What we want to achieve: packaging waste recycling targets

4.1 This section covers:

- The overarching framework for future packaging targets
- Business recycling targets for 2023 to be introduced under the 2007 Packaging Waste Regulations
- Packaging recycling rates to 2030; that is the combined recycling rate for packaging in scope of Extended Producer Responsibility and deposit return schemes
- Proposed packaging recycling targets to 2030 for packaging in scope of Extended Producer Responsibility
- New targets (closed loop and reuse/refill)

Framework for future packaging targets

4.2 Government has developed a framework for packaging targets, set out below. It has been developed in discussion with stakeholders. It focuses on increasing the recycling of packaging initially, acknowledging that good progress has been made but there is more to be done, whilst signalling Government's clear desire to see greater circularity and more reusable and refillable packaging in use.

1. Targets will be set on producers obligated under the Extended Producer Responsibility scheme for packaging that is in scope of Extended Producer Responsibility. Collection targets have been set for the Scottish deposit return scheme and collection targets will be set for the England, Wales and Northern Ireland deposit return scheme.
2. Overall packaging recycling rates will be reported for the UK and for England, Northern Ireland, Scotland and Wales separately, taking account of material collected and recycled under the Extended Producer Responsibility and the deposit return schemes.
3. Extended Producer Responsibility recycling targets for six packaging materials (plastic, card, steel, aluminium, glass, wood) will be set initially to 2030**.** These targets will be established on a UK-wide basis and will be required to be met in England, Northern Ireland, Scotland and Wales.
4. Recycling targets will be introduced for additional packaging materials where targets are identified as an effective tool to contribute to the delivery of desired outcomes. The first consideration is to establish recycling targets for fibre-based composite packaging including disposable paper cups.
5. Introduction of 'closed loop' recycling targets where required to drive the supply of better-quality material to end markets. A re-melt target for glass will be retained. Targets for other materials will be considered in 2025, allowing time for markets to respond to the changes introduced through Extended Producer Responsibility, deposit return schemes and the Plastic Packaging Tax.

6. Introduction of targets to incentivise adoption of re-fillable and re-usable packaging systems will be considered further by Government. Government will make proposals for reuse/refill targets by the end of 2023, with the intention of introducing targets or obligations from 2025.

Recycling targets for 2023

4.3 Packaging waste recycling targets under the current regulations are in place to 2022. These targets are shown in Table 1 and typically are referred to as business targets[1]. As it is proposed, subject to this consultation, that the new Extended Producer Responsibility scheme will be phased in from 2023 and operate alongside the existing producer responsibility system in 2023, recycling targets for 2023 will be required under the current regulations to ensure continued functioning of the Packaging Recovery Note (PRN) evidence system. Government proposes that for 2023 the targets are held at the rates agreed for 2022. The Scottish deposit return scheme will have commenced in 2022 and will be accompanied by scheme-specific targets; therefore, material collected through the Scottish deposit return scheme will not contribute to the business packaging waste recycling targets set for 2023 (to be achieved through the current packaging producer responsibility system). Government also recognises that 2023 will be a year of transition to the new Extended Producer Responsibility system and some producers will pick up new obligations in respect of the payment of fees for household packaging waste.

Table 1 - 2021 and 2022 business recycling targets for the current packaging producer responsibility scheme.

	2021 Business targets	Overall recycling rate	2022 Business targets	Overall recycling rate
Paper	79.0%	67.8%	83.0%	71.5%
Glass	81.0%	69.1%	82.0%	70.8%
Aluminium	66.0%	56.0%	69.0%	58.0%
Steel	86.0%	77.3%	87.0%	77.6%
Plastic	59.0%	49.8%	61.0%	51.5%
Wood	35.0%	36.3%	35.0%	36.9%
Overall Recycling	**76.0%**	**66.3%**	**77.0%**	**67.6%**

[1] Under the current Packaging Waste Regulations (2007) obligated producers are required to meet annual recycling targets (known as business packaging waste recycling targets), with total UK packaging waste recycling rates reported annually by Defra.

