

By email to: [misleadinggreenclaims@cma.gov.uk](mailto:misleadinggreenclaims@cma.gov.uk)

14 July 2021

Dear Sir,

### **Consultation: Draft guidance on environmental claims on goods and services**

Please find below a submission from the Confederation of Paper Industries (CPI) in response to your draft guidance on environmental claims on goods and services.

#### **About CPI**

CPI is the leading trade association representing the UK's Paper-based Industries, comprising paper and board manufacturers and converters, corrugated packaging producers, makers of soft tissue papers, and collectors of paper for recycling. CPI represents an industry with an aggregate annual turnover of £12 billion, with 62,000 direct and a further 100,000 indirect employees. In 2020 CPI member paper mills reprocessed approximately 3 million tonnes of the 6.6 million tonnes of paper and board collected for recycling in the UK.

#### **Background**

CPI already takes the issue of environmental claims extremely seriously. We have published our own guidelines on packaging design to encourage innovation in future packaging that would enable it to be more easily and efficiently recycled. A copy of that guidance can be found [here](#). We have also become a guarantor of OPR and are working with them and across the packaging industry to improve public information on recycling.

More recently, CPI has also founded Papercycle, a subsidiary business that is developing the process for assessing and certifying the recyclability within UK paper mills of fibre-based packaging products on the UK marketplace.

We anticipate that Papercycle will go live by the end of 2021. At the same time, we are engaged with our European counterparts in defining recyclability at European level and in discussions with DEFRA on Extended Producer Responsibility and the introduction of modulated fees on difficult to recycle materials. We would draw the CMA's attention to this ongoing regulatory development and encourage coordination across government so that the position of the CMA and DEFRA is coordinated and does not give rise to uncertainty.

We therefore consider that CPI is taking the leading role in defining and enabling the industry norms for the recyclability of fibre-based packaging. We consider that our actions dovetail well with your strategy and we hope that the CMA could welcome CPI's proactive stance.

*Paper – the sustainable, renewable choice*

**Our Response**

CPI fully supports the ambition of the Guidelines to encourage truthful declaration and discourage misleading environmental claims by businesses. However, we have some concerns about potential unintended consequences caused by the misinterpretation of the Guidelines leading to misguided action being taken against legitimate and accepted processes. It is inherent in Guidelines that they provide broad operating parameters that necessarily lead to a need for further clarification, with claims sometimes tested against the law. We are aware that the scope of the Guidelines is extremely broad, but there are concerns that the Guidelines may be used by third parties to challenge industry norms. Balance and proportionality need to be maintained so that the large majority of material that is legitimately labelled for recycling and is recyclable can be labelled as such, whilst the relatively small number of items carrying erroneous or misleading claims are not.

CPI has particular concerns about claims that might be made about the recyclability of paper and board packaging, especially consumer packaging typically collected at the kerbside. The reality of paper recycling is that there is some loss in the process, with fibres dropping out of the system, so it cannot be claimed that 100% of all fibres in any package will be recycled. This is indeed true of any manufacturing process – and such process losses should not impact the position that paper and board is recyclable.

We trust that the Guidelines will not prevent the industry from using the term ‘recyclable’ on that basis. By and large the industry does not claim paper and board products are 100% recyclable but does claim it ‘recyclable’ in more general terms. As you will also see above, CPI is seeking to develop the evidence base that such products are accepted by UK paper mills for recycling through a rigorous and objective certification scheme. We look forward to working alongside the CMA to ensure that our drive to set and certify industry norms will be seen as credible by consumers.

We also seek clarity on the position of the overall recycling chain in regard to claims made about recyclability. The majority of products collected for recycling are handled through local authority logistics and kerbside collections. Collection methodologies and frequencies vary (although CPI is a constant campaigner for UK-wide separate collection of paper and board) and it would be unreasonable to deny that a cardboard box was recyclable purely because of local collection issues not within the control of the manufacturer.

We are grateful for the opportunity to contribute to the development of CMA’s guidance in this important area and we look forward to working with you to ensure that consumer information on paper and board recycling is clear and truthful.

Yours faithfully,  
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