

Consultation on Extended Producer Responsibility for Packaging

British Glass response – Final version

2 About you (p19)

1. What is your name?

British Glass

2. What is your email address?

This is optional, but if you enter your email address you will be able to return to edit your consultation response in Citizen Space at anytime until you submit it. You will also receive an acknowledgement email when you submit a completed response.

p.fenton@britglass.co.uk

3. Which best describes you? Please provide the name of the organisation/business you represent and an approximate size/number of staff (where applicable).

Please tick one option. If multiple categories apply, please choose the one which best describes the organisation you are representing in your response.

- Academic or research
- Business representative organisation/trade body*
- Charity or social enterprise
- Community group
- Consultancy
- Distributor
- Individual
- Local government
- Non-governmental organisation
- Product designer/manufacturer/pack filler
- Packaging designer/manufacturer/converter
- Operator/reprocessor
- Exporter
- Retailer including Online Marketplace
- Waste management company
- Other

If you answered 'other', please provide details

Organisation name

British Glass

Organisation size

British Glass has approximately 15 employees supporting the UK glass industry.

British Glass is the representative body for our UK glass industry, which contributes around £1.3 billion to the UK economy each year and provides more than 120,000 jobs across the supply chain.

As an industry, we are committed to improving recycling rates and reaching Net Zero by 2050. That is why we have set an industry target of achieving a 90% glass collected for recycling rate by 2030 which will increase the recycled content in glass packaging and reduce the emissions in the manufacturing processes.

4. Would you like your response to be confidential?

If you answered 'yes' please provide your reason.

No

5. Government will need to understand the needs of users to build digital services for Extended Producer Responsibility. Would you like your contact details to be added to a user panel for Extended Producer Responsibility so that we can invite you to participate in user research (e.g. surveys, workshops, interviews) or to test digital services as they are designed and built?

Yes

You can read a [Privacy Notice](#) that explains how your information is safeguarded in relation to user research, what we will and won't do with it, how long it will be kept and how to opt out of user research if you change your mind.

4 What we want to achieve: packaging waste recycling targets (p26)

6. p30 Do you agree or disagree with the proposed framework for setting packaging targets?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

British Glass fully supports legislated closed loop (remelt) recycling targets for all glass collected for recycling in the UK including glass from both EPR and DRS. However, as DRS is a collection scheme with a collection target, it will not be regulated to ensure that the current remelt target is maintained and exceeded in future years. DRS is not appropriate system for closed loop glass recycling.

Below is further explanation of the need for a remelt target.

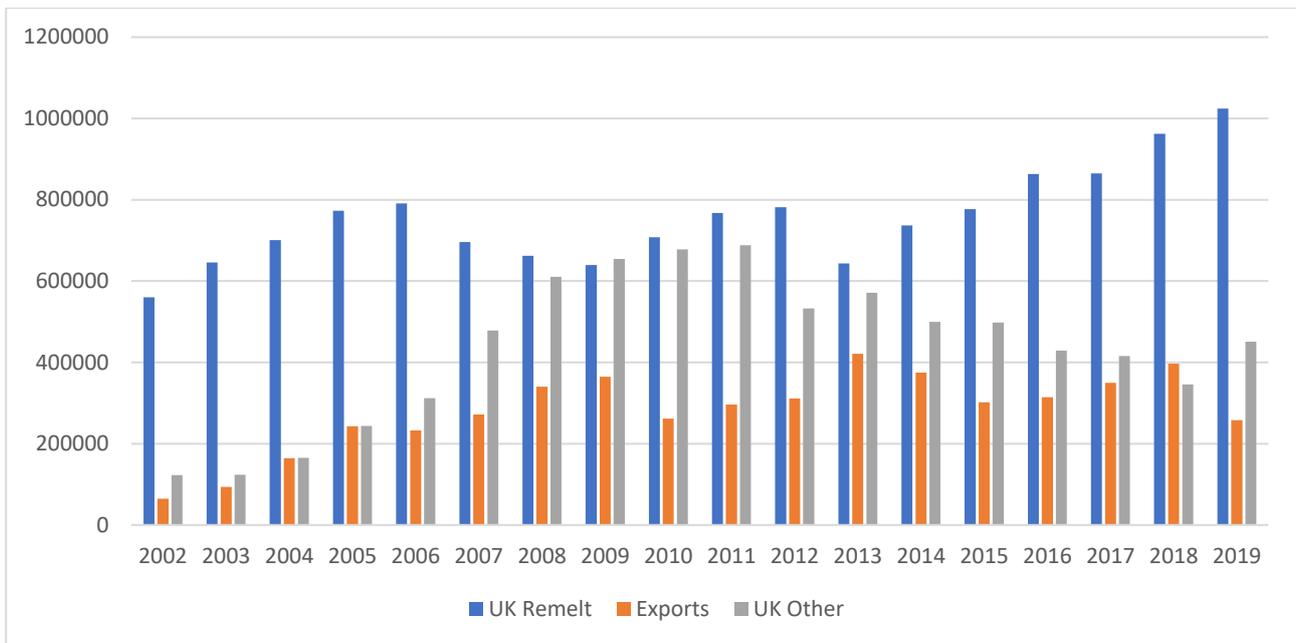
The glass container industry wants to see higher rates of glass recycling - it benefits the environment and the sectors decarbonization agenda, with every tonne of recycled glass (cullet) used in the manufacture of new bottles and jars, achieving a carbon saving of 580kg. In addition to this, using cullet in the manufacturing process is more cost effective than using raw materials, giving the industry a clear incentive to work towards increasing glass recycling rates and the recycled content in glass packaging.

As part of the commitment to increasing glass recycling, the UK's glass container manufacturers are championing an industry led project 'Close the Glass Loop' in order to achieve a 90% collected for recycling rate by 2030, working to bring the entire glass value chain together to drive glass recycling in the UK and the associated carbon savings. This will only be achieved with EPR with a glass remelt target.

British Glass support legislated closed loop recycling target to maximise the recycled content of new glass packaging. The current PRN (differential PRN for remelt) system has been effective in diverting glass to closed loop recycling (remelt).

The below graph –(available via this link:

<https://docs.google.com/document/d/1I98FD3Paqf9ycSnAbb4NXT4MC-HqE4L6yPy8rrBhoxA/edit?usp=sharing> which highlights (in tonnes) the quantity of glass going to remelt, export and 'other' (mainly aggregate) over the last two decades.



In the early 2000's glass was being collected at bottle banks colour separated which led to high quality material for remelt. Then kerbside collections were introduced widely from 2005 onwards which collected more glass but saw the quality decline due to being largely co-mingled and because glass colours needed separating in order to use for remelt. As the graph shows other/aggregates increased at the expense of remelt for a number of years until 2013 when crucially, the PRN system (which originally just had a recycling target for glass with aggregate classed as recycling) introduced a split target in which 67% of glass recycled was obligated to go to remelt. This influenced the glass recycling market, aggregates declined and remelt increased year on year from 2014. The remelt target drove investment in sorting facilities to better sort glass into colour streams and more local authorities moved from comingled to separate collections for glass. The UK is now at a point where kerbside collections provide a high quantity and quality of glass for remelt and if the PRN (or upcoming EPR) target for glass remelt (now at 72%) was higher, such as 80% or more by 2030 we believe it would be achieved through existing kerbside infrastructure supported by EPR and consistency.

The absence of a remelt target would effectively create the same or worse conditions as before a split PRN was introduced; with no regulation or commercial driver to differentiate the two products, remelt and aggregates (other), there would inevitably be a reduction in the production of furnace ready cullet for remelt. The change in remelt target in 2021, up 5% to 72% and reducing the 'other' target by around 100,000 tonnes has already created a price differential that will favour remelt and lead to higher levels of closed loop recycling.

With the current proposal to split glass collection between EPR and DRS systems, EPR will only collect around 20% of glass placed on the market. There needs to be a remelt target for glass collected via DRS. As this unlikely to happen, it is recommended that all glass packaging is collected at a single point; utilising existing kerbside collection system and financed by EPR. The removal of the remelt target for all glass collected would reverse this positive action and drive the market in the environmentally negative direction.

In order to maximise consistent glass quality, glass should be collected at one convenient collection point. As glass is a bulky material, 3 wine bottles and 10 beer bottles could weight around 4 kg

and needs to be handled carefully to avoid chipping and breakage. Most glass beverage bottles contain beer, wine and spirits and the contents consumed in the household, it would be very inconvenient for consumers to take beverage bottles back to retailer rather than use existing kerbside collection point. All glass packaging should be collected at the kerbside to utilise the existing infrastructure, rather than 20% being collected at the kerbside by EPR and 80% collected via reverse vending machines at retailers as part of DRS. Wales has demonstrated that it is possible to collect 87.3% of glass for recycling at the kerbside. Therefore, the infrastructure investment that will be part of the implementation of EPR should be enhanced to collect all glass, this will be a lower cost option and more convenient for consumer to use their existing glass collection system at their doorstep, rather than operating two systems to collect glass. A report on the appraisal of the costs and benefits of three policy options for increasing the recycling for container glass in England by Oakdene Hollins and commissioned by British Glass found that EPR is the most cost-effective option to recycle glass costing £218 a tonne compared to recycling glass through DRS which will cost £632 a tonne.

