Subject: Call for a transparent and trustworthy methodology to assess recycled content in recycled plastics

Dear members of the Waste TAC Committee,

The undersigned organisations representing European NGOs and recycling industries are writing to urge the Commission to establish a transparent and ambitious ‘chain of custody’ method for determining recycled content in plastic products. While waste prevention and reuse are the most key components of a circular economy, recycling is also part of the solution. Establishing an appropriate method of accounting is critical to ensure the actual uptake of recycled content and make true circularity a reality.

On June 27, the European ‘Waste Technical Adaptation Committee’ will discuss the draft Implementing Act on recycled content of SUP beverage bottles to ensure at least 25% recycled plastic in PET bottles from 2025, and 30% in all beverage bottles from 2030. Once developed, the method will likely have further implications for other types of materials and products, such as for other packaging materials, construction materials, batteries and vehicles.

However, if a loose method for determining recycled content is applied, as a result of certain industry representatives’ pressure to circumvent the rules of the game and allow for creative accounting, this could mean that:

- Brands can market their products as “recycled” even if they contain zero recycled material;
- Recycled plastic such as PET is traded “virtually” and sold as another plastic type such as nylon, irrespective of the different market values; and
- Incentives to design plastic packaging and products for recyclability are undermined as companies can forego the need to increase recycled content rates through creative accounting.

These pitfalls would lead to deceptive claims on the recycled content of plastic products, and undermine consumers’ trust in green labels.

We thus call on the European Commission to base its method on ten key criteria that guarantee the chain of custody contributes to the circular economy and avoid greenwashing:

1. **Aim for the highest possible amount of recycled content** and segregate recycled feedstock from virgin feedstock in the supply chain

2. **Use ‘batch level’ mass balance to determine recycled content when segregation is not feasible** which enables to know the proportion of recycled material fed into the process and estimate actual recycled content in final products placed on the market

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1 ChemSec, Not quite 100% - The Importance of Transparency in Non-Mechanical Recycling, April 2022
https://chemsec.org/app/uploads/2022/04/Not_quite_100_percent.pdf
3. **Do not allow for the trading of recycled content as part of a credit system**, between sites and countries, including to other sites belonging to the same company.

4. **Evenly allocate the recycled content to output products where mass balance is used**, instead of allocating it arbitrarily (unless the actual recycled content of each output can be verified).

5. **Ensure strong physical and chemical traceability of recycled content** ensuring that there is a proven chemical route between the input feedstock and the final product and that input material can only replace its own share of the final product.

6. **Avoid converting recycled content into theoretical ‘currencies’** such as calorific value or carbon, which would further facilitate a certification scheme for recycled content.

7. **When determining recycled content, only include post-consumer waste, and exclude inherent process losses and fuel use**.

8. **Set strict eligibility criteria for plastic waste used for ‘chemical recycling’** to avoid competition with mechanical recycling feedstock.

9. **Account for the full life cycle of products in the chain of custody model** taking consideration to material and carbon losses.

10. **Ensure full transparency towards consumers** by avoiding false claims and excluding additives from counting towards recycled content targets.

We urge you to maintain the ambitions of the SUP Directive and remain at your disposal for further information and conversation.

Yours sincerely,

Joan Marc Simon, Executive Director, Zero Waste Europe
Fanny Rateau, Waste Programme Manager, ECOS
Justine Maillot, Policy Coordinator of Rethink Plastic alliance and Break Free From Plastic Europe
Dr. Marieke Hoffmann, Senior Expert Circular Economy, Deutsche Umwelthilfe
Jean-Pierre Schweitzer, Senior Policy Officer for Circular Economy and Product Policy, EEB

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2 Such theoretical currencies, including carbon or calorific value, would facilitate the untransparent trading of recycled content.