



POLICY ISSUES

PACKAGING AND PACKAGING WASTE

The Belgian presidency of the Council of the EU has circulated the final, negotiated text of the Packaging and Packaging Waste Regulation — obtained by POLITICO — ahead of a discussion and vote among deputy EU ambassadors on Friday 15 March.

The final version of the new rules — which still need final approval from EU institutions — will push businesses to cut down on single-use plastic packaging and aims to make sure all packaging is recyclable by 2030. The EU executive has been withholding its support for the deal struck by the Parliament and the Council on Monday due to concerns from within its trade department over how non-EU businesses would comply with recycled content targets.

The institutions also want the Commission to adopt an implementing act by the end of 2026 that establishes the methodology for how to assess the “equivalence” of those third country rules, including through third-party audits.

Source Politico 12/03/24

PACKAGING AND PACKAGING WASTE - TRADE

The EU is poised to impose a de facto ban on the use of most plastic recycled outside the bloc in packaging for food and drink products after a last-minute push by France to amend a flagship law, according to European Commission officials. Officials in the Commission’s trade department are now involved in discussions with EU member states to try to remove the effective ban from the bloc’s proposed packaging legislation. They said the last-minute French amendment to the law would drive up the price of everyday products in the EU, alienate the developing world and disrupt trade because so many imports to the bloc are wrapped in plastic.

More information can be [found here](#).

Source Financial Times 12/03/24

SINGLE-USE VS. REUSE: WHICH WILL LOWER THE IMPACT OF FOOD AND DRINK PACKAGING?

The [European Commission’s Joint Research Centre](#) has conducted a data-based study evaluating the environmental impacts of single-use and reusable food and beverage packaging in a range of materials and serving contexts – yet the [Alliance for Sustainable Packaging for Foods \(ASPF\)](#) cautions that it fails to consider the role of food preservation and safety in the pursuit of more sustainable packaging solutions. [Link to article](#)

Source: Packaging Europe 4/03/24

LIABILITY OF DEFECTIVE PRODUCTS: REVAMPED RULES TO BETTER PROTECT CONSUMERS FROM DAMAGES

On 12 March, MEPs adopted new EU consumer-protection rules to better respond to increased online shopping, emerging technologies and the transition to a circular economy. EU consumers will soon have easier access to compensation for damage caused by defective products. MEPs adopted revamped rules previously [agreed on with EU governments on 14 December 2023](#), with 543 votes in favour, 6 against and 58 abstentions. [Text adopted \(12.3.2024\)](#)

Extended liability for slow-to-show damage

According to the new directive, there must always be an EU-based business, such as a manufacturer, importer or their authorised representative, to be held liable for damage caused by defective products. It also applies to products bought online from outside the EU. To protect innovation, the new rules will not apply to open-source software, which is not part of commercial activity.

The liability period is extended to 25 years in exceptional cases when symptoms are slow to emerge. If the court proceeding was initiated within the liability period, the victim of damage will still be able to get compensation after this period. Link to article [here](#)

Source: European Parliament, 12/03/24

EU GREEN CLAIMS DIRECTIVE

At the plenary session of the European Parliament on Tuesday 12 March, MEPs gave their approval by a large majority to the draft directive establishing a framework for the substantiation and communication of environmental claims by companies, known as the Green Claims Directive. *Vote (467/65/74) – [View the adopted text](#)*.

Deadlines, penalties and exemption for micro enterprises: Parliament wants claims and their evidence to be assessed within 30 days, but simpler claims and products could benefit from quicker or easier verification. Micro enterprises would not be covered by the new rules, and SMEs would have an extra year to be in compliance compared to larger businesses. Companies that break the rules may face penalties, for example they could be temporarily excluded from public procurement tenders, lose their revenues and face fines of at least at 4% of their annual turnover.

Carbon offsetting and removals: Green claims based solely on carbon offsetting schemes will remain banned. Companies could, however, mention offsetting and carbon removal schemes in their ads if they have already reduced their emissions as much as possible and use these schemes for residual emissions only. The carbon credits of the schemes must be certified and be of high integrity, such as those established under the [Carbon Removals Certification Framework](#).