7. p32 Do you agree or disagree that the business packaging waste recycling targets set for 2022 should be rolled over to the calendar year 2023?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

British Glass agrees that the 2022 business targets are maintained but adjusted to reflect that all glass in scope of the EPR shall be obligated. Therefore, British Glass agrees with the proposed recycling targets in table 3.

The current business recycling target under PRN scheme is only for obligated businesses which only accounts for approximately 87% of glass packaging placed on the UK market. The current recycling rate = Glass PRNs (tonnes) / Glass Packaging Placed on the UK market, which equates to an overall glass recycling rate of 71%.

As EPR and DRS will legislate that all glass packaging placed on the market will be obligated and this will increase the quantity of glass collected. However, during the transition period in 2023, applying the 2022 business recycling target (82%) to all glass placed on the market will not be achievable. Assuming there will be approximately 2,574,000 tonnes of glass packaging placed on the market in 2023 (taken from Valpak Glassflow), of which 87% is business obligated glass equating to 2,239,000 tonnes. Then in 2022 under the PRN system 1,836,000 tonnes of glass will be recycled, if all placed on the market is recycled at 82% then there would be 2,110,000 tonnes of glass recycled in 2023/24, an increase of 274,000 tonnes (15% increase).

It is unlikely that the current glass collection and processing infrastructure would be capable of achieving this increase in recycling over a very short period without intensive investment before the EPR is fully operational and before the EPR payments are available for the waste collection and processing infrastructure. Also, as the DRS will be implemented approximately 18 months after the implementation of the EPR, the EPR will need to be capable of collecting and recycling all the glass

placed on the market. Therefore, it is unlikely that local authorities will improve their glass collection infrastructure and more likely to follow the lead of some Scottish local authorities.

It has already been seen in Scotland that local authorities, such as Clackmannanshire (<https://www.clacks.gov.uk/environment/blueboxfaq/>) and Dumfries and Galloway (<https://www.dumgal.gov.uk/article/21420/FAQ-s-New-Waste-and-Recycling-Service>), have made a decision to cease kerbside collections for glass as it is believed that they are preparing for the introduction of the Scottish DRS. As this will remove 80% of glass and it will not be viable to maintain glass kerbside collections for only 20% of glass placed on the market (POM).

The other complication is that the Scottish DRS is planned to be implemented in Summer 2022, but will probably be delayed to 2023. How will UK EPR (2023) and Scottish DRS (2023) and England Wales & NI (late 2024) work together?

8. p36 Do you agree or disagree that the recycling target to be met by 2030 for aluminium could be higher than the rate in Table 3?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

No comment

9. p36 Do you agree or disagree with the proposed minimum target to be met by 2030 for glass set out in table 3?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

Based on Valpak Packflow Covid-19 report for glass, 84% (2,174,000 tonnes) of glass packaging placed on the market is bottles and 80% (2,071,000 tonnes) of glass packaging placed on the market is beverage bottles that will be collected by the DRS. There will only be 515,000 tonnes (20% of glass POM) of glass available to the EPR, after the implementation of the DRS. However, as the DRS will be implemented approximately 18 months after the implementation of the EPR, the EPR will need to be capable of collecting and recycling all the glass placed on the market (2,574,000 tonnes) for this period.

Note: The data in the impact assessment in table 1 claims 692,000 tonnes from households and 133,000 tonnes household like from non-households. This data is inconsistent with British Glass' data and Valpak Packflow Covid report, based on 80% (Defra DRS consultation) POM being beverage glass packaging, then 20% of 2,574,000 will be available for EPR (515,000 tonnes), not 825,000 tonnes.

The proposed glass recycling target of 71% by 2024 should be achievable, assuming there will be no significant impact during the transition from PRN and EPR.

We would recommend with the introduction of Consistency of Collections, glass will be separated at the kerbside and contamination and breakage during processing will reduce and a greater fraction of glass will be recovered for recycling. Collecting glass separately will also avoid contamination of other materials with glass fragments and therefore improving the overall yield. Typically, when glass is collected as mixed waste and processed at a MRF is likely to be broken during the material separation process, this step will be eliminated with the separate collection of glass, so less breakage and less fines.

As explained in question 6, it is imperative that there is also legislated closed loop (remelt) recycling targets for all glass collected for recycling in the UK including glass from both EPR and DRS.

As 80% of glass placed on the market would be recovered via DRS, there needs to be a closed (remelt) glass recycling target for all glass placed on the UK market. Glass via EPR will be food jars and bottles, of which a majority will be clear glass. There is a high demand for clear glass, as there is more green and brown glass in the waste stream due to imports of wines and beer bottles into the UK, whilst the UK manufactures a higher proportion of clear compared to what is in the waste stream. Therefore, a higher demand for clear glass. This is because the UK spirits producers export a significant proportion of their product across the globe in UK manufactured clear bottles.

Table 2 (p33) shows modelled recycling rates, with a predicted recycling rate of 92% in 2025 and 93% by 2030 for both EPR, Consistency and DRS collections. If this is back calculated based on a EPR recycling rate of 71% for 2025 and then 81% for 2030 for only 20% of non-beverage glass placed on the market, then the DRS recycling rate would be 97% in 2025 and 96% in 2030. This would require 100% collection of all beverage bottles placed on the market. The glass would need to be collected whole with minimum breakage from collection to receipt by the glass processor, even then it is questionable whether it is possible to achieve these predicted recycling rates. In addition, the implementation date for DRS is predicted to be late 2024, therefore based on the suggested collection rates of 75 or 80% it will be impossible to achieve 92% recycling rate for DRS, Consistency and EPR in 2025. This suggests that the modelling of recycling rates is fundamentally flawed and table 2 is misleading on what DRS, Consistency and EPR will achieve in 2025 and 2030.

It is important to note that many EU countries report the recycling rate based on collected glass or a point before recycling such as receipt by the glass processor rather than what is recycled. So a direct comparison with EU recycling rates should be undertaken with caution.

10. p37 What should the glass re-melt target for 2030 for non-bottle packaging be set at?

Please provide the reason for your response.

How will the remelt target be achieved? The glass sector question how targets under EPR including a remelt target will be achieved and what the driver will be to meet these targets. Under PRN, the target is obligated. British Glass believe targets under EPR should be obligated and incentivised.

Modulated fees on recyclability should drive recyclable packaging but is not a mechanism to drive glass back to remelt. All glass packaging is 100% recyclable for infinite number of times without any loss of product quality. There is no difference between non-beverage (EPR) and beverage glass (DRS) packaging and they are currently collected, processed and recycled together. A majority of glass packaging is collected as mixed colour and the glass processing sector has invested in technology to colour separate into the main three colour, clear (flint), brown (amber) and green, and the removal of other contaminates.

British Glass disagree with the phrasing of the question. Not all glass bottles would be in scope of the deposit return scheme and therefore would be in scope of EPR such as ketchup, vinegar and olive oil bottles, therefore we are answering the question assuming the question is referring to glass packaging not in scope of the DRS.

The remelt target is 72% for 2021 and 2022 for all obligated glass placed on the market. British Glass propose that there is a legislated remelt target for all glass placed on the market (EPR and DRS collected glass) and this is set at 74% in 2025, then with incremental annual increases to 80% by 2030. However, this higher remelt target will only be achieved if the glass is collected whole and not intentionally broken, as it is critical that glass arrives at the glass processor with a particle size greater than 10mm so it can be colour separated. Below this size it is less likely to be colour separated and end up in open loop recycling and used in aggregates.

The EPR with Consistency of Collections is ideal for collecting separate glass that will be recycled back into new packaging. The collection of glass via reverse vending machines (RVMs) in the DRS will result in glass being broken at the collection point. It is claimed in the DRS consultation that this will be broken to 4,5 or 6 pieces. However, this is impossible as a lightweight 300ml beer bottle will break very differently to a heavyweight 750ml wine bottle. In addition, every time a bottle is broken small fragments (fines) are formed that cannot be colour sorted and cannot go to remelt. Therefore, to maximise re-melt, it is essential that all glass from households is collected via kerbside. In addition, local authorities will see a drop of 80% of glass at the kerbside and there will be consumer confusion and the inconvenience that consumers will have to return heavier glass bottles rather than use their existing collection point at their doorstep. The kerbside will not be financially sustainable and councils will lose revenue from selling this material.