Note – these are the minimum rates the material specific targets would achieve and do not take account of the general recycling requirement.

4.4 The final compliance year of the current packaging producer responsibility system will end on 31 December 2023. We anticipate that the compliance year for Extended Producer Responsibility targets will be the calendar year (i.e. January to December) with new recycling targets for Extended Producer Responsibility in place from January 2024.

Overall packaging recycling rates to 2030

4.5 Under the current Packaging Waste Regulations (2007) obligated producers are required to meet annual recycling targets (known as business targets), with total UK packaging waste recycling rates reported annually by Defra. In future producer responsibility for packaging will be managed through three producer led schemes (Extended Producer Responsibility UK, Scottish deposit return scheme and England, Wales and Northern Ireland deposit return scheme), each introduced through separate regulations and with separate targets[2].

4.6 Once new data reporting requirements on producers have been established and packaging placed on the market data is available for England, Northern Ireland, Scotland and Wales overall packaging waste recycling rates by nation (that is packaging waste recycled through Extended Producer Responsibility plus that collected and recycled through deposit return schemes) will be reported by the UK Government and each of the Devolved Administrations annually.

4.7 Our initial analysis estimates an overall UK packaging recycling rate of **78% in 2030.** This is based on the proposals for Extended Producer Responsibility set out in this document and is based on modelling that Extended Producer Responsibility will be introduced alongside an all-in England, Wales and Northern Ireland deposit return scheme and the collection of a consistent set of packaging materials for recycling from households and businesses in all parts of the UK**.** The combined impact of implementing these measures is an estimated 16 percentage-point increase in recycling by 2030, compared to no change[3]. For each material the estimated recycling rate for 2030, shown in Table 2, exceeds the equivalent target set by the European Packaging and Packaging Waste

[2] It is proposed for the England, Wales and Northern Ireland deposit return scheme that collection targets will be set in the regulations with the obligation to meet these targets placed on the Deposit Management Organisation. The Scottish deposit return scheme regulations set collection targets.

[3] The difference in the baseline 'no change' packaging recycling rate (61% in 2030) and the estimated packaging waste recycling rate for 2022 of 67% (Table 1) is due to different assumptions regarding placed on the market packaging (POM). POM tonnages assumed for the Impact Assessment are the "high POM" estimates from the WRAP/Valpak Packflow Material reports, derived by applying the upper error margins presented in the reports to the central POM scenario in the Impact Assessment. This results in an additional 1 million tonnes of packaging POM compared to the total POM estimate used to determine current packaging recycling rates. A higher total POM has been assumed in the Impact Assessment to address concerns that total packaging is under-estimated currently.

Directive. The overall packaging recycling rates that are considered achievable will depend on the final design of each policy.

Table 2 - Modelled UK packaging waste recycling rates in 2025 and 2030

	2025			2030			
	No change	DRS + Consistency +EPR	Percentage point increase	No change	DRS + Consistency + EPR	Percentage Point increase	2030 PPWD Targets[4]
Plastic	42%	51%	+9%	42%	62%	+20%	55%
Wood	38%	39%	+1%	38%	39%	+1%	30%
Aluminium	57%	69%	+12%	57%	69%	+12%	60%
Steel	83%	88%	+5%	83%	92%	+9%	80%
Paper/card	70%	81%	+11%	70%	86%	+15%	85%
Glass	69%	92%	+23%	69%	93%	+25%	75%
Total	61%	73%	+11%	61%	78%	+16%	70%

Note: this analysis assumes the introduction of an England, Wales and Northern Ireland deposit return scheme, Extended Producer Responsibility and Consistency (in England). The analysis does not include the contribution from Scottish deposit return scheme material.

