

Brussels, 26 October 2021

To the kind attention of:  
Ms Nicola Ainger  
Senior Project Manager  
Eunomia Research & Consulting Ltd.  
37 Queen Square  
Bristol BS1 4QS

## Recycled plastic content in SUP beverage bottles

Dear Ms. Ainger,

In the context of Eunomia's study on the calculation, verification and reporting of recycled content for DG Environment, we would like to help you make the European rules right **by only allowing recycled content to be proportionally allocated to production outputs, discounting efficiency losses and only considering recycled materials from post-consumer waste.**

The European Commission is developing for the first time these rules to ensure a timely implementation of the beverage bottle requirements from the Single Use Plastic (SUP) directive. These rules will also be the backbone of the upcoming mandatory requirements on recycled plastic content and plastic waste reduction measures for key products, such as packaging, construction products, vehicles and batteries<sup>1</sup>.

We support the development of such rules as an enabling tool to increase the potential applications for plastic recycle, which is untapped especially as compared to paper, glass or metal. Recycled plastics indeed only represent about 6% of plastics demand in Europe, as shown in the 2018 European strategy for plastics in a circular economy.

At its workshop on 12<sup>th</sup> October 2021, Eunomia advised the European Commission to allow companies to freely allocate recycled content to their production outputs (with the only exception of fuels). If followed by the European Commission, this approach would give massive flexibility to companies to the detriment of the environment and disregard level playing field with other technologies.

**Ensuring that companies allocate recycled content in a proportionate way, while discounting process efficiency losses and fuel use, is paramount** for the following reasons:

- Proportional allocation, discounting efficiency losses, enables to maintain a level playing field between small companies with production lines limited to few product types and big ones producing several hundreds of product types out of the same production line. Indeed, free allocation will only benefit those big companies that will be able to allocate a small portion of recycled content to their desired output(s).

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<sup>1</sup> Communication a new Circular Economy Action Plan COM(2020)98, Annex.

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- The ‘dilution factor’ of recycled content into virgin content is particularly high for chemical recycling, where current processes usually blend a small fraction of recycled content (maximum 5%) into massive quantities of virgin content. Only a proportional approach can reflect this and make the recycled content in plastic beverage bottles trustworthy! It can also help reflect value retention for each output type, in line with the circular economy.
- Proportional allocation will be even more crucial for consumers if companies associate such method with their individual product claims: recyclers should not arbitrarily allocate the recycled content to the product which would benefit the most from having a sustainability label from a marketing perspective<sup>2</sup>.
- The proportional mass balance method can also help ensure a level-playing field with the mechanical recycling technologies, which apply segregation or controlled blending in their chain of custody. Discounting process efficiency losses – that are at least 60%<sup>3</sup> – and fuel use in chemical recycling processes will finally support this level-playing field.

In addition, Eunomia proposed to include pre-consumer plastics waste in the accounting method for recycled content. We believe the methodology should instead target **recyclates from post-consumer plastic waste<sup>4</sup> only**. This is in line with the spirit of EU environmental legislation, communication and case-law (see *further details in the attached briefing from ClientEarth*):

- The EU-wide pledging campaign to reach volumes of 10 million tonnes of recycled plastics in new products by 2025 was one of the cornerstone measures envisaged by the European Commission to ensure there is market demand for the projected volumes of plastics that will be recycled. This objective was set against the current situation: about 7 million tonnes of recycled plastics **from post-consumer waste** was incorporated in products in 2014<sup>5</sup>.
- The SUP directive (EU) 2019/904 aims to tackle environmental damage from “commonly used fast-moving consumer products that are discarded **after having been used once** for the purpose for which they were provided.”<sup>6</sup>
- The **Packaging Waste directive (EU) 2018/852 excludes production residues** from the definition of packaging waste, i.e. including beverage bottles. There is a lot of confusion in the definition of by-products, production residues and pre-consumer waste. The inclusion of pre-consumer waste to count towards recycling targets would lead to further blurry those lines by making it very appealing for companies to declare their production

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<sup>2</sup> “Recycled content in plastics: The mass balance approach” [infographics](#), April 2021.

<sup>3</sup> Daria Frączak, “[Chemical Recycling of Polyolefins \(PE, PP\): Modern Technologies and Products](#)”, 5 August 2021.

<sup>4</sup> Post-consumer waste is defined as ‘material generated by households or by commercial, industrial and institutional facilities in their role as end users of the product which can no longer be used for its intended purpose’ under ISO 14021.

<sup>5</sup> Commission Staff Working Document Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions *A European Strategy for Plastics in a Circular Economy*, section 2.3.1, January 2018.

<sup>6</sup> SUP directive (EU) 2019/904, recital 5.

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residues as waste rather than by-products. Ultimately, this would enable to inflate recycled content shares, simply by changing the denomination of their by-products.

- Avoiding pre-consumer waste is mostly part of an efficient production process and industrial ecosystem. Currently, the real difficulty lies in the collection and recycling of post-consumer material. Ensuring that material has indeed reached consumers, and therefore already experienced a full lifecycle, before being called 'recycled' is crucial in the spirit of the circular economy. This thinking is already implemented in EU instruments, such as the packaging requirements of the EU Ecolabel criteria for cosmetic products which excludes pre-consumer waste.

We are therefore calling on Eunomia to take into account the fact that European rules on measuring, declaring and verifying recycled content in products should use a proportional mass balance approach, if segregation is not possible, and should consider recycle from post-consumer waste only.

We would be happy to meet with you or a member of your team to discuss this at your earliest convenience and remain at your disposal for any questions you may have.

Yours Sincerely,

**Fanny Rateau**

*ECOS Programme Manager* on behalf of the Rethink Plastic alliance



CC: DG ENVI, Emmanuelle Maire, Head of Unit B1; Paulo Da Silva Lemos, Unit B1; Mattia Pellegrini, Head of Unit B3; Rana Pant, Unit B3. JRC, Hans Saveyn, Unit B5.  
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