adopted its position in November 2023, and one month later, the 27 EU member states reached an agreement on the Council's position and in favour of starting negotiations with the European Parliament for a final text.

The Council and the European Parliament reached a provisional agreement on the proposal in March 2024, which was then approved by the European Parliament in its last plenary session of the current mandate. However, a formal adoption has not yet taken place.

Once the text is formally adopted, the requirements under the regulation will have to be applied within 18 months. However, the European Commission will be adopting implementing acts for numerous provisions of the PPWR in the coming years, so trade associations, including booksellers' associations, should openly communicate practical difficulties and engage in dialogue with to influence the ongoing political process.

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