Parliament also decided that **green claims about products containing hazardous substances** should remain possible for now, but the Commission should assess in the near future whether they should be banned entirely.

Next steps: Parliament adopted its first reading position. The file will now have to be followed up by the new Parliament after the European elections that will take place in from 6 - 9 June 2024.

Source: European Parliament 12/03/24

CARBON REMOVAL CERTIFICATIONS – PLEANRY VOTE

The establishment of a framework for the certification of carbon removals in the EU has moved one step closer as environment MEPs endorsed the provisional deal reached last month. The environment committee of the European Parliament voted in favour of the provisional agreement on certifying carbon removals, including through carbon farming. The provisional agreement reached between the Council of the EU and the parliament was endorsed by MEPs by 56 votes to 19, and five abstentions.

European Parliament, 11/03/24

LOBBYING HEATS UP ON BPA

The lobbying battle over banning bisphenol A (BPA) in food contact materials has kicked off in earnest, with over 200 individuals, business associations and civil society groups weighing in on the European Commission's draft act.

Reminder: BPA is used to coat metal food contact packaging like cans, tins and jar lids, and in some types of plastic food storage and processing equipment — but the substance can migrate into food, with potential negative impacts on people's reproductive and immune systems. The Commission's draft act proposes banning BPA in such materials with a transition period of 18 months, excluding some applications like packaging for fresh fruit and vegetables.

It would also restrict other bisphenols once they have been classified in certain categories under the Classification, Labelling and Packaging (CLP) Regulation — category 1A or 1B "mutagenic," "carcinogenic," "toxic to reproduction" or category 1 "endocrine disrupting" for human health.

Aim higher: Several civil society groups have welcomed the Commission's proposal but called for a broader scope. The Environmental Coalition on Standards (ECOS), for example, wants looser criteria for targeting other bisphenols. That's backed by Surfrider Foundation Europe, Chemsec and the Alliance for Cancer Prevention.

Think of the recyclers: ECOS also wants limits for "all other bisphenols and BPA in recycled materials (plastics, paper, paper/cardboard)." That wouldn't go down well with the European Federation for Waste Management and Environmental Services, which argues that a "temporary exemption for recyclates will effectively support circular economy objectives in a challenging context for recyclers."

industry: Several business groups have fired warning shots over the Commission's proposal. CAOBISCO, the Association of Chocolate, Biscuit and Confectionery Industries of Europe, for example, called it "completely unrealistic in technical, practical and administrative terms." The Association of the European Self-Care Industry is concerned that the regulation could "impact all orally ingested non-prescription medicines and food supplements in the EU" due to "inadequate" transitional period timelines.

Source Politico 11/03/24

COMMISSION PUBLISHES TRANSITION PATHWAY FOR A MORE RESILIENT, DIGITAL AND GREEN RETAIL ECOSYSTEM

Last 12 March, the Commission [published the transition pathway for a more resilient, digital and green retail ecosystem](#). The pathway is a plan co-created by the Commission with EU countries, business stakeholders, social partners and NGOs. It identifies challenges and opportunities for the retail ecosystem and proposes actions to support its digital, green and skills transformation and improve its resilience. The pathway points toward a just and fair transition for all ecosystem actors, including workforce, consumers and businesses of all sizes and types. It encourages business stakeholders, social partners as well as national, regional and local authorities to engage in the co-implementation process and contribute to a competitive, sustainable, resilient and fair retail ecosystem.

[Commission publishes transition pathway for a more resilient, digital and green retail ecosystem - European Commission \(europa.eu\)](#)

Source: European Commission 12/03/24

MEPS CALL FOR TOUGHER EU RULES TO REDUCE TEXTILES AND FOOD WASTE

On 13 March, Parliament adopted its proposals to better prevent and reduce waste from food and textiles across the EU. MEPs adopted their first reading position on the [proposed revision](#) of the Waste Framework with 514 votes in favour, 20 against and 91 abstentions.

