

Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024

Questions from Link

- We fully support the introduction of these Regulations and the Government's work on implementing extended producer responsibility for packaging. By making producers financially responsible for the lifecycle impacts of their products, costs to councils from managing waste can be reduced. Producers can also be encouraged to reduce the amount of packaging they produce and make their packaging more environmentally sustainable.
- The Regulations must ensure that producers cover the full cost of the waste they produce. The Regulations include the principle that producers are able to offset fees for packaging that they produce where they collect and recycle packaging themselves (Regulation 62). We are concerned that producers could claim that they have collected and recycled packaging where this is not in fact the case. This is a particular concern given recent research shows 70% of soft plastic packaging waste collected by supermarkets for recycling is in fact incinerated.¹ **We would therefore be grateful if the committee could ask the department:**
 - In regards to Regulation 62, paragraph (2)(b) what evidence it intends to require from producers to prove that any packaging waste they have collected has been recycled in order to justify a reduction in their fee obligations.
- We fully support the possibility introduced by the Regulations to "modulate" fees (that is, increase or decrease the fees) based on how "environmentally sustainable" the packaging is (Regulation 64). This has the potential to encourage producers to use packaging which has a lower impact on the environment.
- Currently, the government has only proposed to modulate fees based on how recyclable packaging is.² We therefore welcome the inclusion of further bases on which fees can be modulated. However, it is not clear when policy will be brought forward to facilitate this modulation of fees. **We would therefore be grateful if the committee could ask the department:**
 - When it intends to publish criteria for modulating household packaging waste disposal fees on the basis of the factors set out in Regulation 64, paragraph (7).
- We welcome the inclusion of the requirement (under Schedule 4, paragraph 10) for producers to report how much packaging they supply which consists of commonly binned or littered items. If this data shows producers are not reducing supply of commonly binned and littered items, it is important there is a mechanism available, as part of the modulation of fees, to incentivise producers to reduce supply of these items. **We would therefore be grateful if the committee could ask the department:**
 - Whether it intends to use the powers under Regulation 64 to modulate fees on commonly binned and littered to incentivise reductions in the supply of these items.
- We also support the submission from Green Alliance, highlighting the missed opportunity to drive overall resource consumption reduction and reuse.

¹ <https://eia-international.org/wp-content/uploads/EIA-UK-2024-The-Hard-Truth-About-Soft-Plastic-Summary.pdf>

² <https://www.gov.uk/guidance/extended-producer-responsibility-for-packaging-who-is-affected-and-what-to-do#information-about-fees>