



ecoveritas

Sustainable packaging starts with accurate data

UK Packaging Reform Update

November 2023

ecoveritas.com

© 2023 Ecoveritas Ltd. All rights reserved.



Agenda



INTRODUCTION



EPR POLICY UPDATES



SUPPORT

EPR Background

What is Extended Producer Responsibility?

- Extended Producer Responsibility (EPR) is a regulatory tool that requires producers to be substantially responsible for their post-consumer product
- This responsibility can be fulfilled through financial payments or by undertaking physical collections
- The aim of EPR frameworks is to incentivise more sustainable product design, increase re-use and recycling, and boost collection rates



UK Packaging Reforms

Packaging Waste Regulations EPR Reform

UK-wide

Producers become responsible for funding local authority packaging waste management costs

Deposit Return Scheme for single-use drinks cans/bottles

Scottish DRS separate from Rest of UK DRS

Deposit added to item price, claimed back by consumer upon return of empty can/bottle, promoting recycling

Consistent Recycling Collections for households & businesses/ Simpler Recycling

Each nation of the UK separately

All local authorities to collect at least the same basic set of recyclable materials from households and business

Plastic Packaging Tax

UK-wide

£210.82 per tonne tax on newly produced/imported plastic packaging with <30% recycled content



ecoveritas

Sustainable packaging Starts with accurate data

UK Packaging EPR



ecoveritas.com

© 2023 Ecoveritas Ltd. All rights reserved.



UK Packaging EPR

What is Changing?