They propose higher binding waste reduction targets to be met at national level by 31 December 2030 - at least 20% in food processing and manufacturing (instead of 10% proposed by the Commission) and 40% per capita in retail, restaurants, food services and households (instead of 30%). Parliament also wants the Commission to evaluate if higher targets for 2035 (at least 30% and 50% respectively) should be introduced, and if so, asks them to come up with a legislative proposal.

Producers to cover costs for collecting, sorting and recycling waste textiles: MEPs agree to extend producer responsibility (EPR) schemes, through which producers that sell textiles in the EU would have to cover the costs for collecting, sorting and recycling them separately. Member states would have to establish these schemes 18 months after the entry into force of the directive (compared to 30 months proposed by the Commission). The new rules would cover products such as clothing and accessories, blankets, bed linen, curtains, hats, footwear, mattresses and carpets, including products that contain textile-related materials such as leather, composition leather, rubber or plastic.

Next steps The file will be followed up by the new Parliament after the 6-9 June European elections. Link to article [here](#)

Source: European Parliament, 13/03/24

CORPORATE SUSTAINABILITY DUE DILIGENCE

EU negotiators went back to the drawing board over the weekend to bulletproof the text of the bloc's corporate due diligence law (CSDDD) in the hope of securing a final deal by Friday (15 March) at the latest, Euractiv understands. Link to article [here](#)

Source: Euractiv, 11/03/24

PARLIAMENT ADOPTS ITS POSITION ON MAJOR REFORM OF EU CUSTOMS CODE

The overhaul of the EU Customs Code reform would change the way customs authorities operate, cooperate with traders and manage goods that people order online. The EU Customs Code needs a thorough revamp due to the exponential growth of e-commerce and many new product standards, bans, obligations and sanctions the EU has put in place in recent years. The reform introduces new tools and puts in place simpler processes to help customs authorities to work more efficiently and focus on checking the riskiest goods, shipments and traders.

New approach to e-commerce: Consumers order more and more goods from third countries online. These goods do not necessarily meet the EU's safety or environmental standards and legal norms. Additionally, approximately 65% of parcels entering the EU are deliberately undervalued, which leads to a significant loss in revenue. The new regulation places a bigger responsibility on web platforms, which would be obliged to submit information to EU customs authorities within one day about purchased goods to be shipped to the EU. This leads to a better overview of incoming shipments and enables customs authorities to target their checks, focusing on goods and traders that might not comply with EU norms.

Simpler procedures for trusted partners: Companies and traders who agree to go through rigorous preliminary checks and controls would gain more freedoms in their dealings with customs authorities later. The most trustworthy companies would get a trusted trader status and could then operate with minimal checks and paperwork. This in turn would enable customs agents to focus on riskier businesses and shipments instead. Link to article [here](#)

Source: European Parliament 13/03/24

CYBER SECURITY - PARLIAMENT APPROVED NEW CYBER RESILIENCE STANDARDS TO PROTECT ALL DIGITAL PRODUCTS IN THE EU FROM CYBER THREATS

The regulation, already agreed with Council in December 2023, aims to ensure that products with digital features are secure to use, resilient against cyber threats and provide enough information about their

security properties. Important and critical products will be put into different lists based on their criticality and the level of cybersecurity risk they pose. The two lists will be proposed and updated by the European Commission. MEPs also pushed for the European Union Agency for Cybersecurity (ENISA) to be more closely involved when vulnerabilities are found and incidents occur.

Next steps: The legislation will now have to be formally adopted by Council, too, in order to come into law. [Adopted text \(12.03.2024\)](#)

Source: European Parliament 12/03/24

ARTIFICIAL INTELLIGENCE ACT: MEPS ADOPT LANDMARK LAW

The regulation, [agreed in negotiations with member states in December 2023](#), was endorsed by MEPs with 523 votes in favour, 46 against and 49 abstentions. It aims to protect fundamental rights, democracy, the rule of law and environmental sustainability from high-risk AI, while boosting innovation and establishing Europe as a leader in the field. The regulation establishes obligations for AI based on its potential risks and level of impact. Link to article [here](#)

Source: European Parliament, 13/03/24

PUBLIC CONSULTATIONS

- Single Market Programme – interim evaluation (deadline 31 May 2024) Link [here](#)
- Food safety – plastic food contact materials (FCMs) (deadline 10 April) Link [here](#)
- National Emission Reduction Commitments Directive – evaluation - Link [here](#)
- ECHA consultations on CLP, REACH and BFR - Link [here](#)
- EU electricity supply – sector-specific rules on cybersecurity - [Link to public consultation](#)

POSITION PAPERS

STAKEHOLDER REACTIONS TO PPWR

The Finnish government, Ministry of the Environment, published a [reaction](#) to the PPWR provisional agreement on 5 March 2024. Provisional agreement on proposal for regulation concerning packaging and packaging waste.

