



FoodServiceEurope position paper on the Packaging and Packaging Waste proposal

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About FoodServiceEurope

FoodServiceEurope represents the European contract catering sector. Contract catering encompasses food and ancillary services provided to people working or living in communities – private and public undertakings, schools, universities, hospitals, retirement homes and prisons – under the terms of a contract with the client communities.

With an annual turnover of around €25 billion, the sector's 600,000-strong workforce delivers approximately 6 billion meals each year to workers, civil servants, pupils, students, hospital patients and care home residents in the EU.

Contract catering is a unique part of the food system and differs significantly from other forms of food service. Contract catering services are provided on the premises of the contracting party, which awards contracts through procurement tenders.

Contract catering plays a crucial social function. Its meals are regularly delivered to vulnerable consumers (e.g., children, patients), at a subsidised "social" price. Contract catering thereby guarantees access to nutrition to individuals that may not otherwise have it.

Specificities of the contract catering sector

Contract catering is a unique part of the food system and differs significantly from other forms of food service in that we rely on a contract with a third-party organization and services are provided on premises outside our control. A further unique characteristic of contract catering is that it plays a crucial social function as its meals are regularly delivered to vulnerable consumers (e.g., children, patients), often at a subsidised "social" price. Matching quality and affordability is our daily challenge.

Our sector is committed to building a more sustainable future. FoodServiceEurope members already have numerous sustainability-related initiatives in place that are helping to contribute to the development of a sustainable and circular food system in the EU, details of which can be found in our 2022 [report](#) under the EU Code of Conduct for Responsible Food Business and Marketing Practices. Furthermore, our canteens provide, on a daily basis, fresh, healthy and largely unpackaged meals to millions of EU citizens.

In the case of contract catering and public procurement, the fundamental obstacle to raising the bar further in terms of sustainability is not a lack of voluntary action or lack of regulation. It is the major gap that often separates contracting authorities' desires and the price that they are willing to pay for more sustainable products and practices: price, not quality, remains the most important factor in awarding contracts to contract catering operators.

In contract catering, a contract is agreed upon with a fixed budget for a certain period, which covers operational and labour costs, and food procurement. While public authorities often want more sustainable inputs, this is often not compensated in the tenders they offer. This can make meeting sustainability requirements challenging, as the additional costs that are required to implement these systems are often not reflected in the price provided in the contract.

Introducing reuse systems and finding alternative solutions to banned packaging materials will result in increased costs for contract catering companies. Given that many contract caterers may need to address these challenges within the constraints of existing contracts, the prices in the contracts will likely not reflect these additional costs.

To comprehensively address this issue, a revision of the EU's horizontal legislative framework for public procurement is required. The revision should allow for price flexibility in tenders and to prevent the price from being the sole criterion for awarding contracts. Instead, a 'best-value' approach should be pursued, as outlined in [FoodServiceEurope and EFFAT Guide to Choosing Best Value in Contracting Food Services](#). The specific natures and challenges of the contract catering sector should be taken into account when setting the obligations in the PPWR proposal.

Recommendations

FoodServiceEurope supports the EU Green Deal's objective to achieve carbon neutrality by 2050 and to establish a circular economy in the EU. We believe that proposal for a Packaging and Packaging Waste Regulation (PPWR) is a step in the right direction, but improvements are needed.

Alignment with HOTREC

We would like to indicate our support for HOTREC's [position](#) on the PPWR proposal, which identifies the general challenges of the draft legislation for the food services sector. In particular, we support HOTREC's view that any reuse and refill targets must be justified from both an environmental and economic perspective and given greater context as to how these will be achieved in practice.

While the HOTREC paper outlines the considerations that are needed in the proposal for the HORECA sector as a whole, we would like to bring to the attention of the legislators the specificities of the contract catering sector to be considered in the development of the PPWR.