Extended Producer Responsibility packaging waste recycling targets to 2030

4.8 Under the new Extended Producer Responsibility regulations, the obligation to meet targets will be placed on those producers who place packaging on the UK market and who are obligated to fund the full net costs of managing this packaging (as set out in Section 5)[5]. Our proposals for obligated producers would see those businesses selling unfilled packaging to businesses below the de-minimis threshold take on the obligation for this packaging. This means that most packaging would be in scope and as a result we expect

[4] Packaging and Packaging Waste Directive targets that apply to EU Member States

[5] The Environment Act 95 (s.93-96) producer responsibility powers, which will be repealed and updated by the Environment Bill clause 49 and schedule 4), require obligations to be placed on producers. Producers however can discharge their obligations by joining a compliance scheme.

there would no longer be a need to set business recycling targets as required by the current regulations.

4.9 The Extended Producer Responsibility regulations will set recycling targets for packaging materials in scope of Extended Producer Responsibility. In the 2019 consultation it was proposed that targets would be set for 2025 and 2030, with a requirement on the UK Government and the Devolved Administrations to report annually on recycling rates in order to monitor progress towards these targets. Following feedback from stakeholders, including the Advisory Committee on Packaging, Government proposes that Extended Producer Responsibility targets are set on an annual basis.

4.10 Table 3 sets out the proposed material targets for 2024 and 2030. Annual targets for the years 2025 to 2029 would be set on a trajectory to reach the 2030 target rate. The overall recycling rate is derived from the individual material rates. Consideration of issues relevant to the individual material streams are discussed below. The targets have been derived from an analysis of the impact of key packaging Extended Producer Responsibility measures. The analysis assumes that an all in England, Wales and Northern Ireland deposit return scheme and consistent collections will be introduced alongside Extended Producer Responsibility as outlined above. The rationale, key assumptions and results of this analysis are described in the accompanying Impact Assessment[6].

4.11 Our intention is that for the purpose of measuring the achievement of recycling targets, that packaging waste recycled is calculated as the weight of packaging that has become waste which, having undergone all checking, sorting and other operations necessary to remove waste materials that are not targeted by the subsequent reprocessing operation and to ensure quality material, enters the final reprocessing operation and is reprocessed into new products, materials or substances. In other words, the point of measurement is when the waste enters the final reprocessing operation. The reporting and evidence requirements to demonstrate packaging waste has reached this stage are discussed in Sections 8 and 11.

4.12 **We do not intend to set an overall recycling target for each year**, rather the material specific targets will deliver the overall packaging waste recycling rate. This means that producers will not have a “general recycling obligation” as under the current regulations. The general recycling obligation was intended to ensure a minimum level of recycling when the material specific targets were relatively low. As the material specific targets have increased, closing the gap on the ‘overall recycling level’, the need for the general requirement has declined.

[6] Please see accompanying Impact Assessment

Table 3 - Proposed recycling targets for packaging in scope of Extended Producer Responsibility

EPR Packaging Materials	2024	2030
Plastic	41%	56%
Wood	38%	39%
Aluminium*	30%	30%
Steel*	85%	92%
Paper/Card	76%	85%
Glass	71%	81%
Recycling rate delivered by targets	**63%**	**73%**

Notes:

i. Excludes materials proposed to be in scope of deposit return schemes (Scottish and England, Wales and Northern Ireland)
ii. Includes some provision for metals recovered for recycling from incinerator bottom ash*
iii. Targets are not comparable with the recycling rates achieved under the current scheme

Aluminium

4.13 Table 3 shows the recycling rate for aluminium packaging in scope of Extended Producer Responsibility. Most aluminium packaging is drinks cans; these are in scope of the Scottish deposit return scheme and proposed to be in scope of the England, Wales and Northern Ireland deposit return scheme. The assumption in the Impact Assessment is that a total of 229kt of aluminium packaging will be placed on the market in 2023, with 98kt being non-can and therefore in scope of Extended Producer Responsibility. This is consistent with industry estimates of tonnage for drinks cans in 2019 (132kt of drinks can material)[7].

4.14 Our analysis assumes that the tonnage, once cans have been removed, consists of packaging that currently does not have a high recycling rate (such as aerosols and foils) mainly because these are not collected for recycling by all local authorities. This is the reason for the low recycling rate. If these items (including aerosols, foils, closures) are required to be collected from households by all local authorities as proposed, this would see the recycling rate increase and hence a higher target for aluminium could be set. This additional analysis will be undertaken for the final impact assessment and we will continue to engage with the sector as we undertake this analysis.

