

Sehr geehrte [REDACTED]

vor dem Hintergrund der aktuellen Trilog-Verhandlungen zur PPWR kommen wir zurück auf unsere E-Mail vom 13. Juli 2023 in Hinblick auf die Situation bei Teebeuteln, die überwiegend auf dem deutschen und europäischen Markt vertreten sind.

Wir mussten zu unserer großen Überraschung feststellen, dass im aktuellen Kompromiss-Vorschlag der belgischen Ratspräsidentschaft gegenüber den bisherigen Vorschlägen von Kommission, Parlament und Rat Änderungen speziell zu Artikel 8 Draft-PPWR vorgenommen wurden, die aus Sicht der Teewirtschaft eine enorme Herausforderung darstellen, weil die Erfüllung der vorgesehenen Anforderungen zum aktuellen Zeitpunkt völlig ungewiss ist.

Auf folgende Aspekte sei besonders hingewiesen:

- Es ist für die Unternehmen nicht praktikabel, Produkte sowohl als industriell kompostierbar wie auch als heimkompostierbar zu zertifizieren.
- Daher sollte in Artikel 8 Absatz 1 unbedingt auf die industrielle oder Heim-Kompostierung verwiesen werden.
- Es sind deutlich längere Fristen erforderlich, insbesondere wenn sich die EN 13432 wesentlich ändert und die Unternehmen ihre Produkte neu zertifizieren müssen.
- Zudem stellt der aktuelle Formulierungsvorschlag in Artikel 8 (1), wonach es den Mitgliedstaaten freigestellt werden soll, ob die Verpackungen mit den Normen zur Heimkompostierbarkeit vereinbar sein müssen oder nicht, eine Fragmentierung des Europäischen Binnenmarkts dar. Dies ist unbedingt zu verhindern.

Für weiterführende Informationen verweisen wir auf das beigefügte Statement unseres europäischen Dachverbands Tea & Herbal Infusions Europe (THIE).

Wir bitten Sie, sich in den Verhandlungen für eine unter Berücksichtigung der zuvor hervorgehobenen Punkte praktikablen Regelung einzusetzen.

Für Rückfragen stehen wir Ihnen jederzeit zur Verfügung.

Freundliche Grüße



TEA & HERBAL INFUSIONS EUROPE

Formerly: European Tea Committee (ETC) and European Herbal Infusions Association (EHIA)



Updated THIE position on Art 8.1,
1st Marche

EC legislative proposal for the Packaging and Packaging Waste Regulation (PPWR) to require certain packaging items under Article 8 to be industrially and home compostable.

Tea & Herbal Infusions Europe (THIE), as the voice of the European Tea industry, respectfully request the European Commission to consider the comments in this note with respect to Article 8.1 of the PPWR. We understand that there has been a proposal by the Belgian Presidency to require products categorised under Article 3(f), which includes teabags, to be both industrial **'and'** home compostable.

We strongly support the principle of maintaining business operators' freedom of material choice. Innovation in packaging and casing materials and end-of-life infrastructure solutions are essential to the circularity endeavour and crucial for a competitive European industry. However, **it is important to distinguish between industrial and home composting and there is no EU-harmonised standard nor certification scheme covering both industrial and home composting.** Whilst we welcome the proposal under Article 8.5(a) to seek a harmonised standard for home composting, requiring products to meet both standards is not pragmatic or possible. Home compostability should not be mandated under Article 8.1 (for items defined under Article 3.1 (f)) for the reasons given below.

The EU Commission original proposal was more ambitious in terms of mandatory applications to be industrially compostable and now we see that ambition being eroded, and on top creating additional burdens by introducing the reference to home compostability and further fragmenting the internal market principle by giving Member States the choice to decide on having only home compostability.

Industrial composting is a strictly controlled process only accepting packaging and other products certified according to the harmonised EU standard EN 13432. Key factors are monitored to ensure the complete biodegradation, such as pH, carbon and nitrogen ratios, temperature, and moisture levels necessary to maximize efficiency and quality. Certified industrially compostable products are specifically designed and engineered to not disrupt the composting process and to fully biodegrade at its end.