Reuse and refill targets

We support the move towards a more circular economy whereby reuse systems are more prevalent. We have included below some key considerations and recommendations regarding reuse in the contract catering sector:

- **Ensuring reuse infrastructure is in place:** A key challenge will be ensuring that there is sufficient infrastructure in place to provide the necessary services for a reuse system. Such a systemic change towards reuse models will require an evolution of business models, supply chain transformation, proper infrastructure on-premises, efficient cleaning facilities and storage capacity in contract catering businesses. Contract catering services are mostly provided within a controlled setting and infrastructure on the site is generally controlled by the contracting partner. Therefore, ensuring these systems are in place is not always within the control of the contract catering company.

Establishing systems for re-use will require a significant amount of financial, human and environmental resources. It is critical that Member State support the setting up of these systems for re-use to help both economic operators and consumers. We, therefore, would

recommend that the language in Article 45, on Members States' roles in establishing reuse and refill systems, is strengthened to require them to ensure that measures are taken to set-up systems of reuse for packaging and reusing for refill, rather than the current obligation in the proposal which only requires Member States to "encourage" the set-up of such systems.

- **Food safety is taken into consideration:** We are concerned about the hygiene implications of a shift to reuse when it comes to the proliferation of allergens, pathogens and viruses. Reusable packaging needs to be properly cleaned and integrated into efficient reuse systems. We fear that rushing to impose reuse in contract catering would lead to contravening EU rules on hygiene and food safety (HACCP principles) and we would therefore ask that appropriate consideration is given to the impact of reuse systems on food & safety standards.
- **Exemptions:** We believe that Article 22 point 3: 'where it's not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a re-use system', should be strengthened to ensure that beyond micro-enterprises, contract catering companies operating in limited space without sufficient washing and storage facilities are also included. Furthermore, exemptions should be based on the total volume of sales, rather than using the threshold of a sales area (not more than 100 m²) or the volume of packaging placed on the market.
- **Reuse targets for transport packaging:** We would recommend that packaging that is in direct contact with food should be excluded from Article 26.7, 26.12 and 26.13 on the reuse targets for transport packaging. Given the important role that packaging has in preserving the safety of the food, in particular in preventing contamination from foreign material, microorganisms, and food allergen cross-contamination, we are concerned that reusable packaging cannot always ensure the same level of hygiene as single-use packaging.

In contact catering, transport packaging also has further functionalities. For example, large containers containing several portions are used to transport meals from central kitchens to canteens. The containers themselves are often reusable but may use single-use packaging to seal and protect the food in the container. Once delivered, these containers are often stored in fridges for multiple days before the meal is cooked or re-heated in the container and served in the canteen. It's clear, therefore, that such containers should not be considered transport packaging, given the broad range of functionality that they have.

Bans on single-use packaging for foods and beverages while eating in (Annex V point 3)

- *Exemption for specific sectors within contract catering*

The contract catering sector provides services for vulnerable populations in hospital settings, prisons and schools. Often within these environments, providing meals in single-use packaging for food and beverages is necessary for hygiene or safety reasons.

Single-use packaging is often used in schools and hospitals to serve meals to those with specific health concerns, such as allergies or other diet-related diagnoses. While in prisons, single-use packaging for food and beverages is necessary due to safety concerns.

Therefore, we would like to call for an exemption to the bans on single-use packaging for the hospital and prison sectors, and the provision of meals to children with allergies or other diet-related diagnoses in schools. Health and safety concerns must not be ignored in the transition to a circular economy.

Ban on single-use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in the HORECA sector (Annex V point 4)

- *The role of single-serving packaging in portion control*

Single-unit packaging provides positive advantages from a nutritional point of view as single portions tell consumers exactly what constitutes one portion, avoiding over-consumption and spoilage. Portion size and portion guidance are recognised by international authorities, including the European Commission, as an important tool to encourage healthy diets.

Therefore, we believe that single-serving packaging for sugar and salt is an important way to help consumers control portion sizes. The health benefits of such types of packaging should be considered when weighing up the overall benefits of a ban.

Deposit and return schemes

Article 44 in the proposal requires Member States to set up on deposit and return schemes for single use plastic bottles and single use metal beverage containers. Given the specific nature of contract catering, whereby the premises are managed and controlled by the contracting authority or contracting company, we do not believe that canteens are appropriate environments for deposit & return schemes to be established. Therefore, we would recommend that contract catering is not within the scope of areas where Member States identify to set up deposit & return schemes.