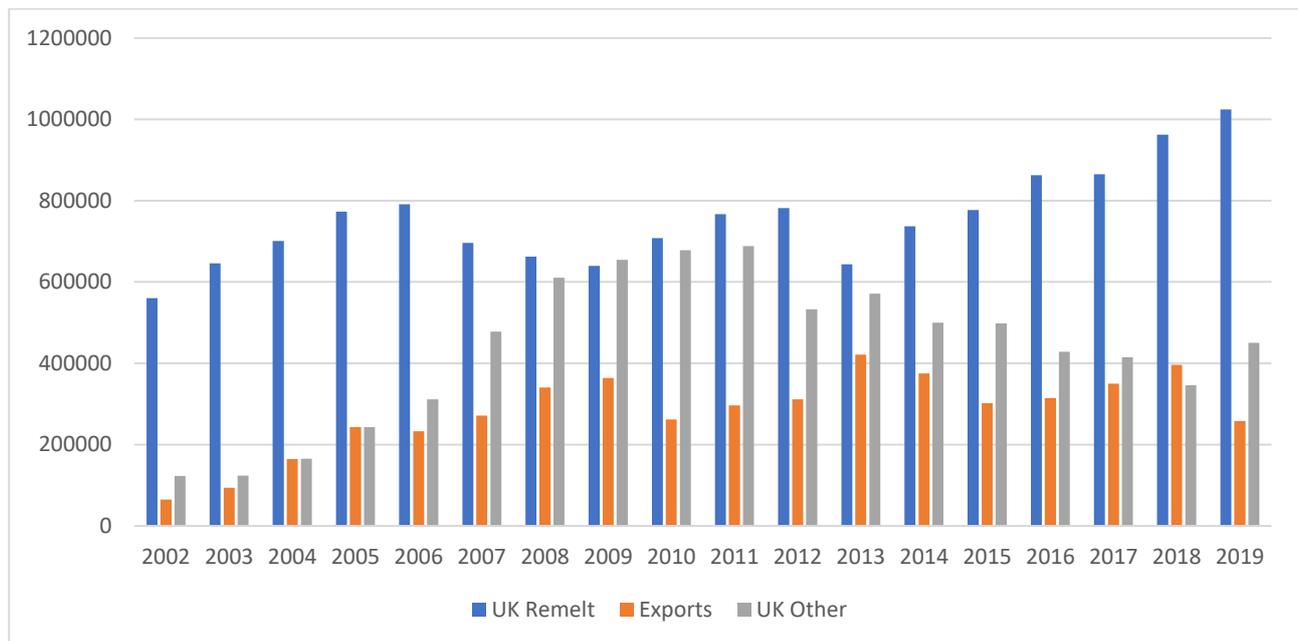
We accept that there needs to be options to recycle to 'other' where it is not economical or technically possible to recycle back to remelt.

If glass is in scope of the DRS then 80% of glass packaging placed on the market will be collected via DRS. The DRS consultation is only proposing a collection rate and with no legislated remelt target. It is critical that there is a corresponding remelt target for DRS, otherwise, there is the potential risk that the recycling rate for remelt will decline with introduction of the DRS. The solution is to have a single collection point for glass, British Glass propose that this should be kerbside by the EPR. Glass used in glass packaging is the same for food and beverage packaging, therefore, by separating it in two different collection systems based on product it contains will increase cost and consumer confusion.

The below graph available via this link:

<https://docs.google.com/document/d/1I98FD3Paqf9ycSnAbb4NXT4MC->

[HqE4L6yPy8rrBhoxA/edit?usp=sharing](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414444/HqE4L6yPy8rrBhoxA/edit?usp=sharing) which highlights (in tonnes) the quantity of glass going to remelt, export and 'other' (mainly aggregate) over the last two decades.



In the early 2000's glass was being collected at bottle banks colour separated which led to high quality material for remelt. Then kerbside collections were introduced widely from 2005 onwards which collected more glass but saw the quality decline due to being largely co-mingled and because glass colours needed separating in order to use for remelt. As the graph shows other/aggregates increased at the expense of remelt for a number of years until 2013 when crucially, the PRN system (which originally just had a recycling target for glass with aggregate classed as recycling) introduced a split target in which 67% of glass recycled was obligated to go to remelt. You can see the influence this target had – aggregates declined and remelt increased year on year from 2014. The remelt target drove investment in sorting facilities to better sort glass into colour streams and more local authorities have moved from comingled to separate collections for glass. We are therefore now at a point where kerbside collections provide a high quantity and quality of glass for remelt and if the PRN (or upcoming EPR) target for glass remelt (now at 72%) was higher, such as 90% or more by 2030 we believe it would be achieved through existing kerbside infrastructure supported by EPR and consistency.

The absence of a re-melt target would effectively create the same or worse conditions as before a split PRN was introduced; with no regulation or commercial driver to differentiate the two products, there would inevitably be a reduction in the production of furnace ready cullet. The change in remelt target in 2021, up 5% to 72% and reducing the 'other' target by c100KT has already created a price differential that will favour remelt and lead to higher levels of Closed Loop Recycling. The removal of the remelt target would reverse this positive action and drive the market in the environmentally negative direction.

11. p37 Do you agree or disagree with the proposed minimum target to be met by 2030 for plastic set out in table 3?

Agree

- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

No comment

12. p38 Do you think a higher recycling target should be set for wood in 2030 than the minimum rate shown in Table 3?

- Yes
- No
- Unsure

Please provide the reason for your response.

No comment

13. p38 If higher recycling targets are to be set for 2030, should a sub-target be set that encourages long term end markets for recycled wood?

- Yes
- No
- Unsure

Please provide the reason for your response.

No comment

14. p39 Do you agree or disagree with the proposed minimum target to be met by 2030 for steel set out in table 3?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

No comment

15. p39 Do you agree or disagree with the proposed minimum target to be met by 2030 for paper/card set out in table 3?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

No comment

16. p41 Do you agree or disagree with the proposal to set recycling targets for fibre-based composites?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

No comment

17. p43 Do you agree or disagree that there may be a need for 'closed loop' recycling targets for plastics, in addition to the Plastics Packaging Tax?

- Agree
- Disagree
- Neither agree nor disagree

Please provide the reason for your response.

No comment

18. p43 Please indicate other packaging material that may benefit from 'closed loop' targets?

Please answer here

No comment

19. [101] p186 Which of the definitions listed below most accurately defines reusable packaging that could be applied to possible future reuse/refill targets or obligations in regulations?

Further information to help answer this question (and the 4 that follow) can be found in Annex 1 of the consultation document.

- Definition in The Packaging (Essential Requirements) 2015
- Definition in The Packaging and Packaging Waste Directive (PPWD)
- Definition adopted by The UK Plastic Pact/The Ellen MacArthur Foundation
- None of the above

If you selected 'none of the above', please provide the reason for your response, including any suggestions of alternative definitions for us to consider.

The Glass industry welcomes a sustainable future for packaging and glass is perfectly placed as the ideal material for the returnable and reusable market which has seen renewed growth in recent times such as the return of milk deliveries in glass bottles at a local level. British Glass supports a reusable infrastructure in a localised setting when it is the right choice, for the right market. We are committed to working with the glass supply chain to research and evaluate the needs of the market for glass packaging as a sustainable and versatile material.

20. [102] p189 Do you have any views on any of the listed approaches, or any alternative approaches, for setting reuse and refill targets and obligations? Please provide evidence where possible to support your views.

Please answer here.

The Glass industry welcomes a sustainable future for packaging and glass is perfectly placed as the ideal material for the returnable and reusable market which has seen renewed growth in recent times such as the return of milk deliveries in glass bottles at a local level. British Glass supports a reusable infrastructure in a localised setting when it is the right choice, for the right market. We are committed to working with the glass supply chain to research and evaluate the needs of the market for glass packaging as a sustainable and versatile material.

21. [103] p189 Do you agree or disagree that the Scheme Administrator should proactively fund the development and commercialisation of reuse systems?

- Agree
- Disagree
- Neither agree nor disagree

Please provide the reason for your response.

The Glass industry welcomes a sustainable future for packaging and glass is perfectly placed as the ideal material for the returnable and reusable market which has seen renewed growth in recent times such as the return of milk deliveries in glass bottles at a local level. British Glass supports a reusable infrastructure in a localised setting when it is the right choice, for the right market. We are committed to working with the glass supply chain to research and evaluate the needs of the market for glass packaging as a sustainable and versatile material.

22. [104] p189 Do you agree or disagree that the Scheme Administrator should look to use modulated fees to incentivise the adoption of reuse and refill packaging systems?

- Agree
- Disagree
- Neither agree nor disagree

Please provide the reason for your response.

The Glass industry welcomes a sustainable future for packaging and glass is perfectly placed as the ideal material for the returnable and reusable market which has seen renewed growth in recent times such as the return of milk deliveries in glass bottles at a local level. British Glass supports a reusable infrastructure in a localised setting when it is the right choice, for the right market. We are committed to working with the glass supply chain to research and evaluate the needs of the market for glass packaging as a sustainable and versatile material.

5. Producer obligations for full net cost payments and reporting (p45)

19. p50 Do you agree or disagree that Brand Owners are best placed to respond effectively and quickly to incentives that are provided through the scheme?

- Agree
- Disagree
- Neither agree nor disagree

20 p51 Are there any situations where the proposed approach to imports would result in packaging being imported into the UK which does not pick up an obligation (except if the importer or first-owner is below the de-minimis, or if the packaging is subsequently exported)?

Where available, please share evidence to support your view.