[7] Valpak Packflow Report 2020 – Covid-19 phase 1: Metals

Glass

4.15 A high proportion of glass packaging is drinks containers which are in scope of the Scottish deposit return scheme and proposed to be in scope of the England, Wales and Northern Ireland deposit return scheme (84% of glass packaging placed on the market is glass bottles); otherwise glass packaging is mainly used for food products such as condiments, sauces and preserves. This packaging is readily recyclable supporting a high target being set for non-bottle glass packaging.

4.16 There has been a ‘re-melt’ target for glass for several years to incentivise more glass into re-melt applications (e.g. container glass back into containers), thereby encouraging better quality and greater environmental benefit than alternative uses such as aggregate. The re-melt target is 72% for 2021 and 2022.

Plastic

4.17 Polyethylene terephthalate (PET) drinks containers which are in scope of the Scottish deposit return scheme and proposed to be in scope of the England, Wales and Northern Ireland deposit return scheme would not be subject to Extended Producer Responsibility and hence would not contribute to Extended Producer Responsibility plastic packaging recycling targets; all other plastic packaging that is recycled would. The Impact Assessment assumes policy measures introduced under Extended Producer Responsibility would reduce the use of hard to recycle plastic packaging and that plastic pots, tubs and trays would be collected for recycling by all local authorities and from businesses. These measures would contribute to higher recycling of plastic packaging. However, a key consideration in the setting of future recycling targets for plastic packaging is the contribution from plastic films and flexibles. With around a third of the 2.4mt of plastic packaging being films and flexibles and around half of this consumer packaging, the recyclability of these materials and their collection for recycling is a key consideration in the setting of future targets.

4.18 Conservative assumptions are made in the Impact Assessment analysis regarding the introduction of films to recycling collections and likely capture rates. Depending on final policy decisions regarding the collection of plastic films and flexibles for recycling, it may be feasible to set higher plastic packaging recycling targets.

Wood

4.19 The business recycling target for wood was set at 48% for 2020, however, following discussions with producers, and feedback to the 2019 consultation, it was reduced to 35% for 2021 and 2022. This is still 10% higher than the equivalent European Union target. It was the view of producers that the target for 2020 had been set too high, resulting in price spikes for wood Packaging Recycling Notes in 2018 as the market responded. Most wood recyclers, however, did not share this view. Lowering the target for 2021 and 2022 was intended to be a compromise between achievability and ambition.

4.20 Sources suggest that the higher wood recycling rates were achieved by drawing waste packaging wood from the biomass and energy from waste sectors rather than

incentivising additional collection for recycling. The demand for wood Packaging Recycling Notes driving higher prices, to the point at which the incentive to recycle was greater than the renewables incentives. The environmental case for a higher wood target was limited, as it did not lead to additional carbon benefits or more collection of wood packaging, but rather re-directed waste wood from other existing activities.

4.21 Government is not against higher targets in the future, however we would want to ensure that the targets lead to new collection systems being established, and that wood packaging waste is sent to the most environmentally beneficial use, including longer term applications (such as panels). We also do not want recycling targets to dis-incentivise greater re-use. A balance therefore needs to be established between a suitably ambitious recycling target and one that delivers the best environmental outcome for waste wood packaging. The analysis for the Impact Assessment shows a modest 1% increase against the baseline, however Government acknowledges that further work is required before confirming future targets. A cross sector working group has been established to take forward this work and Government will engage with this group prior to finalising target proposals for wood.

Steel

4.22 The recycling target proposed for steel packaging is 92% by 2030. This reflects the already high recycling rate for steel; that most steel packaging will be in scope of Extended Producer Responsibility (e.g. canned food, pet food, some aerosols, DIY goods) and that the infrastructure is in place to capture this material for recycling. Compared with aluminium only a small proportion of drinks containers are made from steel. To achieve these higher targets, it will be important to capture data on all steel packaging recycling.