Encourage a
circular
economy



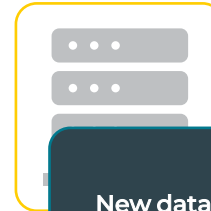
A single point
of compliance



Full net cost
recovery



Eco-
modulation of
fees



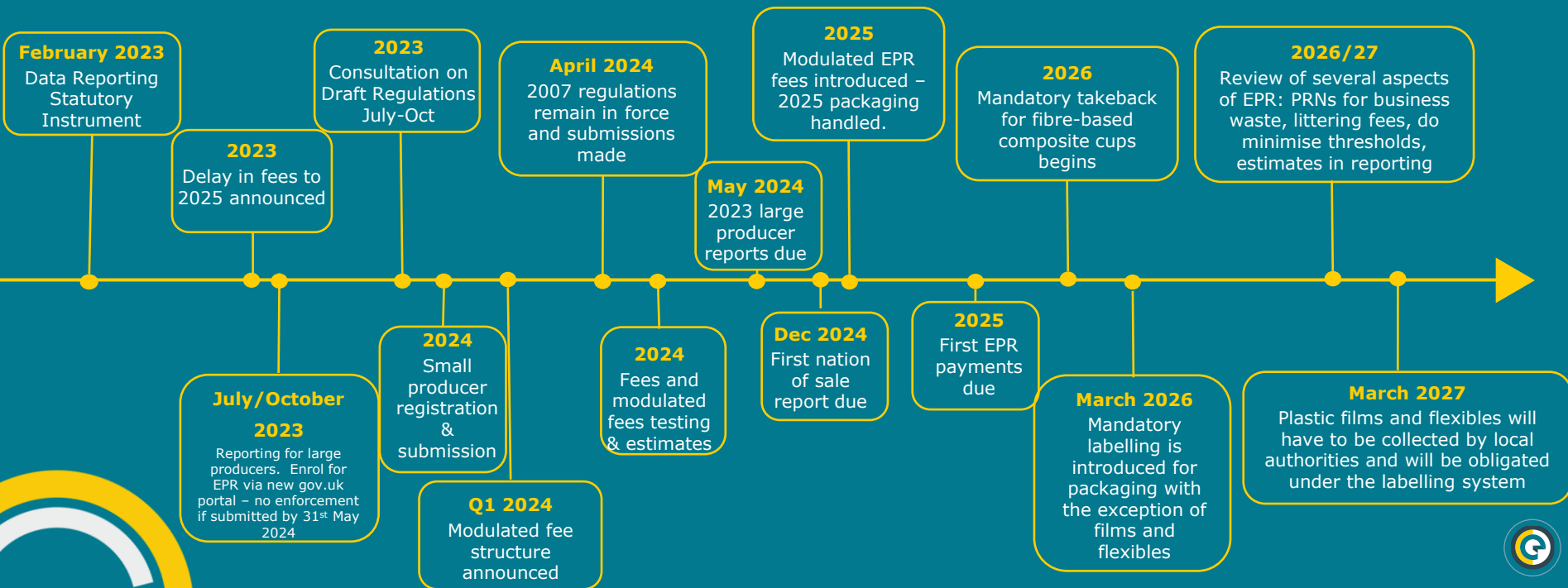
New data
reporting
requirements



Mandatory
recyclability
labelling

UK Packaging EPR

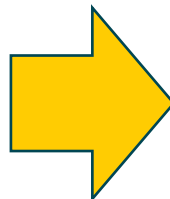
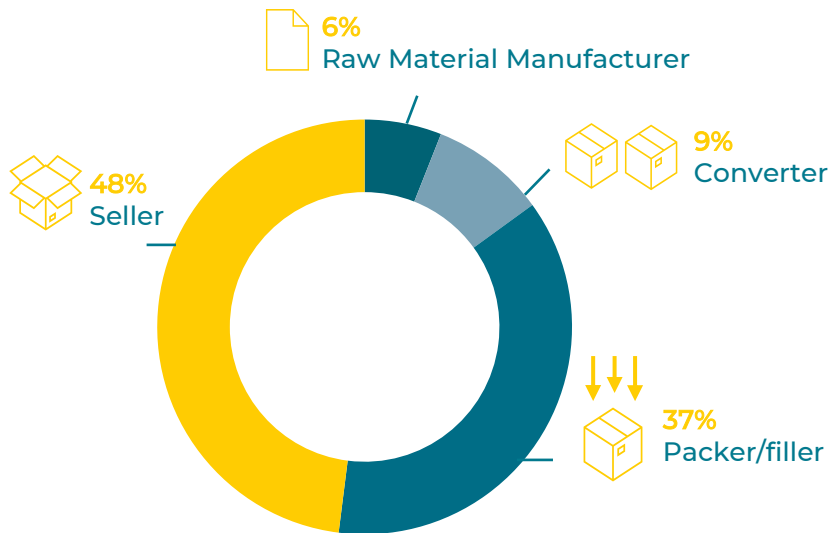
Expected Timeline



UK Packaging EPR

Who is Obligated?

The costs of EPR are currently 'shared' between the packaging supply chain based on performed activity



Under new system, a single party will have responsibility to cover waste management costs

- Brand Owner
- Importer
- Online Marketplace
- Packer/Filler
- Distributor/Supplied as Empty
- Service Provider

UK Packaging EPR

Who is obligated?

Producer Type	Definition	Waste Cost & Recycling Obligations	Nation of Sale Obligations
Brand Owner/ Supplied under your brand	“...whose name, trade mark or other distinctive mark appears on an item of filled packaging” Also the producer of unbranded packaging contained within or forming primary packaging alongside the branded packaging	Yes	No
Packer/Filler	“a person who puts goods into packaging” Classed as the producer for any filled packaging for which there is no brand owner	Yes	No
Importer	“....responsible for importing filled packaging into the UK, or the first person in the UK who takes ownership of the packaging” Also the producer for filled secondary/tertiary or any other packaging for which there is no obligated brand owner; or where the brand owner is not responsible for the import Unfilled packaging obligated when filled in the UK or sold to non-obligated businesses	Yes	Yes
Service Provider	“...who hires or lend out reusable packaging to another user” Classed as a producer for any reusable packaging, the first time that packaging is supplied	Yes	Yes
Distributor/ Supplied as empty	“...who manufactures or imports unfilled packaging and supplies that packaging to another business that is <u>not subject</u> to financial obligations under the regulation”	Yes	Yes
Online Marketplace	“...operator of an internet-based sales platform, which facilitates the supply of goods to UK-based consumers by non-UK businesses through the platform” Also the producer for unfilled packaging supplied to a UK business which is not a large producer via the online marketplace Also producer for own-brand packaging placed around goods	Yes	Yes
Seller	Pass packaging to an end user	No	Yes

UK Packaging EPR

Packaging & Waste Types



Household (Primary & Shipment)

Household- like (Primary & Shipment)

Non-household (Secondary & Tertiary)

All packaging incurs a PRN obligation: contribution to recycling costs

- Additionally subject to EPR fees from 2025
- Will require reporting of packaging in greater detail

- Subject to EPR fees by default **unless supplied directly to business end user AND producer can evidence the supply**

- Unlikely to be subject to EPR fees
- Longer term EPR approach still being considered

- From 2023, containers to be in-scope of DRS (except Scottish DRS containers) only incur PRN fees for the following year up until DRS systems are introduced throughout the UK. They must be reported separately
- Scottish DRS containers are excluded from EPR reporting/fees for the whole of 2023 but likely to come back in scope from 2024



