

DEFINITION AND ASSESSMENT OF OVER-PACKAGING

Position Paper

EXPLANATORY STATEMENT AND CONTEXT

- The prefix to the word 'over-packaging' suggests packaging that is surplus to requirements and the first symptom of excessive amounts of packaging. 'Over-packaging' symbolizes, for some people, the excesses of a consumer society, and therefore expresses their main grievance as regards packaging.

- The generic term 'over-packaging' is used to designate a wide range of packaging systems: envelopes within envelopes, multi-packs, packaging that is (or is perceived to be) over-sized (too big, too thick), packing (wedging elements), labels, notices, etc. The study into "*The place of packaging in people's life*", carried out by Cofremca-Sociovision for the CNE and Eco-Emballages, showed that the 'over-packaging' of certain products was the first thing that came to the minds of consumers when they thought about "excess packaging".

More recently, among the questions put to the CNE by consumers, many have related to the 'over-packaging' of products.¹

- There is no official definition of the term 'over-packaging'. European Directive 94/62/EC on packaging and packaging waste, amended by Directive 2004/12/EC, and the French Environmental Code which transposes it, define packaging as "consisting only of:

- (a) Sales packaging or primary packaging, i.e. packaging designed so as to constitute a sales unit to the final user or consumer at the point of purchase;

- (b) Grouped packaging or secondary packaging, i.e. packaging designed so as to constitute at the point of purchase a grouping of a certain number of sales units whether the latter is sold as such to the final user or consumer or whether it serves only as a means to replenish the shelves at the point of sale; it can be removed from the product without affecting its characteristics;

- (c) Transport packaging or tertiary packaging, i.e. packaging designed to facilitate handling and transport of a number of sales units or grouped packaging in order to prevent physical handling and transport damage..."

- There is a European standard (EN 13428) on preventing packaging waste by reduction at source (weight and/or volume) that can be used to determine whether packaging complies with the basic requirements of European and French regulations relating to the design, manufacture and marketing of packaging and its recovery at the end of its life.

- During the preparatory meetings of the Grenelle Environment Forum, 'over-packaging' was mentioned on several occasions by partners from the sector, NGOs and political leaders, as very often being packaging which is "superfluous", a pointless use of natural resources and, above all, a source of waste: "*The proposed increase in manufacturers' financial contribution to the collection and processing of packaging waste will encourage manufacturers to do away with over-packaging*".

- The conclusions of the Grenelle Environment Forum and several recent studies on perception illustrate the intensification of opposition to 'over-packaging' as a general, undifferentiated concept, without the target of the criticism ever being clearly specified.

- The draft Grenelle I Bill on waste reduction policy which was voted on at first reading by the French Deputies, stipulated that the State has to put in place a complete system combining "*paying particular attention to reducing over-packaging as much as possible, while taking into consideration the many constraints associated with packaging, notably in terms of product protection, hygiene, transport and acceptability by consumers*". The reference to over-packaging was then deleted in an amendment put before the Senate (as was the notion of consumer acceptability): "*measures limiting packaging to meeting the requirements of product safety, hygiene and logistics*"².

¹ The answers of a multipartite CNE work group were published in 2005 under the title "To package or not to package?"

² Chapter 2, Article 41, paragraph 13 ebis

• Two CNE workshops³ on a the “*packaging and over-packaging of dairy products*” and (b) “*eco-refills, under filled and over-packaging of detergents and personal hygiene products*” have enabled a large number of case studies to be documented, and pointers for improvement to be provided for professionals. Nevertheless, the French Packaging Council felt it was necessary once again to clarify and objectivise the debate by providing keys for assessment, for both consumers and professionals. This position paper refers to a complete dossier, which is attached.

POSITION OF THE CNE

• The CNE recommends no longer using the catch-all word ‘over-packaging’ to designate, in the technical sense, one element of the packaging system among others, but instead to define it and specify its level (primary, secondary, etc.).

• Since ‘over-packaging’ means then a consequence of surplus or excessive packaging, the CNE recommends a halt to such activities and practices.

• The CNE recommends not producing obviously over-sized packaging purely with a view to boosting on shelves the sales of the products they contain.

• To assess whether there is ‘over-packaging’ (in the sense of excessive or surplus packaging), it is appropriate to examine the elements of the packaging system from the point of view of the functions they perform or help perform with regard to the product and/or users.

• The CNE believes that packaging is first a provider of a variety of functions with regard to a product and its users before being an object or a material. The functions must justify the presence of the packaging elements. If that is the case and provided attention is paid to source reduction, there is no over-packaging. Conversely, it is justified to remove packaging elements that do not have a function(s) or that do not help to provide a function.

• The functions of packaging must be analysed throughout the life cycle of the packaged product, from filling in the factory to end-of-life, not to mention during distribution and use by the consumer, from its purchase to its transport and the actual use of the product. Packaging functions include: protecting and preserving the product it contains, grouping products together for transport and storage, identifying the product and protecting the consumer, being a vehicle for information (legal references, weight, capacity, name of the product, name of the producer, batch code, list of ingredients, instructions for use, barcode, etc.) and contributing to the user-friendliness of the product (opening, dosage, re-closing, etc.).

The functions to be retained are the relevant functions which, in each individual case, have to be taken into account when applying the “prevention through source reduction” standard 13428 (from the European Committee for Standardization).

• The consumer generally handles the product’s primary (and sometimes secondary) packaging and can only rarely see the bigger picture with regard to source reduction. The difficulty lies in the level of awareness of packaging functions at upstream stages, before the moment of purchase, or involving other parties in the packaging chain. If in any doubt, the CNE recommends contacting whoever placed the packaged product on the market via their free phone number or customer service department, or suggests contacting the CNE itself on + 33/(0)1.53.64.80.30 or by e-mail: c.n.e@wanadoo.fr if the question arises for several brands or packed products.

• The CNE recommends that professionals examine their packaging system throughout the whole production process while bearing in mind the essential requirements of European Directive 94/62/EC on packaging and packaging waste as transposed into the French Environment Code (Articles R543-42 to R543-52). Use of the European standards enables companies to ensure that packaging complies with these essential requirements. The standard relating to the prevention of packaging waste by reduction at source (EN 13428) implies that all of the functions (or performance criteria) of the packaging (be it primary and/or secondary and/or tertiary) have to be listed and any critical point(s) need to be identified beyond which any further reduction (in weight and/or volume) would jeopardize one or several functions. The CNE recommends assessing the complete packaging system of a product, taking into account the critical points associated with the technical and economic conditions of manufacturing and using the packaging.

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³ The 2 corresponding good practice manuals were produced in May 2007.