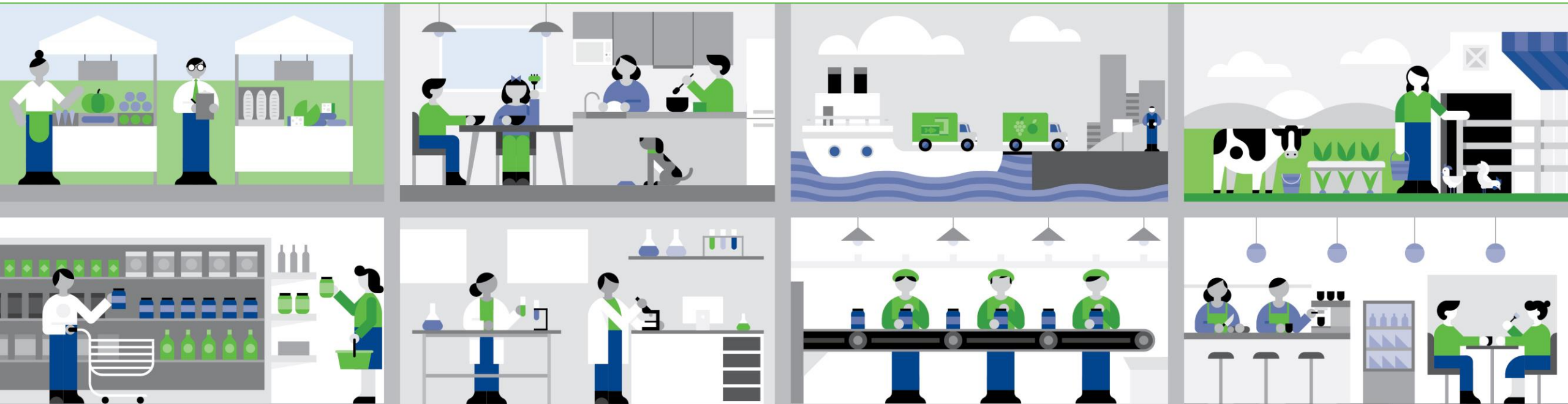


Plastic Recycling Regulation 2022/1616

Karl McDonald

General Overview 10.10.2023



New Recycling Regulation

20.9.2022

EN

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COMMISSION REGULATION (EU) 2022/1616

