

## ***PPWR: out of time the questionable and not conclusive results of LCA study by JRC, comparing single-use and re-usable packaging in HORECA sector***

*The European Commission's Joint Research Centre (JRC) published on 20 February the final report of a controversial study assessing the life cycle impact of reusable versus single-use packaging in the Horeca sector. The release of the final results comes less than two weeks until the final PPWR political triologue scheduled for 4 March, where reuse targets and bans on single-use packaging will undoubtedly be the hot topics of inter-institutional negotiations.*

*Although the proposal for the Regulation and its impact assessment was submitted in November 2022, the Commission asked in May 2023 the JRC to carry out a specific LCA study directly related to Article 22, Annex V, row 3, which foresees a ban on single-use packaging in favour of reusable packaging for in-store consumption, and Article 26, which foresees increasing targets for reusable take-away packaging.*

*Evidently, this choice of the Commission further confirms the weakness and defectiveness of the original impact assessment. Despite this, even this study has numerous weaknesses and criticalities, demonstrating the Commission's political will to try to influence the legislative process and the final results of the Regulation by choosing to commission a study to a body that is a direct emanation of the Commission itself.*

*In order to assess the objectivity and tertiary nature, and thus the validity and appropriateness of using this study for the purpose of promulgating such a complex and impactful Regulation, it is not necessary to conduct a critical review of the methodology used and the data and results reported in the study.*

*It is sufficient to start from its premises and approach, which necessarily leads to partial, unrepresentative and incorrect results:*

- it is inadmissible that a supplement to the impact assessment was requested by the Commission in May 2023 after the presentation of the proposal for the Regulation and after the legislative process by the co-legislators had already started*
- It is also unacceptable that the final results of this study were presented in February 2024 with the Trilogue already started after both the Parliament and the Council had already expressed their views in November 2023 and December 2023 respectively*
- From a methodological and scientific point of view, it is inadmissible that the peer review of an LCA study was not done by a third party but by the JRC Publication Office itself.*
- It is unacceptable that a stakeholder consultation, which, as JRC states in the final publication, also provided primary data for the LCA study, was only done in October 2023, after the study had already started and after an initial publication of preliminary results*
- It is unacceptable that the list of these stakeholders was suggested to JRC by DG-Envi who provided a list of producer associations and NGOs. In the final publication of the study, these stakeholders are not disclosed, which is synonymous with opacity in the choice. Among other things, Profood our*

*association was not consulted, nor were others directly involved in advocacy against the regulation.*

- *In the study, JRC states that the use of reusable packaging is very limited in the market and that the assumptions made in the LCA will have to be tested in the future when reuse systems are more widespread. How can this data and also the stakeholders involved in the consultation on this issue be representative?*
- *JRC states in Scenarios 1 and 2 (relating to packaging used for take-away) and in the so-called “Restaurant Scenario” (relating to packaging used for in-store consumption) that it has selected only a limited number of single-use packaging for the study and therefore lacks full representativeness of single-use packaging. In fact, single-use packaging made of plastic or bioplastic was not considered. How can the results of this study therefore be representative and comprehensive?*
- *In the so-called “Restaurant Scenario”, reference is made exclusively to packaging used in QSRs serving hamburgers. So how can the results of this study be representative and exhaustive if they do not take into account the consumption of other catering facilities such as schools, hospitals, company canteens, festivals, fairs, etc., where the disposable packaging used is quite different from the hamburger and chip containers... Or is it to be understood that everything that is not QSR and hamburger’s outlet is outside the scope of the Regulation?*

*In conclusion, Profood believes that this study is inconsistent with the explicit mission of the JRC whose aim is to provide evidence-based scientific support to European policy and decision making process. In this specific case, this study:*

- *is not representative of the different types of packaging used in the horeca sector*
- *is not representative of the different horeca facilities in the 27 EU Member States*
- *is not representative of the different away-from-home consumption patterns in the 27 EU member states*
- *cannot be used in current negotiations*
- *cannot be considered and used as an objective source of evaluation underlying legislative processes and regulatory decisions*

*ProFood is the internal product group of Federazione Gomma Plastica (Confindustria), which brings together 14 Italian companies producing plastic containers for the packaging, distribution and consumption of food and beverages.*

*The member companies of ProFood employ about 4500 people in 29 production plants in Italy and abroad, develop a turnover of 1.5 billion€ and represent over 70% of the Italian production in the sector (EPD packaging).*

### **Pro Food**

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