UK Packaging EPR

Waste cost and recycling obligations

Waste Cost and Recycling Obligations		Turnover		
		< £1m	£1m - £2m	> £2m
Packaging Tonnage	< 25 tonnes	No Obligation	No Obligation	No Obligation
	25 - 50 tonnes	No Obligation	Reporting Only	Reporting Only
	> 50 tonnes	No Obligation	Reporting Only	Full Obligation



Your organisation does any of the following:

1. Supplies packaged goods to the UK market under your own brand
2. Places goods into packaging that's unbranded when it's supplied
3. Imports products in packaging
4. Owns an online marketplace
5. Hires or loans out reusable packaging
6. Supplies empty packaging

- This is the aggregated total from ALL packaging activities, including selling, as defined by the regulations

UK Packaging EPR

Nation of sale obligation

Nation of Sale Obligation		Turnover	
		< £1m	> £1m
Packaging Tonnage	< 25 tonnes	No Obligation	No Obligation
	> 25 tonnes	No Obligation	Obligated



Your organisation does any of the following:

1. Sells filled or empty packaging directly to end users
2. Sells empty packaging to UK organisations that are not legally obligated under the regulations
3. Hires or loans out reusable packaging
4. Owns an online marketplace
5. Imports packaging you discard

- This is a data reporting only obligation, where packaging must be broken down by the nation in the UK where it was disposed

UK Packaging EPR

Obligated Producer Thresholds, Reporting & Fees

EPR

Producer Type	Threshold	Current Regs	Bi-annual Reporting	Annual Reporting	POM Data (Annual)	EA Fee	SA Fee	PRN Cost	FNCR Fees	Labelling (Mar '26)
Large Producer	£2m / 50t	✓ (Apr'23 & 24)	✓ (Oct 23, April 24*)	✗	✗	✓	✓	✓	✓	✓
Small Producer	£1m / 25t - £2m / 50t	✗	✗	✓ (Apr '24)	✗	✓	✗	✗	✗	✓
Seller	> £1m/25t	✗	✗	✗	✓ (Dec '24, July '25)	✗	✗	✗	✗	✓
De minimus	< £1m/25t	✗	✗	✗	✗	✗	✗	✗	✗	✓

Glossary

POM - Place on the Market

EA - Environment Agency

SA - Scheme Administrator

PRN - Packaging Recovery Note

FNCR - Full Net Cost Recovery (additional modulated fees for packaging ending up in household and street bin)

* Delayed to 31st May 2024





ecoveritas

— Waste Cost & Recycling Obligations: Data Collection & Reporting



ecoveritas.com

UK Packaging EPR

Reporting

- Packaging data for EPR must be reported via a digital system
- Nation data is a separate reporting obligation and as such must be reported separately from the data used to calculate disposal fees and PRN obligations
- Where a producer is obligated under both reporting obligations, they will need to report data in two separate files
- Data will be submitted via a flat file format based on pre-defined codes
- These codes are set out in a published data specification
- A separate data specification will be made available for Nation of Sale data
- The functionality to submit Nation of Sale data will be made available in 2024, well ahead of the Dec 2024 deadline



Data must be 'as accurate as reasonably possible' and retained for 7 years

Packaging Activity	Packaging Material by Weight (kg)	Packaging Class	Packaging Type
Brand Owner/ Supplied under your brand	Plastic	Primary	Household (primary + shipment)
Packer/Fillers	Wood	Secondary	Non-Household (secondary & transit)
Importer	Aluminium	Shipment	Public Bin
Distributor/ Supplied as empty	Steel	Transit/Tertiary	Drinks Container (England, NI, Wales only)
Service Provider	Glass		Reusable (first time it's supplied)
Online Marketplace	Paper / Card		Self-Managed – 'consumer waste' (such as waste you collect through a front of store take back scheme to offset HH packaging + 'organisation waste' (such as 'backhauled' waste
	Fibre Composite		
	Others (by type)		

Eco-modulated fees,
requiring further detail
here, will be introduced in
2025

Small producers only report
drinks of the above



UK Packaging EPR





Public Bins Data

- You must submit data about the material and weight of household packaging that commonly ends up in public bins. To do this, you should collect data about any of the packaging in the list of 'items that commonly end up in public bins'
- This is the full list of items that commonly end up in public bins:
 - packaging provided to consumers with take-away food or drink, including wraps, boxes, cups, cup-holders, bags, paper and straws
 - packaging on confectionery, where the confectionery weighs less than 230g, including chewing gum packaging and chocolate wrappers
 - packaging on cigarettes, cigars, tobacco and e-cigarettes
 - crisp packets or packaging on other savoury snacks, where the crisps or snacks weigh less than 60g
 - packaging on single portions of food which can be consumed immediately without further preparation, including sausage rolls, sushi, sandwiches, biscuits and individual cakes
 - cartons holding 850ml or less of drink, whose contents can be consumed immediately without dilution
 - pouches containing less than 600ml of drink, whose contents can be consumed immediately without dilution
- The list of items that commonly end up in public bins is reviewed regularly and may change at the end of the reporting year