No comment

21 p54 Of Options 2 and 3, which do you think would be most effective at both capturing more packaging in the system and ensuring the smallest businesses are protected from excessive burden?

- Option 2
- Option 3
- Neither
- Don't know

If you answered 'neither', please provide the reason for your response and describe any suggestions for alternative approaches to small businesses.

It should not be the responsibility of glass manufacturers to report glass containers that are sold de-minimis business, as the supply chain is complex and would involve excessive administration for glass manufacturers.

22 p54 If either Option 2 or 3 is implemented, do you consider there to be a strong case to also reduce the de-minimis threshold as set out in Option 1?

- Yes
- No
- Unsure

Please provide the reason for your response.

To achieve the proposed recycling targets all glass placed on the market should be in scope and there should be no de minimis. A lower de minimis should only be considered during transition to allow small businesses to adapt.

23 p56 Do you think that Online Marketplaces should be obligated for unfilled packaging in addition to filled packaging?

- Yes
- No
- Unsure

If you answered 'yes', please provide the reason for your response.

All glass placed on the market should be recorded and obligated, including online marketplaces sales.

24 p56 Do you foresee any issues with Online Marketplaces not being obligated for packaging sold through their platforms by UK-based businesses?

- Yes
- No
- Unsure

If you answered 'yes', please provide the reason for your response.

Traceability and reporting as there will be many businesses involved in online sales of filled and empty packaging and some based outside of the UK.

25. p56 This proposal will require Online Marketplaces to assess what packaging data they can collate and then, where there are gaps to work together to create a methodology for how they will fill those gaps. Do you think there are any barriers to Online Marketplaces developing a methodology in time for the start of the 2022 reporting year (January 2022)?

- Yes
- No
- Unsure

If you answered 'yes', please provide the reason for your response.

There are many businesses of different sizes that will need to be informed of the requirements and set up reporting systems by January 2022, not much time.

26 p59 Is there any packaging that would not be reported by the obligation as proposed below (except for packaging that is manufactured and sold by businesses who sit below the de-minimis)?

- Yes
- No
- Unsure

If you answered 'yes', please detail what packaging would not be reported by this approach.

27 p60 Do you agree or disagree that the Allocation Method should be removed?

- Agree
- Disagree
- Neither agree nor disagree

6 Producer obligations: disposable cups takeback (p64)

28 p67 Do you agree or disagree that a mandatory, producer-led takeback obligation should be placed on sellers of filled disposable paper cups?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and/or suggest any alternative proposals for increasing the collection and recycling of disposable cups.

No comment

29 p67 Do you agree or disagree with the proposed phased approach to introducing the takeback obligation, with larger businesses/sellers of filled disposable paper cups obligated by the end of 2023, and the obligation extended to all sellers of filled disposable paper cups by the end of 2025?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and/or how you think the mandatory takeback obligation should be introduced for sellers of filled disposable cups.

No comment

7. Modulated fees, labelling and plastic films recycling (p70)

30 p72 Do you think that the proposed strategic frameworks will result in a fair and effective system to modulate producer fees being established?

- Yes
 No
 Unsure

If you answered 'no' please provide the reason for your response, being specific with your answer where possible.

The UK glass manufacturing industry supports modulated fees as a method of covering the full net system cost as well as incentivising sustainable packaging design and recycling. The fee system must be modulated by the recyclability and the current recycling rates of packaging categories. When the fee structures are put in place it is critical that the EPR system does not incentivise producers to switch from packaging with high recyclability and recycling rates to less recyclable packaging. For example, glass is a heavier packaging material with a low material value compared to other packaging formats, despite this glass is highly recyclable and facilitates closed loop recycling. With the current EPR proposals likely to only collect 20% of glass placed on the market, this will erode economies of scale and therefore likely push up costs to recycle glass through EPR, risking higher modulated fees and distortions to the market. The modulated fee structure must ensure the relative higher cost of processing glass for recycling cannot incentivise a switch to less recyclable packaging. The fee structures must be transparent and simple to understand.

Whilst we accept that producers should take responsibility for the end-of-life management of their packaging, including the funding of on-the-go recycling bins, education, communications and awareness, consumers also have a responsibility to dispose of their packaging in the correct way. However, we accept that the cost of clearing up littered packaging is to be included under EPR and believe the most effective way of defining the cost by packaging category is assessing the number of units littered.

Whilst it is important to educate and promote awareness of disposing of packaging correctly, there must also be a consideration of other ways to encourage consumers to do the right thing in relation to maximising recycling and improving quality. For container glass recycling, a key contaminant in the recycling process is non container glass (or non soda-lime glass) such as pyrex. Therefore education and awareness of only recycling container glass at the EPR funded kerbside is essential.

British Glass support the OPRL approach to packaging categories. This approach would be to use the categories as the end result and use a decision tree approach to feed the categories that then are used to record the data that is required in the specific categories. This would involve a greater consideration of factors that influence recyclability, so in effect the recyclability determines the category rather than the category determines recyclability.

The recyclability of glass is not dependant on what it contained for example a green beer bottle and green wine bottle will be recycled together and there is no difference in their recyclability. As closed loop recyclability is based on being able to colour separate, all the standard glass colours-clear, brown and green are closed loop recyclable. Other colours such as blue, red, black etc are

currently at low levels, around 1% of glass packaging placed on the market and don't impact on closed loop recycling. If the other colour is a coating then it tends to get scratched during collection and processing and modern colour sort technology is able to see the base glass colour (normally clear) and will colour separate. Additional attachments to glass packaging such as adhered decorative items or strongly adhered labels can make closed loop recycling more challenging.

31 p75 Do you agree or disagree that the Scheme Administrator should decide what measures should be taken to adjust fees if a producer has been unable to self-assess, or provides inaccurate information? This is in addition to any enforcement that might be undertaken by the regulators.

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

The Scheme Administrator should be able to independently assess based on Government approved criteria.

British Glass support the OPRL approach to packaging categories. This approach would be to use the categories as the end result and use a decision tree approach to feed the categories that then are used to record the data that is required in the specific categories. This would involve a greater consideration of factors that influence recyclability, so in effect the recyclability determines the category rather than the category determines recyclability.

32 p82 Do you agree or disagree with our preferred approach (Option 1) to implementing mandatory labelling?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

There needs to be clear understandable labelling system to allow the consumer to make the right buying decision and then to know how to dispose of the packaging.

Glass packaging is in immediate contact with the product, however the label is adhered to the glass packaging and not in direct contact with the product. Therefore, the regulations need to define that the label shall contain the consumer labelling information rather than the glass bottle.

British Glass recommend that the packaging supply chain works with OPRL to design a labelling system and criteria for use.

33 p82 Do you agree or disagree with the proposal that all producers could be required to use the same 'do not recycle' label?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please provide the reason for your response.

It is important that the consumer knows the meaning of the 'do not recycle' and is prominent on the label to allow the consumer to make the right buying decision.

34 p82 Do you think that the timescales proposed provide sufficient time to implement the new labelling requirements?

- Yes
 No
 Unsure

If you answered 'no' please provide the reason for your response.

No comment.

35 p82 Do you agree or disagree that the labelling requirement should be placed on businesses who sell unfilled packaging directly to small businesses?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please provide the reason for your response.

Glass packaging sold by glass manufacturers to all businesses, is only the glass packaging without the label. Therefore, glass manufacturers are not selling the complete packaging that will end up on the market. So not possible to pass this obligation onto glass manufacturers.

This will only work if the packaging sold is printed, this is not the case with glass as the producer places the label on the glass bottle/jar. Glass manufactures do not always know what is going to into a container, especially for standard items and therefore will not know if it will fall under EPR or DRS. If packaging is unprinted, responsibility can only rest with the producer as part of their product labelling.

36 p83 Do you think it would be useful to have enhancements on labels, such as including 'in the UK' and making them digitally enabled?

- Yes

- No
- Unsure

If you answered 'yes', please state what enhancements would be useful.

There need to be flexibility on label within the regulations to allow for technological developments. It is essential to avoid consumer confusion with too much information and different labelling system across the four nations. In addition, there will be DRS labelling that potentially could be different for all four nations, so the risk of further consumer confusion.

37 p85 Do you agree or disagree that local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material no later than end of financial year 2026/27?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and/or what date you consider local authorities could collect films and flexibles from. Please share any evidence to support your views.

No comment.

38 p85 Do you agree or disagree that collections of plastic films and flexibles from business premises across the UK could be achieved by end of financial year 2024/5?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and/or what date you consider this could be achieved by. Please share any evidence to support your views.

No comment.

39 p87 Do you agree or disagree that there should be an exemption from the 'do not recycle' label for biodegradable/compostable packaging that is filled and consumed (and collected and taken to composting/anaerobic digestion facilities that accept it), in closed loop situations where reuse or recycling options are unavailable?

- Agree
- Disagree
- Neither agree nor disagree

Please provide the reason for your response.

No comment.

44. [40] Do you consider that any unintended consequences may arise as a result of the proposed approach to modulated fees for compostable and biodegradable plastic packaging?

