

## Systems enabling refill should be taken into account for the achievement of the reuse and refill targets in the Packaging and Packaging Waste Regulation

UNESDA – Soft Drinks Europe welcomes the Commission’s objective of increasing the share of reusable packaging and systems enabling refill in the EU, as a complement to the sector’s efforts to recycle its packaging in a closed-loop. Increasing the share of reuse and refill in Europe is also a commitment made by UNESDA under its [Circular Packaging Vision 2030](#).

However, we believe that the reuse and refill targets proposed in the article 26 of the draft Packaging and Packaging Waste Regulation (PPWR) should be attainable via the full scope of available reusable and refill solutions.

**We are therefore concerned by a series of proposed amendments removing the reference to “systems enabling refill” from the reuse and refill targets.**

Such amendments would considerably limit the flexibility of economic operators to invest in the best mix of reusable and refill options, and would direct all investments in reuse towards only one system: the traditional returnable refillable packaging.

**This does not make sense from either an environmental, economic or consumer perspective.**

Indeed, while different types of reusable and refill solutions exist on the market, they all have one point in common: they will contribute to reducing the amount of single-use beverage packaging and beverage packaging waste, which is the objective pursued by the PPWR.

The [Ellen MacArthur Foundation](#) divides those solutions into 4 categories (refill at home, refill on-the-go, return from home and return on-the-go<sup>1</sup>) but they actually all work in a similar way. The main difference is who owns the container to be refilled:

- In “return” options, it will be the manufacturer refilling at the plant.
- In “refill” options, it will be the end user (either the final consumer or the distributor in the case of the HORECA sector) refilling in its premises, its office, at home...

As there are all in the end “refill systems” replacing single-use packaging, there is no justification for excluding some of those solutions from the PPWR reuse and refill targets. Instead, it is key to provide economic operators with the flexibility to invest in the best mix of those options, because:

- We are at a very early stage of the development of reusable and refill solutions. **A too narrow definition of reuse and refill would hinder innovation in the field of package-less solutions and would not be future-proof.** Economic operators should be encouraged to innovate and look for new systems that will reduce beverage packaging and help gaining consumer acceptance of a new consumption pattern based on reusing and refilling.
- **Offering convenient and attractive solutions to consumers will be the key to change purchasing patterns** in the long term. By providing different options that meet different consumer needs and preferences, we will reach as many consumers as possible, in as many drinking situations as possible. While some consumers, already used to bringing back their packaging to a reverse vending machine, will be attracted by the traditional returnable bottles, some will likely prefer to refill their own containers directly from a system for refill at home or in their office.

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<sup>1</sup> Please refer to Annex II for a description of each category

- **A traditional returnable bottle may not always, and under all conditions, be the best solution from an environmental perspective.** This is because the use of such packaging incurs additional environmental costs which depend on a great number of factors, including: the weight of the packaging and the material used, the distance to be travelled by the bottles and the associated energy consumption, the water and energy use for washing the bottles etc. Under certain circumstances, systems enabling refill may therefore be a good solution to avoid the potential detrimental environmental effects related to a traditional returnable bottle.
- Forcing economic operators to focus all their investments in reuse on traditional returnable bottles also represents an unnecessary financial burden. Indeed, returnable bottles require new bottling lines, new logistics, more storage space etc. **Being able to invest in the best mix of reusable packaging and systems enabling refill is key for the economic sustainability of our companies.**
- Finally, but most importantly, systems enabling refill have a **great potential in terms of packaging reduction.** Systems enabling refill can dispense a high volume of beverages without any, or with a very limited amount of packaging. Any liter of soft drink being dispensed through a system for refill is a liter that won't need any packaging (single-use or reusable) to be consumed. Furthermore, soft drinks made available through systems for refill are using concentrated solutions, further reducing the need for packaging per liter of the final product made available to the consumer.

For all those reasons, it is key to maintain “systems enabling refill” in the reuse and refill targets proposed in article 26 of the draft PPWR.

In addition, to allow for the full coverage of all reusable and refill solutions in the legislation, **two amendments to the Commission's proposal are also necessary:**

1. **First, the definition of refill in article 3 needs to be amended to clarify that it also covers “refill at-home” solutions**
2. **Then, the calculation method detailed in article 27 needs to offer the possibility to base the calculation on the volume of the product made available through reusable packaging or systems enabling refill (in hectoliters or in “equivalent units”<sup>2</sup>). Indeed, contrary to what some may say, calculating the proportion of beverages made available through systems enabling refill is not more complicated or less reliable than calculating the proportion of traditional reusable packaging. The calculation only needs to focus on the volume of beverages rather than on the number of packaging units.**

**To conclude, we urge Members of the European Parliament to:**

- **reject amendments removing “systems enabling refill” from the reuse and refill targets; and**
- **adopt a definition of refill which covers the full scope of systems enabling refill; and**
- **adopt a calculation method for the reuse and refill targets which allows a calculation per volume or equivalent units.**

**Proposed amendments in relation to points 2 and 3 can be found in Annex I.**

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<sup>2</sup> Equivalent units are based on a typical serving unit of the targeted product. In the case of soft drinks, this would typically be 250ml. A calculation based on equivalent units would calculate how many times 250ml of soft drinks has been made available through single-use packaging, reusable packaging and systems enabling refill.

