New CLP Regulation has significant impact on the waste classification of separately collected packaging waste from households.

Brussels, 10 July 2015

Plastic packaging dominates with 62% the post-consumer plastic waste generated in EU27+2, but also represents as much as 83% of all plastic waste that is recycled today. Furthermore, the plastic packaging sector is the one with the highest recycling rate for plastics; with 33.6% of all its plastic packaging waste recycled in 2012; easily surpassing the EU's minimum target of 22.5%. The classified plastics packaging household waste generation (9.891 kt) is by far more important than the industrial packaging waste generation (5.773 kt). However, the example for "Packaging waste and contents" as described in the draft Guidance document is only focusing on Industrial waste and is not taking into account the highly variable nature of household packaging waste.

Legislation has been the driving force in catalysing competition to recycle waste and waste reduction in Europe. And given that the concept of a circular economy is making headway – whereby waste is seen as an important resource – it is essential to remove important regulatory barriers that are restricting further innovations in recycling or that are undermining the existing recycling activities; thus hindering a successful implementation of a circular economy.

Barriers to increasing plastics recycling arise from the inherent complexity of plastics recycling due to the wide variety of plastic resin types and need for an uncontaminated product by end-use markets. But new legislative changes in the classification of waste into hazardous or non-hazardous waste is further complicating matters.

Under the new CLP Regulation, a system of calculations and thresholds is used to classify the products according to its hazard profile. However, the chemical thresholds concentration triggering a hazard classification are generally lower under CLP compared to previous systems, which has significant implications for product labelling, in particular in the detergent sector. In many cases, product not requiring any hazard symbol under the old system, will show new hazard pictograms under the new system. This does not mean that the chemical composition has changed or is any less safe to use than before; it is simply a consequence of the way in which the new classification system is implemented.

As a result, many regular-use cleaning and maintenance products for consumer use, such as laundry detergents (liquids, powders), hand dish wash detergents, speciality cleaners (extreme pH products) and other products with similar chemistry, will increase in hazard perception and will be labelled in the hazard class of skin irritation/corrosion or eye irritation / serious eye damage due to the new levels that trigger the eyes and skin sensitisation.

In addition, the new CLP Regulation will noticeably impact the classification of waste. Our concern is that a large part of the packaging waste deriving from the separate collection from households – which were classified as non-hazardous, and are thus recycled into high-quality products – are now classified as “hazardous waste” under the legislative changes in Annex III to the Waste Framework Directive 2008/98/EC and in the European List of Waste, and particularly when taking into account the assessment requirements for packaging waste as specified in the draft "Guidance document on the definition and classification of hazardous waste".

A prerequisite for the separate collection for recycling is that any packaging which is discarded as waste is empty. In our view, packaging waste having contained hazardous substance that is emptied by the consumer is no longer containing any “hazardous substances” and are thus no longer qualifying as a "hazardous waste". This concept of “empty” packaging waste from households has already been adopted by many member states (e.g. Germany, Netherlands, Austria, etc.). Emptying, however, does not imply cleaning.

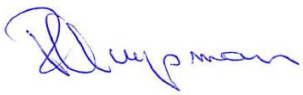
It is clear that classification of a waste as hazardous will have a significant negative impact on the existing practices regarding the separate collection, sorting and recycling of household packaging waste activities due to the various requirements related to hazardous waste and related economic effects. The materials that are most affected by the changes in waste classification are plastics, and especially the HDPE fraction wherein the cleaning and maintenance products originating from the normal functioning of households, or packaging waste assimilated herewith, represent approx. 40-60%. These sorted HDPE bales meet the necessary quality standards for the relevant recycling sectors to produce high-quality end products. Other materials that are affected include metals (type aerosols) and cardboard.

We accept a global system of classifying cleaning chemicals is necessary, but obviously there are concerns about how this will impact the way the collection of packaging waste is organised and how end users will react to seeing new hazard pictograms on products where previously there were none; ultimately causing – yet again – confusion in the situation for the end-user. We believe that it’s essential to introduce a more pragmatic approach for the collection and recycling of household packaging waste in order to achieve the increasing recycling targets without compromising the safety and operational efficiency of the current systems.

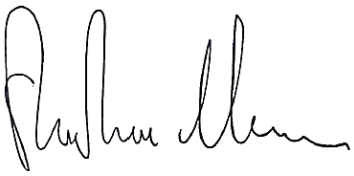
In conclusion, we believe that due to the specific characteristics of consumer packaging (its composition, use, size, and type of products), the intrinsic properties of the emptied packaging, and the way household packaging waste is collected and sorted, packaging waste produced by households or by small enterprises, offices etc. which is collected together with household packaging waste, should not be classified as hazardous. Therefore, we ask for an opening in the Guidance document to allow a declassification of the household packaging waste stream as non-hazardous based on our ongoing research.

Against this background, our industry welcomes an open discussion to share and improve knowledge in this field and to assess the need to act on the key issues pertaining to the specific classification of household packaging waste.

On behalf of the European Association of Plastics Recycling and Recovery Organisations (EPRO)



Francis Huysman, Co-chairman



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EPRO, the European Association of Plastics Recycling and Recovery Organisations is a pan-European partnership of specialist organisations that are able to develop and deliver efficient solutions for the sustainable management of plastics waste, now and for the future. EPRO members are working to optimise national effectiveness through international co-operation: by studying successful approaches, evaluating different solutions and examining obstacles to progress. By working together EPRO members can achieve synergies that will increase efficient plastics recycling and recovery. Currently 19 organisations in 14 European countries, South Africa and Canada are represented in EPRO.

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EuPC is the leading EU-level trade association, based in Brussels, representing European plastics converters. EuPC now totals 51 European plastics converting national and European industry associations; it represents close to 50,000 companies, producing over 45 million tonnes of plastic products every year. The European plastics industry makes a significant contribution to welfare in Europe by enabling innovation, creating quality of life for citizens and facilitating resource efficiency and climate protection. More than 1.6 million people are working in EU converting companies (mainly SMEs) to create a turnover in excess of €300 billion per year

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Plastics Recyclers Europe is the professional representative body of plastics recyclers in Europe. PRE promotes plastics mechanical recycling and conditions that enable profitable and sustainable business, while offering a service platform to its members. Our members constitute 80% of the European recycling capacity, processing more than 3 million tonnes of collected plastics per year.