Yes

No

Unsure

If you answered 'yes', please detail what you think these unintended consequences could be and provide any suggestions for how they may be avoided.

No comment.

8. Payments for managing packaging waste: necessary costs (p88)

41 p90 Do you agree or disagree with the proposed definition and scope of necessary costs?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please detail why and provide any costs you think should be included under the definition of necessary costs.

The necessary cost needs to be covered by EPR, but it is essential that costs are monitored to ensure value for money for whole chain from consumers to packaging manufacturers. With the inclusion of C&I the cost is now £2.7 billion/annum, as producers will not be able to absorb this additional cost, it will be applied to consumers, there will be an average cost of around £100 per household/annum.

However, the cost and impact from the different implementation dates between EPR and DRS have not been included or assessed in the impact assessment. As there will potentially be an 18 month gap between EPR and DRS, the EPR cost needs to be included the collection of beverage packaging for these 18 months. Local Authorities will need the infrastructure for these 18 months to collect glass from kerbside, then 80% of glass will then be transferred to DRS. During this period there will be a recycling target for all glass packaging placed on the market. As DRS will only have a collection target and not a recycling target, there will only be an obligation to report glass recycling on 20% of glass placed on the market. More importantly the current glass recycling target has a closed loop target (remelt), but under DRS no obligation to ensure the current remelt target is maintained for beverage packaging.

Commercial and industrial waste should outside of the EPR, as businesses already have effective collection and recycling systems within their businesses supported by their contracted waste management contractor.

Littering is a criminal offence and business cannot be expected to pay for clearing up illegality. Focus should be on behavioural campaigns and enforcement. Any payment from producers should only be paid to Councils that exercise rigid and effective enforcement. Packaging does not litter itself and all actions must focus on the behaviour that really causes litter.

ALL INCPEN Taq members saying disagree to this

8. Payments for managing packaging waste from households (p92)

42 p96 Do you agree or disagree that payments should be based on good practice, efficient and effective system costs and relevant peer benchmarks?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail any issues you think there are with this approach and how you think payments should instead be calculated.

Payments need to ensure that quality and closed loop recycling (remelt) is rewarded. For glass, the material needs to be collected, transported, stored and processed to ensure that at least 72% (2022 target) is suitable for closed loop recycling back to remelt. Quality of glass starts with the collection from the household and business. Therefore, it is essential that Consistency of Collections Regulations for England is introduced at the same time as EPR and that there is some guidance for NI, Scotland and Wales on good collection. Also, good communications to householders to overcome confusions and barriers to recycling. For businesses they will need access to separated waste collection systems to maximise good quality glass.

43 p99 Do you agree or disagree that the per tonne payment to local authorities for packaging materials collected and sorted for recycling should be net off an average price per tonne for each material collected?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail how material value should be netted-off a local authority's payment.

The payment for glass collected should be based on quality and suitability for closed loop recycling (remelt), with an incentive to collect glass, ideally separated from other materials, that is suitable for closed loop recycling (remelt).

44 p101 Do you agree or disagree that the Scheme Administrator should have the ability to apply incentive adjustments to local authority payments to drive performance and quality in the system?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail why you think the ability to apply an incentive adjustment should not apply.

There needs to be an incentive for good quality glass collection to ensure it is suitable for closed loop recycling (remelt). This would ideally be separated from other materials and breakage minimised from the collection point to the glass processor. If glass is delivered whole or partially broken to the glass processor, they will be able to colour sort and maximise glass going to remelt. Every time glass is broken fines are generated, less than 4 mm. These fines cannot be colour sorted and will be destined for open loop recycling (aggregates). To maximise the efficiency of glass processing and colour sorting glass particles should be greater than 10 mm.

45 p101 Do you agree or disagree that local authorities should be given reasonable time and support to move to efficient and effective systems and improve their performance before incentive adjustments to payments are applied?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

There needs to be a realistic timescale for the introduction of good quality glass collections, with incentives to achieve as soon as practicable.

46 p101 Should individual local authorities be guaranteed a minimum proportion of their waste management cost regardless of performance?

- Yes
- No
- Unsure

Please provide the reason for your response.

Local authorities need an incentive to increase quality and quantity and to maximise glass recycled for close loop recycling (remelt).

47 p101 Do you agree or disagree that there should be incentive adjustments or rewards to encourage local authorities to exceed their modelled recycling benchmarks?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail why you think incentive adjustments should not be applied to encourage local authorities to exceed their recycling performance benchmarks.

The available cash will be fixed for the whole EPR, so a risk of no cash to encourage low performing local authorities to increase their performance. EPR is a performance pay system but needs to be carefully balanced to improve recycling in all local authorities.

48 p102 Do you agree or disagree that unallocated payments should be used to help local authorities meet their recycling performance benchmarks, and contribute to Extended Producer Responsibility outcomes through wider investment and innovation, where it provides value for money?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail how you think any unallocated payments to local authorities should be used.

Value for money needs to be defined by the scheme administrator and publicly available so local authorities know what they are performing to.

Investment in new technology for collection, transportation and storage will be essential for glass, in order to minimise breakage and maintain large pieces to ensure that the glass can be colour sorted and contamination removed by glass processor. As there could potentially be 247,000 tonnes/year additional glass, that will require additional investment in infrastructure for LAs. Also the glass processors will need to invest in new equipment for the increased quantity and to ensure they will achieve closed loop glass quality for remelt.

49 p103 Do you agree or disagree that residual payments should be calculated using modelled costs of efficient and effective systems based on the average composition of packaging waste within the residual stream?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail how you think residual waste payments should instead be calculated.

The composition of the residual waste will vary from local authorities and in different housing stock situations, and over time it will vary as consumer engage in recycling. Therefore, it will be essential to reassess the composition of residual waste on a frequent basis.

50 p103 Do you agree or disagree that a disposal authority within a two-tier authority area (England only) should receive the disposal element of the residual waste payment directly?

- Agree
- Disagree
- Neither agree nor disagree

Glass needs to be driven out of residual waste. Glass recovered from incineration is very low quality and only useable for aggregate. Currently incineration glass is not counted in recycling rates, this should remain to incentivise closed loop recycling back into remelt.

8. Payments for managing packaging waste from businesses (p105)

51 p109 Do you agree or disagree that there remains a strong rationale for making producers responsible for the costs of managing packaging waste produced by businesses?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please provide the reason for your response.

As glass manufacturers will not be defined as a Producer under the proposed EPR, but provide empty glass packaging, using secondary packaging such as corrugated cardboard, plastic film shrink-wrap and wooden pallets, it is unclear if it is proposed that they will have an obligation for this secondary packaging.

As many glass manufacturers customers (producer), already separate secondary packaging waste and glass manufacturers are not the manufacturer of the secondary packaging then glass manufacturer should have no obligation for this packaging under proposed EPR.

Within businesses there is HHL packaging and potentially this will contain a high fraction of beverage packaging that will fall under DRS. How this be managed in terms of collection and reporting.

Business waste responsibility should rest with businesses as it does now. If further intervention is needed to enhance performance, it should follow the much more cost-effective plans being prepared by the ESA on behalf of the Waste Management industry who actually understand how the systems can and should work.

52 p111 Do you agree or disagree that all commercial and industrial packaging should be in scope of the producer payment requirements except where a producer has the necessary evidence that they have paid for its management directly?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please provide the reason for your response.

Commercial and industrial waste should be outside of the EPR, as businesses already have effective collection and recycling systems within their businesses supported by their contracted waste management contractor.

53 p115 Which approach do you believe is most suited to deliver the outcomes being sought below?

- Option 1
- Option 2
- Option 3
- All could work
- Do not know enough to provide a view

54 p115 Do you disagree strongly with any of the options listed in the previous question?

- Yes
- No
- Unsure

If you answered 'yes', please explain which and provide your reason.

Business waste responsibility should rest with businesses as it does now. None of these options are applicable. Commercial and industrial waste should be outside of the EPR, as businesses already have effective collection and recycling systems within their businesses supported by their contracted waste management contractor.

55 p119 Do you think there will be any issues with not having either Packaging Recovery Notes/Packaging Export Recovery Notes or the business payment mechanism (and as a result recycling targets) in place for a short period of time?

- Yes
- No
- Unsure

If you answered 'yes', please detail what issues you think there will be.

It is essential that the PRN remains during the transition period, as this is a key driver for closed loop recycling (remelt) which must continue at least at the 2022 recycling targets. As the PRN is a price support system, especially with the differential remelt PRN, for recycled glass. Without this in place there would be a decrease in close loop glass recycling (remelt).

It is essential that the overlap between PRN, EPR, Scottish DRS and England, Wales and NI DRS does not result in paying more than once. There is no confidence in glass industry that there will be smooth transition and that it will cost the sector more during the transition than will be potentially over 2 or 3 years if not more. Also, valuable glass will be lost from closed loop recycling (remelt) to aggregates, as aggregates will be the lower cost option for glass recycling.