Home composting, when feasibly available e.g., on a heap in the garden or a specially designed home composting bin, can only be achieved in climatic conditions that promote the right temperature and balance of microorganisms, which are able to break materials down. It can be an effective way to dispose of specific organic materials such as grass clippings and certain food scraps, but due to big variances in temperature, moisture, inputs, seasonally fluctuations and geographically diverse ambient temperatures, it is challenging to regulate this process.



Reason to state industrially compostable or home compostable and ensure both formats are permitted in the biowaste stream in the EU Single Market under Article 8.1

1. **To support municipal separate bio-waste collections for treatment in controlled conditions in biowaste treatment facilities**, as required in all Member States by 2024 under the Waste Framework Directive (Article 22 of Directive 2008/98/EC of the European Parliament and of the Council), **teabags, have been designed to be compostable to industrial standards (updated EN 13432)**. This is a widely adopted solution invested in by teabag manufacturers, as it effectively allows teabags to break down in bio-waste treatment facilities, under controlled conditions and **is the most effective way to achieve a sustainable cycle for valorisation of the bio-waste**.
2. **A single standard for home compostable does not currently exist and could prove challenging** due to uncontrollable external factors such as local climate conditions (geographic location and season) and diverse practices of consumers.
3. **A large proportion of the teabags already available in the market would not pass the home compostability test** (i.e., were not intended/designed to be home compostable). Furthermore, **there is insufficient laboratory capacity in the EU to test all product SKUs that would need to be switched, in the timeframe suggested**, as product testing can take up to 12 months to complete and there is no harmonised standard of reference to carry out such testing.
4. There is no need for a requirement for teabags to be both home and industrially compostable, as compostability to industrial standards (EN 13432) is already sufficient for teabags to break down in industrially controlled conditions in bio-waste treatment facilities,¹ where they positively add to the compost.
5. **No manufacturing solution has yet been identified that could deliver home compostable formats at a large-scale**. The scale up of home composting solutions would require long transition times and more investment, which has already been made by our sectors to ensure industrially compostable solutions.
6. The vast majority of consumers are not properly equipped to manage home compost, with **75% of the population in Europe being urban (World Bank, Urban population data, 2022)**. Therefore, home composting schemes existing in certain countries will require a longer transition time to provide the EU with wider access.

It does not fit with the principles of 'better regulation' to introduce a change without a reasonable transition period where products need to be designed, developed, and tested, and proposed changes are likely to result in a need to withdraw existing products from the market.

Including home compostable under Articles 8.1 (as a requirement as well as industrially compostable, or an option for MS to mandate) could inadvertently ban many tea products from the EU market.

¹ <https://edepot.wur.nl/514397>



Based on the points above we respectfully request the European Commission to consider revising the following proposed amendment to Article 8.1 below, by either reverting to only industrial compostable, or by adding the text in red to include home **or** industrially compostable formats and text to ensure that either format is permitted in the biowaste stream, to avoid barriers in the single market. **We also ask that the transition period be extended to at least 36 months and suggest a much longer timeframe would be pragmatic.**

Article 8.1 - By the way of derogation from Article 6.1 [OP: please insert the date = **36 months from the date of entry into force of this Regulation] packaging placed on the market referred to in Article 3(1) (f) and sticky labels attached to fruit shall be compatible with the standard for composting in industrially controlled conditions in bio-waste treatment facilities **based on standard EN 13432 and therefore allowed to be collected in bio-waste receptacles, or** facilities with home composting standards referred to in paragraph 8(5a). **Member States must permit products meeting either the industrial or home composting standards to enter the biowaste stream.****

We also fully support the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council. However, the disposal methods and regulations differ per EU country and even per region within some countries. This adds complexity to the collection and composting of teabags, and other items. The European Commission's support is needed to improve infrastructure and consistency of waste collections across the EU.

Tea & Herbal Infusions Europe (THIE) – is the European Association representing the interests of producers, traders and packers of tea and herbal and fruit infusions, as well as extracts thereof. Tea is derived solely and exclusively from the shoots of varieties of the species *Camellia sinensis* (L.) O. Kuntze and produced by acceptable manufacturing processes. Herbal and fruit infusions (HFI) materials are plants or parts of plants that do not originate from the tea plant (*Camellia sinensis* (L.) O. Kuntze) and are intended for food use by brewing with freshly boiling water.