

Brussels, 25 June 2021

Reference: Industry statement on publication of EU Commission Single-Use Plastics (SUP) Guidelines

The undersigned associations fully support the objective of the Single Use Plastics Directive¹ to reduce the impact of certain plastic single-use products on the environment, as well as the promotion of the circular approaches aimed at reducing waste generation.

However, we regret that the Guidelines published on 31 May do not provide the much-needed clarification market stakeholders have repeatedly called for². The SUP Directive risks fragmenting the Single Market during its transposition and the Guidelines could have helped mitigate it. The lack of consideration for the EU Single Market for single-use plastic products, packaging and, by extension, packaged products creates serious concerns.

We are also concerned about the widening of the scope of the Guidelines, which go well beyond what legislators had mandated when adopting the legislative text, notably through clear lack of regard for some of the fundamental provisions of the SUP Directive. This includes defining concepts such as 'immediate, on-the-spot or take away' consumption, and the 'tendency to become litter due to its volume or size, in particular single-serve portion food packaging' (as opposed to food packaging sold in more than one unit / multipacks).

These Guidelines, resulting from a lack of adequate stakeholder consultation and impact assessment, undermine the European Commission's strive for Better Regulation and create a worrisome precedent for the integrity of the EU policy-making process. We call for future policy proposals to stick to all key elements of the legislation, and for the assessment to fully cover the ultimate impact of EU policies.

The implementation of the SUP Directive at EU level and its transposition by the Member States are not yet complete. Unintended negative consequences for consumers and the environment, must be avoided (e.g. compromising hygiene and safety; increasing food waste; or substituting certain products/materials by less sustainable alternatives). To this end, we call for the European Commission to ensure that the eventually implemented measures are based on an appropriate interpretation of the Directive and to use the evaluation of transposition of SUP Directive as an opportunity to address the fragmentation of the Single Market. Despite the significant issues posed by the Guidelines, we remain committed to making a major contribution to the European Green Deal goal of making EU's economy more sustainable, climate neutral, and circular, and we will maintain our efforts to comply with the SUP Directive.

The undersigned organisations are as follows (in alphabetical order):

¹ Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment

² E.g. [Joint-industry statement on the Single-Use Plastics \(SUP\) draft Guidelines– Packaging: Better Regulation and the Single Market – 21 January 2021](#)



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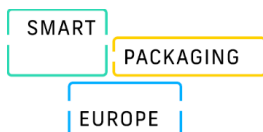
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