8. Data and reporting required to support both local authority and business payment mechanisms (p120)

56 p123 Do you agree or disagree with the proposal to introduce a sampling regime for packaging as an amendment to the MF Regulations in England, Wales and Scotland and incorporation into new or existing regulations in Northern Ireland?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please detail why you think the proposed sampling regime for packaging waste should not be incorporated as an amendment to MF Regulations in England, Wales and Scotland and incorporated into new or existing regulations in Northern Ireland.

It will be essential to know the composition of the EPR waste stream for the calculation of payments to local authorities.

It will not be necessary to distinguish between bottles and jars, as glass used in bottles and jars is the same. However, if DRS glass, beverage bottles, is within EPR waste then it will be necessary to determine the split between EPR and DRS glass in the waste stream.

57 p124 Do you agree or disagree with the proposal to require all First Points of Consolidation to be responsible for sampling and reporting in accordance with a new packaging waste sampling and reporting regime?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please detail who you think should be required to meet the packaging sampling and reporting regime for Extended Producer Responsibility purposes.

58 p124 Do you agree or disagree that the existing MF Regulations' de-minimis threshold of facilities that receive 1000 tonnes or more per annum of mixed waste material would need to be removed or changed to capture all First Points of Consolidation?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please detail why you think a de-minimis threshold is required.

59 p126 Do you think the following list of materials and packaging formats should form the basis for a manual sampling protocol?

- Yes
 No
 Unsure

If you answered 'no', what other materials, format categories or level of separation should be included as part of the manual sampling protocol?

It will not be necessary to distinguish between bottles and jars, as glass used in bottles and jars is the same. However, if DRS glass, beverage bottles, is within EPR waste then it will be necessary to determine the split between EPR and DRS glass in the waste stream. However, the glass processor will mix non-beverage (EPR) and beverage (DRS) together as the existing glass colour and contamination sorting equipment is designed to cope with the current mixed colour composition.

60 p126 Do you think it is feasible to implement more rigorous sampling arrangements within 6-12 months of the regulations being in place?

- Yes
 No
 Unsure

If you answered 'no', please provide the reason for your response and detail what should be considered in determining an appropriate implementation period.

61 p127 Do you think visual detection technology should be introduced from 2025 to further enhance the sampling regime?

- Yes
 No
 Unsure

Technology used to be utilised where possible, as long as it has been fully tested and robust.

If you answered 'no', please detail why you think it should not be considered as a medium to long-term method of sampling.

This will reduce the reliance on manual sampling and analysis, to ensure consistency and reproducibility around the UK. There needs to be a UK wide standard sampling and analysis protocol.

62 p128 Do you think existing packaging proportion protocols used by reprocessors would provide a robust and proportionate system to estimate the packaging content of source segregated materials?

- Yes
- Yes, with refinement
- No
- Unsure

If you answered 'no', please detail why you think these would not be suitable to use to determine the packaging content in source segregated material.

It is essential that closed loop (remelt) and aggregate (other) recycled glass is sampled and monitored from collection to the point of recycling, as this information will allow the system to improve and capture more glass for remelt.

63 p128. Do you agree or disagree that minimum output material quality standards should be set for sorted packaging materials at a material facility?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

It is essential that MRF sorting before glass processing is capable of delivering a minimum quality of separated glass, with large glass particles, greater than 10 mm. Every time glass is broken, either unintentionally or intentionally, fines (less than 4 mm) are generated. These fines cannot be colour separated and will open loop recycled into aggregates. Glass particles below 10 mm are not desirable as it is not economical to colour sort and will again be open loop recycled into aggregates.

If the quality of the glass received by the glass processor is variable or low quality, then this will impact on the recycling options for glass. Therefore, variable or low quality will be more expensive to process for closed loop recycling (remelt) and more likely to go to open loop recycling (aggregate) or landfill.

64 p129 Do you agree or disagree that material facilities that undertake sorting prior to sending the material to a reprocessor or exporter should have to meet those minimum standards in addition to just assessing and reporting against them?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

It is essential that MRF sorting before glass processing is capable of delivering a minimum quality of separated glass. If the quality of the glass received by the processor is variable or low quality, then this will impact on the recycling options for glass. Therefore, variable or low quality will be more expensive to process for closed loop recycling and more likely to go to open loop recycling

(aggregate) or landfill. Also, ERP needs to ensure that exported processed glass is used in closed loop recycling (remelt) rather open loop recycling (aggregate) or landfill. This will have a carbon benefit to UK and the receiving country.

65 p129 Do you think any existing industry grades and standards could be used as minimal output material quality standards?

- Yes
- No
- Unsure

If you answered 'yes' please provide evidence of standards you think would be suitable for use as minimal output material standards.

It is essential that material facilities such as MRF output separated glass to a minimum quality standard. There are no current public standards, but many waste management companies have agreements with glass processors on the minimum output quality standard. If the quality of the output glass is low, then it will not be economic viable and in some cases not technically possible to process for closed loop recycling (remelt) and more likely to go to open loop recycling (aggregate) or landfill.

The only publicly specification for glass is PD CEN/TR 13688:2008 'Packaging Material recycling. Report on requirements for substances and materials to prevent a sustained impediment to recycling'. This Technical Report lists (available via this link: <https://docs.google.com/document/d/1I98FD3Paqf9ycSnAbb4NXT4MC-HqE4L6yPy8rrBhoxA/edit?usp=sharing>) requirements for collected unprocessed glass (cullet) and processed glass for remelt. Many glass packaging manufacturers have a cullet requirement specification with their cullet supplier based on this Technical Document.

Table 2 - Glass

Packaging recoverable by material recycling																																														
Reference to standard EN 13430																																														
B.2 Design Criteria NOTE 3	Materials and substances integral with the packaging	Comments																																												
i) Separability of components	<p>Closures and capsules should be easily separable from the glass packaging to allow source separation by the user.</p> <p>Labels and sleeves of paper, plastics or aluminium foil, are generally accepted in the recycling process.</p>	<p>- The glass container industry in Europe lays great stress on a maximum separation at source as a key to cullet quality management.</p> <p>- A ban on lead containing capsules was introduced in EU 1993.</p>																																												
ii) Compatibility of material compositions or material combinations with the recycling process	The printing and glueing medium associated with labels etc. or polymer coatings are generally accepted in the recycling process.	Non-glass packaging components or substances are effectively removed in the processing of cullet (with the exception of ceramics and porcelain).																																												
Acceptable tolerances for non-compatible elements or substances in the recycling process	Processed cullet	Unprocessed cullet																																												
	<table border="0"> <tr> <td><u>Impurity</u> :</td> <td align="center" colspan="2"><u>Indicative level</u></td> </tr> <tr> <td>Stones, ceramics, porcelain, pottery:</td> <td align="center" colspan="2">< 50 g/t</td> </tr> <tr> <td>Magnetic metals:</td> <td align="center" colspan="2">< 5 g/t</td> </tr> <tr> <td>Non-magnetic metals:</td> <td align="center" colspan="2">< 5 g/t</td> </tr> <tr> <td>Organic matter:</td> <td align="center" colspan="2">500 g/t with min variability</td> </tr> <tr> <td>Plastics:</td> <td align="center" colspan="2">< 100 g/t</td> </tr> <tr> <td>Grain size:</td> <td>> 5 cm</td> <td align="center">0 %</td> </tr> <tr> <td></td> <td>< 0.5 cm</td> <td align="center">max5 %</td> </tr> <tr> <td>Moisture:</td> <td align="center" colspan="2">< 3 %</td> </tr> <tr> <td>Cullet</td> <td align="center" colspan="2">Content</td> </tr> <tr> <td><u>Colour</u></td> <td align="center"><u>Green</u></td> <td align="center"><u>Amber</u></td> </tr> <tr> <td>Green</td> <td align="center">> 85 %</td> <td align="center">< 5 %</td> </tr> <tr> <td>Amber</td> <td align="center">< 10 %</td> <td align="center">> 82 %</td> </tr> <tr> <td>Flint</td> <td align="center">< 1 %</td> <td align="center">< 1 %</td> </tr> <tr> <td>Mixed</td> <td align="center" colspan="2">national specification</td> </tr> </table>	<u>Impurity</u> :	<u>Indicative level</u>		Stones, ceramics, porcelain, pottery:	< 50 g/t		Magnetic metals:	< 5 g/t		Non-magnetic metals:	< 5 g/t		Organic matter:	500 g/t with min variability		Plastics:	< 100 g/t		Grain size:	> 5 cm	0 %		< 0.5 cm	max5 %	Moisture:	< 3 %		Cullet	Content		<u>Colour</u>	<u>Green</u>	<u>Amber</u>	Green	> 85 %	< 5 %	Amber	< 10 %	> 82 %	Flint	< 1 %	< 1 %	Mixed	national specification	
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<p>These guideline tolerances are <u>indicative</u> and subject to on-going review. Contractual specifications are negotiated directly between cullet suppliers and users in the various countries. These specifications may show variances from the guideline tolerances due to the differences in local conditions.</p>																																														

"to be continued"

8. Reporting and payment cycles (p129)

66. p132 Do you agree or disagree that local authority payments should be made quarterly, on a financial year basis?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and/or suggest any alternative proposals.