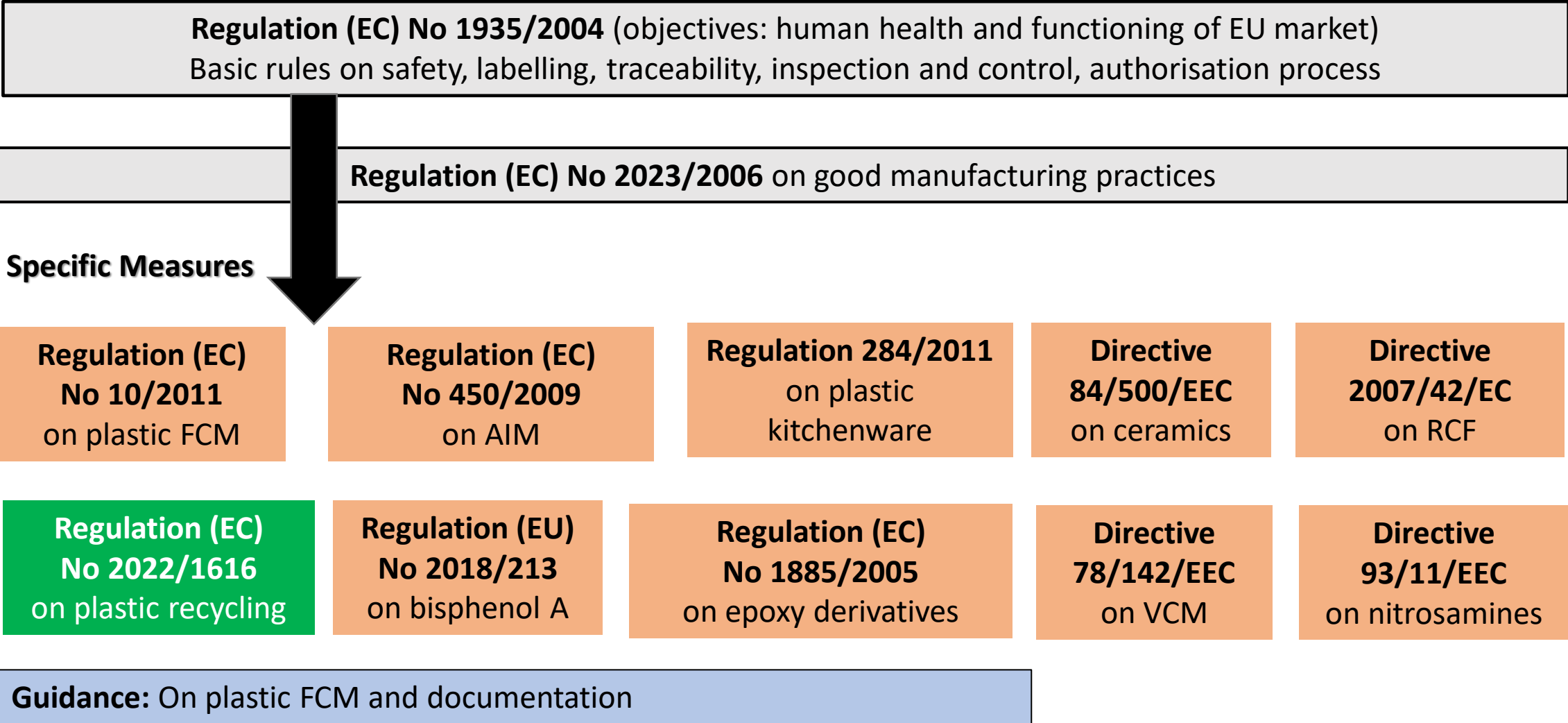
of 15 September 2022

on recycled plastic materials and articles intended to come into contact with foods, and repealing Regulation (EC) No 282/2008

(Text with EEA relevance)

- Repeals Regulation (EC) No 282/2008
- In force since the 10th October 2022
- Is a specific measure within meaning of Art. 5 Regulation 1935/2004
- Provides harmonised EU legal framework, for safety of recycled plastic intended to come into contact with food.

Overview of EU Legislation on FCMs



Definitions and Numbers – Lots of....

- **Decontamination Technology:** a specific combination of physical or chemical concepts, principles, and practices part of a recycling technology which have as primary purpose to remove contamination or to purify
- **Decontamination Process:** a specific sequence of unit operations which together have as primary purpose to remove contamination from plastic input in order to make it suitable for contact with food, using a specific decontamination technology
- **Decontamination Installation:** the specific equipment operating a decontamination process
- **Recycler:** any natural or legal person who applies a decontamination process **[RON – Recycler Operator Number]**
- **Recycling Technology:** a specific combination of physical or chemical concepts, principles, and practices to recycle a waste stream of a certain type and collected in a certain way into recycled plastic materials and articles of a specific type and with a specific intended use, and includes a decontamination technology
- **Recycling Process:** a sequence of unit operations that is intended to manufacture recycled plastic materials and articles through pre-processing, a decontamination process, and post-processing, and which is based on a specific recycling technology **[RAN - Recycling Process Authorisation Number]**
- **Recycling Installation:** the equipment operating at least a part of a recycling process **[RIN - Recycling Installation Number]**
- **Recycling Facility:** the location where at least one decontamination installation is located **[RFN – Recycling Facility Number]**
- **Recycling Scheme:** arrangement between legal entities to manage the use, separate collection and recycling of plastic materials and articles with the objective to limit or prevent their contamination in order to facilitate their recycling **[RSN – Recycling Scheme Number]**

What does the Regulation do?

1. Focuses on decontamination and required demonstration of safety at three levels:
 - Recycling technology
 - Recycling process
 - Recycling installation
2. Three associated procedures to establish safety *i.e.* *risk assess recycling technology (EFSA & EC)*, *authorise recycling process (EFSA & EC)* and *control recycling installation (MS)*
3. Requires recyclers to register recycling installations/recycling schemes with EC: [Information on the registration procedure, in addition to registration templates, are available on the EC website](#)
4. Requires recyclers to notify the relevant competent authority where the installation/recycling operator located. In Ireland, the competent authority for notification is the FSAI: fcm@fsai.ie
5. Sets out rules on quality control of recycled plastic as well as enforcement by authorities
6. Includes procedure to establish the safety of novel recycling technologies
7. Provides for a public EU list of novel technologies/recyclers/recycling processes/recycling schemes and decontamination installations.