Paper/Card

4.23 The recycling target proposed for paper/card packaging is 85% by 2030. The high target reflects that all paper/card packaging will be in scope of Extended Producer Responsibility (i.e. none under deposit return scheme); that collections of paper/card packaging for recycling are widespread; and the current recycling rate is high at around 70%, with the recycling rate for non-consumer packaging estimated at around 85%[8]. The ongoing need to review the mixed grade protocols to monitor changes in the mix of packaging and non-packaging paper is likely to be necessary to help ensure all paper/card packaging is captured.

4.24 A final decision on targets will depend on final policy decisions for Extended Producer Responsibility, deposit return scheme and consistent recycling, informed by responses to the consultations, continued engagement with the relevant materials organisations and the Advisory Committee on Packaging, and further analysis for the final impact assessment.

[8] Valpak PackFlow Covid-19 Report – October 2020:

Meeting recycling targets in England, Northern Ireland, Scotland and Wales

4.25 The Extended Producer Responsibility scheme will operate UK-wide to ensure a consistent approach for producers. However, as producer responsibility is a devolved matter and as expressed in the 2019 consultation, recycling targets will be required to be met and reported on for each of England, Northern Ireland, Scotland and Wales.

4.26 The packaging Extended Producer Responsibility recycling targets (by material type) will apply in each nation, with the obligation on producers to meet these targets in each nation. In order to enable the measurement of recycling rates, Government proposes setting an obligation on 'sellers' (see definition of 'sellers' and further details of this obligation in Section 5) to separately report tonnages of packaging placed on the market in England, Northern Ireland, Scotland and Wales for each of the main packaging material categories. The first reporting year will be 2024 for packaging placed on the market in 2023, and the first year for which targets will be required to be met for England, Northern Ireland, Scotland and Wales will be 2025.

Introduction of new targets

New material recycling targets

4.27 Government will consider the introduction of recycling targets for other packaging materials where it considers targets would help achieve scheme outcomes and provide an incentive for producers to invest in the collection and recycling of this packaging. Government proposes in the first instance to introduce targets for fibre-based composite packaging.

Fibre based composite target

4.28 The collection and reprocessing of disposable paper cups and other fibre-based composite packaging is limited at present. This is due to the costs of collecting, limited sorting capacity, the challenges of reprocessing and lower material revenue in comparison with other paper/card waste-streams.

4.29 Under the current producer responsibility system there is little or no economic incentive to recycle this packaging. As it falls under the paper/card stream producers placing disposable paper cups and other fibre-based composite packaging on the market can comply with their obligations by purchasing evidence of any paper/card packaging recycling. It also means that there is a lack of accurate placed on the market data and recycling capture rates for these packaging materials.

4.30 In the 2019 consultation there was majority support for the setting of recycling targets for single-use disposable cups. Subsequent stakeholder engagement has also indicated that there is support for a target to apply to other types of fibre based composite packaging which can also be more difficult to recycle. Government therefore proposes to introduce recycling targets for a new category of packaging, fibre-based composite packaging. By fibre-based composite packaging we mean laminated paperboard; either

single-sided plastic laminate or two-sided plastic laminate and the packaging may include other material such as aluminium foil. Examples of fibre-based composite packaging include disposable drinks cups, sandwich boxes (skillets) and food and drink cartons. Many of these packaging types cannot be reprocessed in paper packaging mills with standard reprocessing technology. They are generally required to be separately collected or separately sorted and reprocessed at specialist mills[9].

4.31 It is estimated that approximately 131,000 tonnes of fibre-based composite packaging were placed on the market in 2017[10] (excluding cups). Projections for 2023 indicate 107,000 tonnes of fibre-based disposable cups (5.9bn) could be placed on the market[11]. However, data on these packaging types remains limited. Better data on disposable paper cups and fibre-based composite packaging will be required before targets can be set, otherwise there is a risk of setting an over or under-challenging target that could lead to contradictory or inefficient outcomes. Before setting targets, Government is taking steps to obtain better data.

4.32 Defra has commissioned a piece of research to obtain UK data from industry on disposable cups and other fibre-based composite packaging, including placed on the market data, market trends and estimated current recycling rates for these materials. This evidence is due in 2021.