It is essential that the system does not become cash negative and that the whole waste supply chain can financially operate.

66. p132 Do you agree or disagree that household and business packaging waste management payments should be based on previous year's data?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide any concerns you have with the proposed approach and/or any alternative proposals.

British Glass recommended that modulated fees are based on what has been recycled, therefore, previous years recycled rate needs to be determined to set modulated fees. Also, closed loop recycling (remelt) should be a factor in setting the producer fee, for example, remelt should have a lower producer fee compared to open loop recycling (aggregate) or landfill.

10. Litter payments (p134)

68 p137 Do you agree or disagree that the costs of litter management should be borne by the producers of commonly littered items based on their prevalence in the litter waste stream as determined by a composition analysis which is described in option 2?

- Agree
 Disagree
 Neither agree nor disagree

If you disagree, please provide the reason for your response and/or provide an alternative approach to litter management costs being based on a commonly littered basis.

A glass container cannot be designed to not be littered; it is a behavioural issue. Most non-beverage bottle glass container, food jars and bottles, are consumed in the home. Therefore, very unlikely to contribute to litter. Producers will have little if any influence on the littering of food jars and bottles. As it is the polluter that pays, it should be the consumer that pays.

EPR should fund the appropriate collection bins positioned in public areas to facilitate the separate collection of packaging materials, in particular glass where there currently appears to be a major shortage of bins specifically for glass. Different types of packaging are littered more commonly than others, for example the majority of glass packaging placed on the market is consumed either at home or within hospitality rather than on the go and therefore contributes a small percentage to the littering problem. A recent composition of litter waste found that by item count, glass made up 2% compared to paper and card at 38.8% and plastic packaging making up 36%. Therefore under EPR, the cost of littering should not be divided evenly across all packaging, instead, packaging that is more commonly littered should pay a higher cost than packaging that is littered less often. Consideration must also be taken to calculate the data on packaging littered. British Glass would recommend that surveys take the total weight of material litter such as plastic or glass and then divide that by the average weight on-the-go packaging format to ensure a fair assessment of the number of units littered.

The cost of litter collection should be based on compositional analysis of the litter. It is essential that EPR is only responsible for the collection of food jars and bottles and not DRS glass (beverage bottles). It will be very difficult to distinguish between food jars and bottles and beverage bottles that will be covered by DRS, that are broken. There are a number of generic glass bottles that are used for both food and beverages.

Littering is a criminal offence and business cannot be expected to pay for clearing up illegality. Focus should be on behavioural campaigns and enforcement. Any payment from Industry should only be paid to Councils that exercise rigid and effective enforcement. Packaging does not litter itself and all actions must focus on the behaviour that really causes litter. Also, Industry should not be expected to pay for "legacy litter in highways, railways etc." that has not been addressed over many years'.

69 p140 In addition to local authorities, which of the following duty bodies do you agree should also receive full net cost payments for managing littered packaging? Please select all that apply.

- Other duty bodies
- Litter authorities
- Statutory undertakers
- None of the above
- Any other(s) - please specify

If you selected 'Any other(s)' - please specify here.

This should be a decision made by the Scheme Administrator, once EPR is up and running and there is a better understanding of the cost of litter collections.

70 p140 Do you agree or disagree that producers should contribute to the costs of litter prevention and management activities on other land?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

Landowners (Statutory bodies or otherwise) should be responsible for enforcement of litter prevention on the land that they manage and any litter costs. As litter on their land will be generated by the consumers they invite onto their land and it is landowner's responsibility to ensure that there is adequate litter bins and collections. EPR cannot cover endless unknown costs.

71 p141 Do you agree or disagree that local authority litter payments should be linked to improved data reporting?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail why you think litter payments should not be linked to improved data reporting.

Improved data reporting is only a small part of the responsibility on Local Authorities. Payment must be linked to success in enforcement activities.

72 p142 Do you agree or disagree that payments should be linked to standards of local cleanliness over time?

- Agree

Disagree

Neither agree nor disagree

If you disagree, please provide the reason for your response.

Littering is caused by the behaviour of individuals not businesses and payments to LAs must reflect this. Payment must be linked to success in enforcement activities.

10. Scheme administration and governance (p144)

73 p147 Do you agree or disagree that the functions relating to the management of producer obligations in respect of household packaging waste and litter including the distribution of payments to local authorities are managed by a single organisation?

- Agree
- Disagree
- Neither agree nor disagree
- Neither agree nor disagree

74 p147 Overall which governance and administrative option do you prefer?

- Option 1
- Option 2
- Neither Option 1 nor Option 2

Please provide the reason for your response.

Having competing compliance schemes would ensure that there is value for money for producers and the whole supply chain.

75 p149 How do you think in-year cost uncertainty to producers could be managed?

- A reserve fund
- In-year adjustment to fees
- Giving individual producers flexibility to choose between options 1) and 2)
- No preference
- Need more information to decide

76 p150 Under Option 1, does the proposed initial contract period of 8-10 years (2023 to 2030/32) provide the necessary certainty for the Scheme Administrator to adopt a strategic approach to the management and delivery of its functions and make the investments necessary to deliver targets and outcomes?

Option 1 - Scheme Administrator delivers all functions.

- Yes
- No
- Unsure

If you answered 'no', please detail what you think would be an appropriate contract length.

If we support option 2, no answer needed.

77 p150 Under Option 2, does the proposed initial contract period of 8-10 years (2023 to 2030/32) provide the necessary certainty for the Scheme Administrator to adopt a strategic approach to the management and delivery of its functions and make the investments necessary to deliver targets and outcomes?

Option 2 - Scheme Administrator delivers functions related to household packaging waste and litter.

- Yes
- No
- Unsure

If you answered 'no', please detail what you think would be an appropriate contract length.

Due to the high level of capital investment required by the Scheme Administrator and the waste management supply chain, a long contract would be required or otherwise there would be high up-front cost on shorter contract periods.

78 p153 Do you agree or disagree with the timeline proposed for the appointment of the Scheme Administrator?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

This will be a challenge to appoint within this time and lessons need to be learnt from Scotland and their appointment of a Scheme Administrator. As highlighted any delay to the passage of the Environment Bill will impact on the launch of the procurement process and subsequent activities.

79 p153 If the Scheme Administrator is appointed in January 2023 as proposed, would it have sufficient time to mobilise in order to make payments to local authorities from October 2023?

- Yes
- No
- Unsure

If you answered 'no' please provide the reason for your response.

Any delays to the appoint of a Scheme Administrator will impact on the whole implementation timetable.

80 p156 Do you agree or disagree with the approval criteria proposed for compliance schemes?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

81 p156 Should Government consider introducing a Compliance Scheme Code of Practice and/or a 'fit and proper person' test?

- A Compliance Scheme Code of Practice
- A 'fit and proper person' test for operators of compliance schemes
- Both
- Neither
- Unsure

Please provide the reason for your response.

It is essential that both requirement must be satisfied to ensure conformity to the compliance scheme and test the scheme.

82 p157 Do you agree or disagree with the proposed reporting requirements for Option 1?

- Agree
- Disagree
- Neither agree nor disagree

If we support option 2, no answer needed.

- Neither agree nor disagree

83 p157 Do you agree or disagree with the proposed reporting requirements for Option 2?

- Agree
- Disagree
- Neither agree nor disagree

The current PRN system lacks transparency, and it is questionable if the current reporting requirements are robust. What is being proposed is more robust.

11. Reprocessors and exporters (p158)

84 p164 Do you agree or disagree with the proposal that all reprocessors and exporters handling packaging waste will be required to register with a regulator?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response and detail any exemptions to the registration requirement that should apply.

Mandatory registration is essential to ensure that all reprocessors and exporters conform to reporting requirements and there is a standard reporting framework.

85 p164 Do you agree or disagree that all reprocessors and exporters should report on the quality and quantity, of packaging waste received?

- Agree
- Disagree
- Neither agree nor disagree

Mandatory registration is essential to ensure that all reprocessors and exporters conform to reporting requirements and there is a standard reporting framework.

86 p164 What challenges would there be in reporting on the quality and quantity of packaging waste received at the point of reprocessing and/or export?

Please also provide specific detail on any processes, measures and/or costs that would be necessary to address these challenges.

The price of recycled glass received by the reprocessing/export is based on quality, so it essential that a robust sampling and analysis scheme is developed and adopted.

Modulated producer fees need to be based on the recycling rate with a lower fee for closed loop recycled glass (remelt) compared to open loop recycled glass (aggregate) or landfill.

It is essential that material facilities such as MRF output separated glass to a minimum quality standard. There are no current public standards, but many waste management companies have agreements with glass processors on the minimum output quality standard. If the quality of the output glass is low, then it will not be economic viable and in some cases not technically possible to process for closed loop recycling (remelt) and more likely to go to open loop recycling (aggregate) or landfill.

