



December 2013
AK Position Paper

Directive 94/62/EC on packaging and packaging waste to reduce the consumption of lightweight plastic carrier bags

About us

The Federal Chamber of Labour is by law representing the interests of about 3.2 million employees and consumers in Austria. It acts for the interests of its members in fields of social-, educational-, economical-, and consumer issues both on the national and on the EU-level in Brussels. Furthermore the Austrian Federal Chamber of Labour is a part of the Austrian social partnership.

The AK EUROPA office in Brussels was established in 1991 to bring forward the interests of all its members directly vis-à-vis the European Institutions.

Organisation and Tasks of the Austrian Federal Chamber of Labour

The Austrian Federal Chamber of Labour is the umbrella organisation of the nine regional Chambers of Labour in Austria, which have together the statutory mandate to represent the interests of their members.

The Chambers of Labour provide their members a broad range of services, including for instance advice on matters of labour law, consumer rights, social insurance and educational matters.

Rudi Kaske
President

More than three quarters of the 2 million member-consultations carried out each year concern labour-, social insurance- and insolvency law. Furthermore the Austrian Federal Chamber of Labour makes use of its vested right to state its opinion in the legislation process of the European Union and in Austria in order to shape the interests of the employees and consumers towards the legislator.

All Austrian employees are subject to compulsory membership. The member fee is determined by law and is amounting to 0.5% of the members' gross wages or salaries (up to the social security payroll tax cap maximum). 560.000 - amongst others unemployed, persons on maternity (paternity) leave, community and military service - of the 3.2 million members are exempt from subscription payment, but are entitled to all services provided by the Austrian Federal Chambers of Labour.

Werner Muhm
Director

The AK position in detail

Plastic carrier bags or - as defined in the Directive proposal - "plastic bags" are a frequently used everyday product, used for carrying shopping but also to protect and wrap products such as food for example. In most cases, they are only used once, which obviously has a negative impact on the environment. However, it is possible that the ecological effects caused by littering the environment with plastic waste, including thrown away plastic carrier bags, are still underestimated. That the latter do not only have an aesthetic impact, but also have a detrimental effect on marine fauna and flora, as well as birds has been proven by now.

The acknowledged environmental assessment of the EMPA (Swiss Federal Laboratories for Materials Science and Technology)¹ shows that actual benefits for the environment can only be achieved if carrier bags are used several times. Their impact with regard to single use is to a certain degree dependent on the material used. However, it should be noted that this environmental assessment refers only to Swiss conditions. Hence, the impact on marine fauna and flora cannot have been taken into account at all.

However, proposals from an environmental point of view have to consider and accommodate the benefits of packaging for consumers, manufacturers and retailers. Plastic carrier bags, apart from fulfilling a hygienic purpose, are used to pack food for example, pro-

tecting it against contamination and damage during transport, etc. This will have to be taken into account with regard to national reduction targets and measures. These benefits should also be reflected in the recitals of the Directive and flow into any future evaluation of national targets, programmes and measures. It should be noted that these benefits do of course not speak against efforts to reduce the use of plastic carrier bags in general.

The observable tendency to produce plastic carrier bags from renewable raw materials ("bioplastic bags") appears to be an interesting option, does, however, raise many questions regarding the viability and feasibility of this course. Such carrier bags are only of limited suitability for multiple use and cause above all problems with regard to waste collection and utilisation. In practice, they are unwanted elements in respect of composting and a contaminant in plastic recycling processes. Most consumers do not recognise petroleum-based plastic carrier bags as such, which, however, is important if separate collection is to be carried out properly as currently thermal recovery is the only sensible option when these bags become a waste product. Also annoying from a consumer point of view are the confusing ways such bags are being advertised by manufacturers and retailers, which often suggest environmental benefits that have not been proven.

From the point of view of the Austrian Federal Chamber of Labour one should not only not object to but welcome it

¹ EMPA study on the ecological balance of bags

when EU Member States, in particular littoral states, implement or intend to implement programmes and measures to prevent or at least to curb littering. It is not acceptable that the current provisions of the EU Packaging Directive might result in programme and measures having to be scaled back or even omitted because they might be contrary to EU law.

Against this background, the Austrian Federal Chamber of Labour welcomes that the European Commission has followed the request of the Council of European Environment Ministers from 14 March 2011 and is now presenting a proposal to provide Member States with sufficient scope for action to implement preventive measures. Of course, EU-wide prevention targets would be the more effective option. However, if an agreement in respect of EU-wide prevention targets is not very likely, the proposed provisions would also be a welcome option.

However, a situation should not be created where it is at the discretion of Member States to make national prevention targets the subject of "voluntary agreements". We explicitly oppose this idea, which does not indicate any ambitious objective targets.

Worth bringing into question only appears to be the restriction to carrier bags with a thickness below 50 microns, which obviously shall only include thin carrier bags, such as those used for fruit and vegetable bags. As far as one can see, some national or regional programmes deliberately include thick bags with the aim to force their actual reuse. This might require financial incentives, for example. This should not be prevented.

The Austrian Federal Chamber of Labour opposes proposals, which suggest replacing petroleum-based plastic carrier bags with those produced from renewable raw materials. That these would have any environmental benefits, even if only used once, seems to be not very likely, even more so given the fact that their raw materials in most cases originate from intensive agriculture. Measures to force their use are not justified until a holistic evaluation shows clear benefits and does not entail any disadvantages. This evaluation must include the obviously adverse effects in respect of collecting waste (possibility of confusion/incorrect sorting) and other areas of waste treatment (composting, plastic recycling), which so far has not produced any satisfactory answers.

It should be noted that in respect of a national prevention programme, the reduction of "plastic littering" deriving from the use of plastic foils in agriculture (residues of polytunnels, ground covers, hay bale covers etc.) will also have to be taken into account. These are, in spite of existing recycling and disposal options, still to be found in the ground.

Should you have any further questions
please do not hesitate to contact

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