4.33 Government also proposes to require producers to report tonnages of fibre-based composites placed on the market as part of the producer reporting obligations set out in the next section. This reporting requirement would be introduced under the proposed Data Reporting Regulation 2021 which will require placed on the market data for 2022 to be reported in January 2023 (see Section 14). Thereafter, reporting of placed on the market data will be required under the Extended Producer Responsibility Regulations. There may also be the potential to require collectors, sorters, reprocessors/exporters to report on tonnages of fibre-based composite packaging collected, received and managed. Data reported for 2022 and 2023 would inform the setting of targets. It is proposed that recycling targets would be introduced from 2026.

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[9] Confederation of Paper Industries; Paper and Board Packaging Recyclability Guidelines, Revision One, January 2020.

[10] This is an estimate from a waste composition study by WRAP on the tonnage of food and drink cartons placed on the market. It excluded food/salad boxes and is considerably higher than estimates suggested in responses to the 2019 consultation (60,000tpa), so is used as a proxy for all (non-cup) based fibre-composites including food/salad boxes.

[11] This is in line with the growth rate proposed by the Environmental Audit Committee https://publications.parliament.uk/pa/cm201719/cmselect/cmenvaud/657/65705.htm

‘Closed loop’ recycling targets

4.34 In the 2019 consultation, whilst 58% of respondents agreed with closed loop[12] recycling targets, many felt this should be a future aspiration once the Extended Producer Responsibility scheme was established and progress had been made in meeting the new material recycling targets. Closed loop recycling targets were proposed as a means of driving improved quality in recyclable materials and thereby encouraging greater use of recycled materials in equivalent closed loop applications (e.g. recycled plastic packaging used in the manufacture of plastic packaging).

4.35 Many noted that in setting closed loop targets consideration should be given to the lifecycle of the material and the cost-benefit impacts. For some materials, such as metals, there is no additional environmental benefit to be gained from recycling metal packaging back into packaging applications. Some packaging, such as corrugated card already has very high levels of recycled content driven by commercial as well as environmental considerations, and as noted there is already a re-melt target for glass. For other packaging such as types of plastic packaging, the infrastructure is not yet in place to enable closed loop recycling to take place with enough volume and quality. Therefore, any consideration of closed loop targets must be material specific.

4.36 Material quality will be incentivised across the packaging value chain through a range of measures that are proposed in later sections of this document. Modulated fees will drive better packaging design and the use of recyclable packaging. All households and businesses will be able to recycle the same materials. Labelling and consumer information will provide clear instructions on the packaging that can be recycled. Payment mechanisms for those providing packaging waste management services will factor in quality of material, and material standards will apply at sorting and reprocessing stages. Improved material quality, as well as measures such as the plastic packaging tax, will stimulate demand for recycled content in plastic packaging.

4.37 Government accepts the argument that these new measures should be fully implemented as a first step and their impact assessed before additional targets are introduced. Improved data reporting under the Extended Producer Responsibility scheme will also help identify where closed loop targets may be required to drive quality and more recycled content in packaging where this is viable on economic, environmental and commercial grounds.

4.38 However, as material quality is a concern of stakeholders, Government is seeking further views on the extent to which the measures identified above are likely to, in the

[12] 'Closed loop’ recycling is generally understood to take place where recycled material substitutes the equivalent virgin material, regardless of the application (e.g. recycled HDPE plastic packaging used in in the manufacture of plastic pipes).

absence of closed loop targets, meet producers and others' expectations for improved material quality. Government is particularly interested in views on plastics but also other materials such as card and wood. If closed loop targets are not taken forward at this stage Government would consider these again in 2024/25, with implementation from 2026.

Re-usable and refillable packaging targets

4.39 Government is undertaking work on re-useable and refillable packaging as part of the review of the Packaging (Essential Requirement) Regulations 2015, the post implementation review of which began in February 2021. As part of this review we are looking at how targets or obligations may be placed on producers to encourage waste prevention and greater use of re-usable and re-fillable packaging.

