



PPWR: Advancing circularity through restricting intentionally added PFASs in packaging

Brussels, 20 November 2023

ENVI Committee compromise amendment restricting the use of intentionally added PFASs in packaging

On 24 October 2023, the ENVI Committee voted on the compromise amendments for the Packaging and Packaging Waste Regulation (PPWR) proposal. One of the amendments adds an article 5, paragraph 2a to the proposal by the European Commission:

2a. Food contact packaging containing intentionally added per- and polyfluorinated alkyl substances (PFASs) shall not be placed on the market from [OP: Please insert the date = 18 months after the date of entry into force of this Regulation].

We welcome the approval of this amendment and the related recitals (15a and 15b) in the ENVI Committee as it ensures future packaging waste streams are free from intentionally added, problematic PFASs.

REACH PFAS-restriction process inherently slow

We note that the ongoing **evaluation of a PFAS-restriction proposal under REACH is inherently slow, potentially delaying action against PFASs in packaging**, further damaging circularity of packaging in the European market. The extensive feedback (over 5600 comments) received by ECHA from over 4400 organisations, companies, and individuals, suggests that RAC and SEAC evaluating the proposed restriction and the relevant information within the standard timeframe of 18 months, is impossible. As a result, an effective REACH restriction on intentionally added PFAS may not occur for another four to five years.

Restrict intentionally added PFASs (except for fluoropolymers) as soon as possible to ensure the circularity of packaging

The ENVI Committee's amendment is a comprehensive statement in favour of the circularity of packaging:

- It only adds a restriction on intentionally added PFASs, and in this way ensures that over time the presence of all PFASs in recycled packaging materials will also diminish. This is particularly relevant as packaging products often have a short lifespan. This reduction is vital for human health and environmental protection.
- It builds on existing national legislation e.g., Denmark's ban on PFAS in cardboard and paper food contact materials;
- It would enter into force within 18 months of the PPWR's enactment thus making consumer and industrial packaging products effectively free of intentionally added PFASs approximately two years before a potential REACH restriction;
- It would increase the value of the recycled materials by removing substances that have no added value in the recycling process.

We urge the Council and the European Parliament to follow the ENVI committee's lead, adopting this restriction on intentionally added PFASs in the Packaging and Packaging Waste Regulation before the end of the current mandate. Such action will benefit Europe's waste management and recycling sectors and citizens by fostering cleaner value chains and environments.

As an association mindful of the process to restrict chemicals, the PPWR's restriction of intentionally added PFAS should not affect the REACH process outcomes. The EU legislator may want to exempt until the completion of this process the use of fluoropolymers in packaging, provided they meet the OECD criteria for polymers of low concern.