The only publicly specification for glass is PD CEN/TR 13688:2008 'Packaging. Material recycling. Report on requirements for substances and materials to prevent a sustained impediment to

recycling'. This Technical Report lists requirements for collected unprocessed glass (cullet) and processed glass for remelt. Many glass packaging manufacturers have a cullet requirement specification with their cullet supplier based on this Technical Document.

87 p164 Do you think contractual arrangements between reprocessors and material facilities or with waste collectors and carriers are a suitable means for facilitating the apportionment and flow of recycling data back through the system to support Extended Producer Responsibility payment mechanisms, incentives and targets?

- Yes
- No
- Unsure

If you answered 'no', please provide the reason for your response and suggest any alternative proposals for using the quantity and quality data reported to support payments, incentives and targets.

88 p165 Do you agree or disagree that exporters should be required to provide evidence that exported waste has been received and processed by an overseas reprocessor?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail why you think exporters should not have to provide this evidence.

The evidence must show its end use either closed loop recycling (remelt), open loop recycling (aggregate) or landfill. And the modulated producer fee based on the end use.

89 p165 Do you agree or disagree that only packaging waste that has achieved end of waste status should be able to be exported and count towards the achievement of recycling targets?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail why you think it would not be necessary for waste to meet end of waste status prior to export.

Yes, the evidence must show its end use either closed loop recycling (remelt), open loop recycling (aggregate) or landfill. And the modulated producer fee based on the end use.

90 p165] Do you agree or disagree that there should be a mandatory requirement for exporters to submit fully completed Annex VII forms, contracts and other audit documentation as part of the supporting information when reporting on the export of packaging waste?

Agree

Disagree

Neither agree nor disagree

If you disagree, please detail why you think these additional registration requirements on exporters are not required.

Yes, the evidence must show its end use either closed loop recycling (remelt), open loop recycling (aggregate) or landfill. And the modulated producer fee based on the end use.

91 p165 Do you agree or disagree that regulators seek to undertake additional inspections of receiving sites, via 3rd party operators?

Agree

Disagree

Neither agree nor disagree

If you disagree, please detail why you think it would not be necessary to undertake additional inspections and provide any alternative arrangements which could be implemented.

Yes, the system need to be robust to ensure that the waste is being processed to achieve the best environment outcome.

12. Compliance and enforcement (p166)

92. p169 Do you agree or disagree with the proposed approach to regulating the packaging Extended Producer Responsibility system?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please detail any perceived problem or issues with the proposed regulation of the system and provide comments on how the system could be regulated more effectively.

An independent regulators for each nation needs to be appointed and work within a framework of regulations.

93. p169 Do you have further suggestions on what environmental regulators should include in their monitoring and inspection plans that they do not at present?

Please answer here

It is highly recommended that the government considers a single collection point for glass, at the kerbside by enhancing the existing collection and processing infrastructure. Rather than collecting beverage bottles via DRS and food jars and bottles via EPR at the kerbside. Most glass beverage bottles contain beer, wine and spirits and the contents consumed at home, it would be very inconvenient for consumers to take beverage bottles back to retailer rather than use existing kerbside collection point. For example glass is a bulky material, 3 wine bottles and 10 beer bottles could weight around 4 kg and needs to be handled carefully to avoid chipping and breakage. Also, the deposit on wines and spirits will be a smaller proportion than soft drinks contained in PET or aluminium, so consumer are likely to opt for disposal at home using existing kerbside rather than taking back to the point of sale..

In order to maximise consistent glass quality, glass should be collected at one convenient collection point. Wales has demonstrated that it is possible to collect 87.3% of glass for recycling at the kerbside. Therefore, the infrastructure investment that will be part of the implementation of EPR should be enhanced to collect all glass, this will be a lower cost option and more convenient for consumer to use their existing glass collection system at their doorstep, rather than operating two systems to collect glass.

If glass is included in the DRS it will need to work in conjunction the EPR. However, with a potential delay of up to 18 months of the DRS being introduced. The regulator will need to consider the impact on the EPR for collecting of beverage packaging that will be initially be collected in the EPR then after 18 months they will be collected via DRS. Therefore, the regulator will need to monitor and record glass through both systems.

The glass sector supports the proposal for a closed loop recycling (remelt) target for glass packaging. Approximately 80% of glass packaging are beverage bottles, these will be included in

the EPR until the introduction of the DRS. The DRS only includes a collection target, so the DMO will have no legal commitment to ensure that glass is closed recycled and more likely to go to a lower cost option such as aggregate (open loop recycled).

It is essential that material facilities such as MRF output separated glass to a minimum quality standard. There are no current public standards, but many waste management companies have agreements with glass processors on the minimum output quality standard. If the quality of the output glass is low, then it will not be economic viable and in some cases not technically possible to process for closed loop recycling (remelt) and more likely to go to open loop recycling (aggregate) or landfill.

The only publicly specification for glass is PD CEN/TR 13688:2008 'Packaging. Material recycling. Report on requirements for substances and materials to prevent a sustained impediment to recycling'. This Technical Report lists requirements for collected unprocessed glass (cullet) and processed glass for remelt. Many glass packaging manufacturers have a cullet requirement specification with their cullet supplier based on this Technical Document.

94. p171 In principle, what are your views if the regulator fees and charges were used for enforcement?

Please answer here

Enforcement is necessary as a final step for producers and businesses that do not conform. However, as this is totally a new approach, fees must be used to provide support to producers and businesses in order to achieve effective collection and processing of glass. This will include communications, training and guidance.

95. p171 Would you prefer to see an instant monetary penalty for a non-compliance, or another sanction as listed below, such as prosecution?

Please answer here

Instant monetary penalty would be simpler, but who would collect this, and would it penalise the under performers.

It is essential that Consistent Collections regulations are in place prior to the implementation of EPR, as there will be substantial cost for local authorities and waste management companies.

14. Implementation timeline (p174)

96. p176 Do you agree or disagree with the activities that the Scheme Administrator would need to undertake in order to make initial payments to local authorities in 2023 (as described above under Phase 1)?

- Agree
- Disagree
- Neither agree nor disagree

If you disagree, please provide the reason for your response.

Depends on the progress of legislation and the appointment of the Scheme Administrator.

This will be very challenging as cash flow will be the key. With the Scheme Administrator only a position to collect producer fees in early 2023 with business payments terms typically 30 to 60 days from date of invoice, then payments to local authorities. The local authorities will not be in a position to invest in the infrastructure for core materials collection until at least late 2023.

With modulated fees not being introduced until 2024, 2023 will be the transition year from PRN and EPR, there is a risk of lack of cash to support recycling and glass recycling rate will drop in 2023.

97. p176 Do you think a phased approach to the implementation of packaging Extended Producer Responsibility, starting in 2023 is feasible and practical?

- Yes
- No
- Unsure

If you answered 'no', please provide the reason for your response and detail any practical issues with the proposed approach.

There needs to be a phased approach, but the appointment of a Scheme Administrator that has the capacity to move quickly and passage of the Environment Bill and approval of the EPR regulation is critical and will be the controlling factor.

This is very dependent on the progress the Governments makes on developing and implementing the regulations before 2023.

98. p176 Do you prefer a phased approach to implementing Extended Producer Responsibility starting in 2023 with partial recovery of the costs of managing packaging waste from households or later implementation, which could enable full cost recovery for household packaging waste from the start?

- Phased approach starting in 2023

Later implementation

Unsure

Please provide the reason for your response.

The DRS for all four nations, EPR and Consistency of Collections all need to be aligned and implemented on the same date. The phase approach for DRS, EPR and Consistency of Collections should complement each other and utilise common resources such as collection points, collection vehicles, processors etc. Otherwise, there will be unnecessary cost for Local Authorities and consumer confusion. It will be totally inefficient and very costly if the implementation dates are not aligned.

99. p176 Of the options presented for reporting of packaging data for 2022 which do you prefer?

Option 1

Option 2

Neither

If you answered 'neither' please suggest an alternative approach.

Option 2 is similar to current reporting system and the collection of data for how the glass is recycled should continue; UK remelt, UK other, export remelt and export other. As remelt (closed loop recycled) offers the best environmental solution and remelt targets should be part of the EPR regulation. Also, it is critical that beverage glass packaging in the scope of DRS is legislated to closed loop recycled (remelt). Especially considering that 80% of glass packaging placed on the UK will be beverage packaging. Ideally all glass packaging should be collected at a single point, kerbside under EPR, rather than two collection systems (EPR & DRS) for the same material.

100. p179 Are there other datasets required to be reported by producers in order for the Scheme Administrator to determine the costs to be paid by them in 2023?

Yes

No

Unsure

If you answered 'yes', please detail which datasets will be needed.

Ideally all glass packaging should be collected at a single point, kerbside under EPR, rather than two collection systems (EPR & DRS) for the same material. If glass collected via DRS (which is not the best option) and how it is recycled should also be reported, so there is an overall recycling rate for glass. Otherwise, the UK will end up with 4 recycling rates for DRS and 4 recycling rates for EPR. As two recycling rates will not be constructive and confusing to the consumer and businesses. It is essential that there is a closed loop (remelt) recycling target for all glass, not just EPR glass, but it must include DRS glass