4.40 The UK Plastic Pact (UKPP) also has work on-going. It consulted pact members in January 2021 on a reuse/refill target including potential options for setting a target and how it could be measured (and with what data). One aspect of their consultation focused on legislative and infrastructure enablers to help create a level playing field for producers, such as legally binding reuse targets and mandatory reporting.

4.41 Once the outputs of these key pieces of work are available, Government will consult on specific proposals for re-usable and refillable packaging with a view to introducing obligations from 2025 onwards. Until then, packaging that is re-useable will be treated in the same way under the Extended Producer Responsibility regulations as under the current Packaging Waste Regulations (2007).

4.42 Under the current regulations reusable packaging is handled in a similar way to non-reusable packaging. It is only counted towards a producer's obligation on the first use; once it re-enters the market as a reused item, if sufficient proof that it has been reused can be provided by the producer, it is not counted towards their obligation.

4.43 We are inviting feedback in this consultation on potential definitions of reusable packaging and approaches to setting targets or obligations, questions on which are set out in Annex 1. We also seek views on whether a requirement should be placed on producers, delivered through the Scheme Administrator, to proactively support market development and the commercialisation of re-use systems, through direct funding and to encourage their adoption through modulated fees. Please make sure to refer to this Annex (or below) if you would like to respond to these proposals.

Annex 1: Refillable/reusable packaging

Definitions

Before we can set any reuse/refill targets in the Extended Producer Responsibility regulations, a definition of reuse needs to be established. Re-use is not defined in the Packaging Waste Regulations 2007. Several definitions however do exist including in UK regulations:

The Packaging (Essential Requirements) Regulations 2015 define reuse as[13]*:*

"….any operation by which packaging, which has been conceived and designed to accomplish within its life cycle a minimum number of trips or rotations, is refilled or used for the same purpose for which it was conceived, with or without the support of auxiliary products present on the market enabling the packaging to be refilled, and reused packaging shall be construed accordingly; such reused packaging will become packaging waste when no longer subject to reuse"

The European Packaging and Packaging Waste Directive (PPWD) was amended in 2018 and defines reusable packaging as:

> *"packaging which has been conceived, designed and marketed to carry out multiple trips in its lifetime by being refilled or reused for the same purpose for which it was conceived"*

Annex II of the PPWD states that to be classified as reusable, packaging must meet the following three criteria:

- A number of rotations are possible in 'normally predicable conditions of use'
- Processing meets the health and safety requirements for the workforce
- The packaging is recoverable when it becomes waste

The UK Plastics Pact has a target of 100% of plastic packaging to be reusable, recyclable or compostable by 2025 and adopts the Ellen MacArthur Foundation's definition of reuse and reusable packaging[14]:

> *"Reuse is the operation by which packaging is refilled or used for the same purpose for which it was conceived, with or without the support of auxiliary products[15] present on the market, enabling the packaging to be refilled.*
>
> *Reusable packaging: Packaging or packaging component which has been designed to accomplish or proves its ability to accomplish a minimum number of trips or rotations in a system for reuse.*"

[13] https://www.legislation.gov.uk/uksi/2015/1640/pdfs/uksi_20151640_en.pdf

[14] 'Reuse Rethinking Packaging' Ellen MacArthur Foundation 2019 https://www.ellenmacarthurfoundation.org/publications/reuse

[15] An auxiliary product is a product used to support the refilling/loading of reusable packaging; - such as a detergent pouch used to refill a reusable container in the home. These auxiliary products are not considered reusable packaging

Target and other approaches to incentivising use of reusable and refillable packaging

One of the main themes identified in discussions with the UK Plastic Pact, is that any target needs to capture packaging that is being re-used; not just the amount of reusable packaging that is placed on the market. There is no benefit to be gained from switching to reusable packaging if a packaging item is only used once and then discarded.

Reuse systems can be defined as consumer-owned, where the consumer owns the reusable packaging and is responsible for washing and using that packaging time and time again, or business-owned, where businesses are responsible for encouraging consumers to return packaging items to them and take responsibility for their cleaning and refill.