UK Packaging EPR

Packaging Class

Packaging Class	Definition	Example	
Primary	Primary packaging is the individual container that you store goods in to sell to consumers. This is called a 'sales unit'	If you sell peas in steel tins with paper labels, the primary packaging is 'steel tin' and 'paper label'	
Secondary	Secondary packaging is for grouping several 'sales units' for selling or shipping purposes. Organisations may use secondary packaging to display goods in shops	If you place one or more tins of peas into a cardboard box, then sell the box to a retailer or ship it to the consumer, the secondary packaging is 'cardboard box'	
Shipment	Shipment packaging is a type of secondary packaging for shipping single or multiple sales units to consumers. This includes cardboard boxes and mailing bags	For example, if you place a mobile phone in a cardboard box and then place the box into a mail bag before shipping it, the shipment packaging is 'mail bag'. The primary packaging is 'cardboard box'	
Tertiary	Tertiary or Transit packaging is used to group secondary packaging units together to protect them while being transported or handled. Transit packaging does not include road, rail, ship and air containers	For example, if secondary packaging units are placed into larger cardboard boxes that are sealed with parcel tape and put onto wooden pallets to be transported, the transit packaging is 'cardboard box', 'parcel tape' and 'wooden pallet'	

You only need to submit information about reusable packaging, such as pallets, the first time they are used

Labelling

- Mandatory recyclability labelling, no de minimis
- Recycle Now logo & relevant wording – Recycle/Do Not Recycle
- Can subscribe to a labelling scheme
- All packaging (except films) included from 31/03/2026
- Films & flexibles collected from kerbside and labelling from 31/03/2027
- Office for Product Safety & Standards (OPSS) will be enforcing
- Compostable & biodegradable plastic to be labelled as 'do not recycle'
- Communication will be required on pack on how to recycle – What, How, and Where





ecoveritas

— Nation of Sale Obligations: Data Collection & Reporting



ecoveritas.com

UK Packaging EPR

Check if you need to submit nation data

Nation data is information about which country in the UK your packaging has been sold, hired, loaned, gifted or discarded in.

If your organisation must act under EPR (as a small or large producer), you'll need to submit nation data if you also do any of the following:

- **Sellers** – you supply filled or empty packaging directly to consumers or businesses where the intention is that they will be the final user of the packaging before it becomes waste
- **Distributors** – you supply empty packaging to UK organisations that are not “large producers”
- **Service Providers** – you hire or loan out reusable packaging
- **Online Marketplaces** – you own an online marketplace where other organisations sell their empty packaging and packaged goods to UK consumers
- **Importers** – you import packaging to the UK that you discard without selling or exporting it (if you sell it, then you would be obligated as a Seller, if you export it, then you/that packaging is not obligated)



UK Packaging EPR

Check if you need to submit nation data

- Applies to all packaging, including transport and delivery packaging
- For the 2024 and subsequent years, data must be reported broken down by a series of dimensions:
 - Packaging Type (Primary, Secondary, Shipment or Transit/Tertiary)
 - Material Type (Aluminium, Fibre Composite, Glass, Paper/Cardboard, Plastic, Steel, Wood, Other)
 - Activity supplied under (i.e. Seller, Importer, Distributor, Online Marketplace or Service Provider)
 - Nation Supplied to (England, Scotland, Wales, Northern Ireland)
- The weight to the nearest kilogramme, of obligated packaging that is supplied in each nation of the UK
- Estimated for secondary and tertiary packaging
 - In the first three years of the scheme, sellers and importers who supply secondary and tertiary packaging may use estimates to help with gathering nation data
 - This is not permitted however, if you are supplying a person or business who uses that packaging
- Reporting deadlines:
 - Reports to be made annually, reporting 12 months of data
 - First report will be of data Jan-Dec 2023 – reported by 1st Dec 2024
 - Second report will be of data Jan-Dec 2024 – reported by 1st Apr 2025
 - This will then continue annually





Thank You

Kathy Illingworth & Josh Corradi-Remi

✉ josh@ecoveritas.com

☎ 01865 504254

Let's meet up!

Pure Offices, Suite 8, Whichford House, John Smith Drive,
ARC Oxford, Oxford, OX4 2JY, UK

Don't forget to follow us



ecoveritas.com

© 2023 Ecoveritas Ltd. All rights reserved.

