



**EUROPEAN PANEL FEDERATION**  
WOOD - BASED PANELS

European Commission  
DG ENV Unit B3

Brussels, 21 March 2023

## **EPF feedback on the Proposal for a revision of EU legislation on Packaging and Packaging waste COM(2022) 677**

The European Panel Federation (EPF) welcomes the possibility to provide feedback on following the publication of the Proposal for a Regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC COM(2022) 677. EPF believes that the competitiveness of secondary materials from recycled packaging should be enhanced to address the increase in packaging waste generation. This revision should indeed aim at helping Member States achieve the recycling targets established in the 2018 waste legislative package in a cost-effective way.

Although the proposal focuses heavily on plastic packaging, Recital (34) clearly states that *“the Commission should monitor closely the use of recycled content in packaging materials other than plastics and should assess the appropriateness of proposing to establish further measures, including setting targets, aiming to increase the use of recycled content in packaging other than plastic packaging”*. Moreover, Article 3 covers lightweight packaging (LWP) that can be made of composite materials including wood. In the case of wood LWP it is a food contact material (FCM) already complying with stringent sanitary legislation (Regulation 1935/ 2004). It is therefore not advisable to impose a recycled content target on wooden LWP to preserve the natural and the proven antimicrobial properties of the wood in its first use. Moreover, plywood packaging cannot be manufactured with recycled wood and to impose such targets would end up in excluding an excellent packaging material, that complies with all contact alimentary requirements and is easily recyclable, off the market while seriously harming the industry manufacturing it. It is also important to consider the use for which the packaging has been designed, when outlining proposals for setting parameters to use recycled material in the packaging composition.

Additionally, EPF considers that requirements for substances of concern (SoCs) in packaging under Article 5 and the recyclability requirements established in delegated acts adopted pursuant to Article 6(5) addressing SoCs that negatively affect the re-use and recycling of materials, must be defined considering scientific data and technical feasibility. If the Commission intends to restrict substances of concern (for reasons other than chemical safety), the SoCs should be identified in a process that is proportional, transparent and based on scientific evidence in consultation with stakeholders. It is also necessary to develop a clear definition of what is meant by SoCs that hamper recycling.

The recyclability requirements laid down in Article 6 that will be developed in secondary legislation will have to take into account the uniqueness of wood as a sustainable, renewable, low carbon and environmental footprint material (including energy and water use). Therefore, EPF believes that it is essential to underline that Article 6(2)(e) which states that *“it can be recycled so that the resulting secondary raw materials are of sufficient quality to substitute the primary raw materials.”* can really be problematic as there is no clear definition of what is to be considered *“sufficient quality”*.



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Furthermore, EPF insist greatly on the necessity to define wood from packaging waste as recycling and in no way as downcycling, as mentioned in the impact assessment (SWD(2022) 384), since woody biomass used for the panel board industry is used for innovative carbon storing materials and solutions for packaging, furniture and construction. In this respect, medium density fiberboards (MDF) with paint/ plastic coating/ urea formaldehyde cannot be considered as packaging that may inhibit recycling as mentioned in the impact assessment.

Moreover, fruit and vegetable packaging are single-use packaging (as it is intended for food contact) in order to comply with stringent FCM legislation. Therefore, no reuse obligations should be imposed. For instance, in Spain it is forbidden to reuse wood packaging for FCM<sup>1</sup> that is why it makes no sense to impose reusability of all wooden LWP. Wooden packaging for the transport and storage of fruits, vegetables or fish is recyclable and can be used into the production of particleboard / chipboard (PB). Wooden packaging, once recovered from the flow, can be used as secondary raw materials to manufacture new carbon storing products, extending the life cycle of wood. That is why EPF believes that separate collection of wood waste should be imposed at Member state level in order to increase its availability and the feasibility of recycling in the wood-based panels industry.

Finally, EPF believes that it is essential to develop strong markets for secondary raw materials including from recycled packaging in line with the principles of the circular economy, the waste hierarchy, and the cascading principle especially for valuable woody biomass. This would ensure the maintenance of sustainable carbon cycles in harvested wood products for as long as a material use is preferred to early energy recovery.

To conclude, EPF considers that it is important to develop a well-functioning and harmonised regulatory framework requiring that packaging can be recycled to valuable products in a cost-efficient. Eco-design and long-term planning for reducing packaging waste will surely have a positive impact to foster resource efficiency as well as reduce pollution from landfilling and incineration, yet a level-playing field should be maintained for packaging producers while ensuring the minimization of unnecessary administrative burden. To ensure the full deployment of the potential of the circular bioeconomy it is of the utmost importance that the definition of recyclability allows for the maintenance of wood-based packaging in the EU market.

***EPF represents the European manufacturers of wood-based panels being particleboard, dry process fibreboard (MDF), oriented strand board (OSB), hardboard, softboard and plywood. EPF has members in 30 European countries. The EU wood panel industry has a turnover of about 25 billion euro every year and creates directly over 100,000 jobs. The production of wood-based panels in the EU-27 (+EFTA) in 2021 was an estimated 63.7 million m<sup>3</sup>. [www.europanel.org](http://www.europanel.org)***

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<sup>1</sup> Royal Decree 888/1988 of 29 July 1988, approving the general rule on containers containing fresh, perishable, unwrapped or unwrapped foodstuffs. <https://www.boe.es/buscar/doc.php?id=BOE-A-1988-19396>, article 5