Several of the large UK supermarket retailers have introduced reuse systems in their stores, with most of these following the consumer-owned model.

However, the increase in online shopping could mean a move towards more business owned reuse systems, although this is a more costly option. Developments by the main UK retailers are currently focused on instore reuse/refill systems. In considering any target/obligation on producers, both trends in purchasing practices and behaviour, and different approaches to reuse/refill will need to be considered.

It is also essential that any packaging product that is designed to be reusable is also designed to be recyclable at end of life.

The PPWD lays out the following options for how targets can be set:

- Quantitative or qualitative reuse/refill targets
- Adjusting recycling targets to account for reusable packaging, by up to 5% per annum
- Setting a minimum percentage of reusable packaging placed on the market every year for each packaging stream, with the obligation placed on the producer

In the review of the *Effectiveness of the Essential Requirements for Packaging and Packaging Waste and Proposal for Reinforcement (2020),* Eunomia considers that the final option would not provide a clear demarcation of what can and cannot be placed on the market, as reaching a prescribed minimum percentage of reusable packaging placed on the market would depend on the amount of non-reusable packaging placed on the market.

However, if the reduction in single use-packaging this led to could be calculated, it could be possible to set this target alongside a reduction target.

Eunomia suggest placing a mandate on reusable packaging being required for certain products as an alternative option for placing obligations on producers.

The Eunomia review gives three possibilities for reuse systems:

- A closed loop system – in which packaging is circulated by a company or group of companies
- An open loop system – in which packaging circulates amongst unspecified companies
- A hybrid system – in which the end-user retains the reusable packaging and uses auxiliary one-way packaging to refill it. Any target being set around prevention or

reuse/refill will need to be long-term, to allow infrastructure to develop to meet any targets.

The Table below sets out various ways in which a reuse/refill target could be introduced:

Table 4 - Possible approaches to setting reuse/refill targets

Possible approach to targets	Pros	Considerations
A certain percentage of packaging that producers place on the market each year by packaging material or format must be reusable	The obligation would apply to individual producers – so would not require complex reporting requirements that national targets demand	May need to be complemented by a reduction target How to measure
Set a packaging reduction target. This could be achieved by producers implementing reuse systems in stores, recording data on their uptake and using this to calculate the amount of single use packaging reduced as a result	Would allow the amount of reuse to be measured	Would require time to set up and requires investment in the infrastructure
Adjust the annual packaging waste recycling target for each packaging material by taking into account the average share, in the preceding three years, of reusable sales packaging placed on the market for the first time and subsequently reused		This creates the same issues; how do you measure if it has been reused unless businesses have the infrastructure in place to do so
Mandate that certain products must be packaged in reusable or refillable packaging	Potentially easier to implement, with the obligation on the pack filler	How to measure if the packaging is being reused as intended

Reuse/ re-fill targets – examples international approaches

Several European countries have introduced re-use and refillable packaging policies and have set targets based on the definition of reuse in the PPWD. Most of these schemes are for drinks containers, where perhaps the basic infrastructure may already be in place in some countries.

- Romania: from the 1st January 2020, businesses that put packaged goods on the market must demonstrate an annual average of 5% reusable packaging across all packaging formats, increasing by 5% per annum every year until 25% in 2025.
- Spain (Navarra region): A regional law introduced in 2018 requires businesses in the hotel, retail and catering sectors (HORECA) to serve 80% of beer, 70% of soft

drinks and 40% of bottled water in reusable containers by 2028. Also, by 2028 15% of filled beverage containers sold in shops must be reusable.

- France: introduced a law in 2020 to increase the proportion of reusable packaging on the market to 5% by 2023 and 10% by 2027. The reusable packaging must be recyclable at end of life.
- Germany: has set a target of 80% of beverage packaging to be reusable

Alongside the law mentioned above, in July 2020 France launched a consultation to reform parts of their Extended Producer Responsibility system. One of these reforms included an obligation on some sectors to operate and contribute funds that are dedicated to financing repair, reuse and refill operations.