## Annex I – Proposed amendments

### Article 3 Definitions

Text proposed by the Commission	Amendment	Justification
<p>(28) ‘refill’ means an operation by which an end user fills its own container, which fulfils the packaging function, with a product or several products offered by the final distributor in the context of a commercial transaction;</p>	<p>(28) ‘refill’ means an operation <b>entailing a system for refill</b> by which an end user fills <del>its own</del> a container, which fulfils the packaging function, with a product or several products <b>purchased through a offered by the final distributor in the context of a commercial transaction</b>;</p>	<p>The proposed alternative definition:</p> <ol style="list-style-type: none"> <li>1. includes the concept of “system for refill” to clarify that refilling a container such as a glass with any beverage (from tap water to bottled soft drink) should not be considered as refill in the context of this legislation.</li> <li>2. refers to “a” container to avoid any confusion when the container is provided by the distributor (as it is the case in many HORECA refill stations)</li> <li>3. removes the relation with a “commercial transaction” as, in some cases, including with “refill-at-home” solutions, the product is bought prior to the refill operation which will happen later at home. Therefore, there is no commercial transaction every time there is refill. The commercial transaction only happens when the system and recharges are bought.</li> </ol>

## Article 27

### *Rules on the calculation of the attainment of the re-use and refill targets*

Text proposed by the Commission	Amendment	Justification
<p>2. For the purpose of demonstrating the attainment of the targets laid down in Article 26(2) to (6), the final distributor, or manufacturer, as appropriate, making available on the market such products within the territory of a Member State shall calculate, for each target separately, the following:</p> <p>(a) the number of units of sales of beverages and food in reusable packaging within a system for re-use made available on the market within the territory of a Member State in a calendar year;</p> <p>(b) the number of units of sales of beverages and food made available on the market within the territory of a Member State in a calendar year through refill;</p> <p>(c) the number of units of sales of beverages and food made available on the market within the territory of a Member State by other means than those referred to in points (a) and (b) in a calendar year.</p>	<p>2. For the purpose of demonstrating the attainment of the targets laid down in Article 26(2) to (6), the final distributor, or manufacturer, as appropriate, making available on the market such products within the territory of a Member State shall calculate, for each target separately, the following:</p> <p>(a) the number of units <del>of sales</del>, <b>equivalent units or the volume of final</b> beverages and food in reusable packaging within a system for re-use made available on the market within the territory of a Member State in a calendar year;</p> <p>(b) the number of units <del>of sales</del>, <b>equivalent units or the volume of final</b> beverages and food made available on the market within the territory of a Member State in a calendar year through refill;</p> <p>(c) the number of units <del>of sales</del>, <b>equivalent units or the volume of final</b> beverages and food made available on the market within the territory of a Member State by other means than those referred to in points (a) and (b) in a calendar year.</p>	<p>While a calculation based on units of sales may be relevant for reusable packaging, it is not in the case of a system enabling refill. In that case, the volume of the product purchased or consumed (which can be calculated per equivalent unit) will need to be taken into account.</p> <p>It is also important to clearly indicate that the calculation will be based on the amount of the final beverage or food: in the case of dispensers using syrups or concentrates, it is the volume of the final soft drink consumed which should be taken into consideration for the attainment of the targets.</p> <p>The term “sales” has been removed from the calculation method to clarify that the attainment of the targets should only be based on the percentage of the targeted portfolio which is made available on the market in reusable packaging or through refill, and not on the number of units or volume actually sold. The responsibility of the manufacturer and the final distributor is indeed to make those products available on the market, not to guarantee 100% of their sales.</p>

## Annex II – The four reuse models according to the Ellen MacArthur Foundation

The [Ellen MacArthur Foundation \(EMF\)](#) provides a useful overview of current available reuse models:

- **Refill at home:** Users refill their reusable container at home (e.g with refills delivered through a subscription service or purchased directly)
- **Return from home:** Packaging is picked up from home by a pick-up service (e.g by a logistics company)
- **Refill on the go:** Users refill their reusable container away from home (e.g at an in-store or HORECA dispensing system)
- **Return on the go:** Users return the packaging at a store or drop-off point (e.g in a deposit return machine or mailbox)