Finnish Government 06/03/24

[Compromise on the new EU Packaging law will lead to unprecedented, grievous effects on the functioning of the Single Market and dramatically damage fresh produce consumption](#)

By Freshfel 12 Mar 2024

[Recycling and waste management associations hail PPWR's mirroring clause for third-country recycled plastic environmental guarantees](#)

By FEAD, EuRIC and Plastics Recyclers Europe 07 Mar 2024

[Stakeholders' reactions to the political agreement on the Packaging and Packaging Waste Regulation](#)

By European and Zero Waste Europe 05 Mar 2024

[Copa and Cogeca ask trilogue negotiators on Packaging to agree on a workable agreement for farming communities](#)

By Copa-Cogeca 04 Mar 2024

[Unwrapping reality: Independent research shows that paper food packaging outperforms plastic reusables](#)

By EPPA

STAKEHOLDER REACTIONS TO GREEN CLAIMS

[Better late than never: EU Green Claims Directive clears European Parliament hurdle](#) - ECOS 12 Mar 2024

[European Parliament clamps down on greenwashing claims and labels](#) - EEB 12 Mar 2024

[Green Claims Directive: European Parliament makes an unclear step forward in the fight against greenwashing](#) - TIC Council 12 Mar 2024

[Green Claims: FESI applauds the EU Parliament's position on the EU Directive proposal and looks forward to the Council's position](#) - FESI 12 Mar 2024

[Parliament's vote on Green Claims Directive: IFOAM Organics Europe welcomes efforts to curb greenwashing and the acknowledgement of specific environmental assessment needs for agri-food](#) - IFOAM Organics Europe 12 Mar 2024

STAKEHOLDER REACTIONS TO MONITORING FRAMEWORK FOR RESILIENT EUROPEAN FORESTS

[Position paper | Towards a robust EU Forest Monitoring Law that works for forests and forest managers](#) - By ECOS Feb 2024

[Position paper: How could European forests best benefit from the EU Forest Monitoring Law?](#) - By EEB, CAN Europe and others 26 Feb 2024

[Joint Position Paper: How Could European Forests Best Benefit from the EU Forest Monitoring Law?](#) - By CAN Europe, EEB, BirdLife and others 16 Feb 2024

[CEPF Feedback on the EC proposal for an EU Forest Monitoring Framework](#) - By CEPF 08 Feb 2024

[Assessment of the Spanish Presidency of the EU](#) - By EEB 04 Jan 2024

STUDIES/REPORTS/ARTICLES

EU CONSUMERS INCREASINGLY EXPOSED TO 'FOREVER CHEMICALS' IN FRUIT AND VEGETABLES, NGO STUDY WARNS

Fruit and vegetables in the EU are increasingly contaminated with toxic PFAS – the so-called 'forever chemicals' that the Commission dropped plans to ban last year – a study by the European Pesticides Action Network (PAN Europe) has found. "The proportion of fruit and vegetables containing residues of PFAS pesticides in the EU has nearly tripled over the decade," warns the study, published on Tuesday (27 February). Link to article [here](#)

Source: Euractiv, 27/02/24

COMMISSION UNVEILS ITS FIRST-EVER APPROACH ON MANAGING GROWING CLIMATE RISKS

In response to the publication of the first-ever European climate risk assessment by the European Environment Agency (EEA) the European Commission unveiled, on Tuesday 12 March, its Communication on anticipating and addressing climate risks and promoting climate resilience. Link to the report [here](#)

Source Agence Europe 13/03/24