Scope

2. This Regulation lays down rules for:

- (a) the placing on the market of plastic materials and articles falling within the scope of Article 1(2) of Regulation (EC) No 1935/2004, containing plastic originating from waste or manufactured therefrom;
- (b) the development and operation of recycling technologies, processes and installations, to produce recycled plastic for use in those plastic materials and articles;
- (c) the use in contact with food of recycled plastic materials and articles and of plastic materials and articles which are intended to be recycled.

As such all recycled plastic and recycling technologies are within the scope, which includes:

- a. Mechanical recycling - *Currently included in Regulation Annex 1; Table 3*
- b. Chemical recycling
- c. Use of recycled plastic behind a functional barrier
- d. Recycling from a closed product loop - *Currently included in Regulation Annex 1; Table 3.*

The only exception:

This Regulation does not apply to the use of waste to manufacture substances included in the Union list of authorised substances in accordance with Article 5 of Regulation (EU) No 10/2011, and to manufacture substances subject to Article 6(1), (2), and (3)(a) thereof, when intended for subsequent use in accordance with that Regulation.

Important Dates/Transition in the Regulation

1. Regulation (EU) 2022/1616 in force since **10.10.2022**
 2. For now only mechanical PET recycling processes require an application to and authorisation by EFSA:
 - a. Authorisation decisions from EFSA, on 230+ applications received before 10.10.2022 expected before end **2023**
 - b. Processes subject to application by EFSA before **10.07.2023** may be used without authorisation, until notified of decision
 - c. But, from **10.07.2023** processes for which EFSA did not receive application may not be used, they must be authorised first.
 3. From **10.07.2023**, only plastics containing recycled plastic manufactured with a suitable recycling technology may be placed on the market, unless manufactured with a novel technology and in accordance with Chapter IV of Regulation (EU) 2022/1616. Currently the Regulation lays down two suitable technologies:
 - a. Post-consumer mechanical PET recycling which requires authorisation of individual processes
 - b. Recycling from product loops which are in closed and controlled chains. These require the use of a recycling scheme.
 4. From **10.10.2024**, quality assurances systems used to collect and pre-process plastic input need to be certified by a third party.
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The Union Register is now published....

2. The Union Register

Section A: Year 2022 (Forms received until 31 December 2022)

i. EU Union register of technologies, recyclers, recycling processes, recycling schemes, and decontamination installation

This draft list contains installations, facilities and companies located in the EU registered before 31 December 2022. The current lists of the Register (established in accordance with Article 24 of Regulation (EU) 2022/1616 on recycled plastic materials and articles intended to come into contact with foods) will be updated in regular basis.

- List 1: [Register of Recycling installations in the EU](#)
- List 2: [Register of Recycling Facilities in the EU](#)
- List 3: [Register of Recycling Companies in the EU](#)

ii. EU Union register for countries located outside EU of technologies, recyclers, recycling processes, recycling schemes, and decontamination installation

This draft lists contains installations, facilities and companies located outside EU registered before 31 December 2022. The current lists will be updated in regular basis.

- List 1: [Register of Recycling installations outside of the EU](#)
- List 2: [Register of Recycling Facilities outside of the EU](#)
- List 3: [Register of Recycling Companies outside of the EU](#)

123	HR0-6JN-010	Union twin extruder	Croatia	HR0-8NJ-0FA	HR0-6Y8-003
124	IE0-66X-014	Polyfab Plastics Ltd	Ireland	IE0-66X-0FF	IE0-66X-00D

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(draft register Article v 0.6 19/07/2023, list 1, installation numbers)

125	IE0-6L7-01H	Mannok Pack Ltd	Ireland	IE0-6L7-0FS	IE0-6L7-00Q
126	ITC-19V-01J	ACF ANDREIS SRL - Via Mandolossa, 136 - 25064 Gussago (BS) Italia	Italy	ITC-7GK-0F6	ITC-11W-00G
127	ITF-3CK-010	Agricola Imballaggi S.r.l.	Italy	ITF-3CK-0FB	ITF-3CK-009

Further Information

Further information can be found on the [EC website](#) for food contact materials. The EC has also produced a Q&A on the new regulation, together with information and templates for registration by recyclers. There are also resources available from EFSA. Links to all this information is provided below:

[Resources for Plastic Recyclers](#)

[Guidance on Annex III and III of Regulation \(EU\) 2022/1616](#)

[Plastic Recycling and Q&A on New Regulation](#)

[EFSA Food Contact Material Applications: Regulations and Guidance](#)

[EFSA Applications Helpdesk](#)

[National Contact Points](#)

[FCM Document Library](#)