

## SNE position: Let's enable QR Codes/ digital labelling for waste sorting instructions

### Executive Summary

Waste sorting instructions are difficult to place onto the packaging of certain specialised nutrition products, as long as the pictograms for those instructions are not harmonised across the EU. SNE therefore supports EU-wide harmonisation, but in the meanwhile requests Member States to enable digital labelling to provide this type of information in a practical and targeted way. Regarding digital labelling in general, SNE supports the position of FoodDrinkEurope: “Digital labels on our food and drink can help us make better choices”<sup>1</sup>.

### 1. Multiple waste sorting pictograms from different countries on printed labels?

National authorities in several EU Member States have been introducing different waste sorting pictograms, which would be extremely difficult to print onto certain product labels. The draft EU Packaging and Packaging Waste Regulation<sup>2</sup> foresees a harmonisation of waste sorting instructions, which SNE welcomes. However, for the next few years, business operators including the specialised nutrition industry have to accommodate the different pictograms.

While the Commission's draft Regulation encourages digital labelling to some extent, Specialised Nutrition Europe encourages decision makers at the EU and national/ regional levels:

- In the meantime, to enable business operators to include such waste sorting pictograms on digital labels/ QR Code instead of requiring such pictograms to be printed on physical product labels.
- In the medium term, to harmonise the pictograms at the EU level and to provide an enabling and coherent regulatory framework for digital labelling of food products.

### 2. Specialised Nutrition Europe (SNE) agrees that essential information needs to remain on printed product labels.

The EU Regulation on Food Information to Consumers<sup>3</sup> establishes an important amount of essential and mandatory information on the labels of food products, including, inter alia, ingredients, nutrition declaration, date of minimum durability, allergens declaration. Furthermore, in order to ensure a high level of health protection to specific groups, the packaging of specialised nutrition categories must also include specific mandatory particulars on their labelling.

**Specialised Nutrition Europe (SNE) is the voice of the specialised nutrition industry across Europe. SNE members are the national associations of 19 European countries including a majority of EU states and their members are the companies producing tailor-made dietary solutions for populations with very specific nutritional needs. These include infants and young children, patients under medical supervision, sportspeople, overweight and obese consumers, and those suffering from coeliac disease. More information is available at [www.specialisednutritioneurope.eu](http://www.specialisednutritioneurope.eu). EU Transparency Register Number: 33498019160-40**

<sup>1</sup> [240111-FoodDrinkEurope-position-digital-labelling.pdf](#)

<sup>2</sup> COM (2022) 677 final: Proposal for a Regulation (...) on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC - [LINK](#)

<sup>3</sup> Regulation (EU) 1169/2011 on the provision of food information to consumers - [LINK](#)

### 3. Digital labelling to fit in recycling symbols from different countries and regions

Depending on the product, labels have very limited space for a lot of information – much of which is required by legislation. A number of additional types of information will likely soon have to be added (including, for example, the countries of origin of the main ingredients).

Even more information will likely have to be added once the EU Packaging and Packaging Waste Regulation (PPWR) enters into force. Manufacturers of specialised nutrition products are supportive of the circular economy. The EU’s draft Packaging and Packaging Waste Regulation introduces labelling requirements and formats related to consumer sorting, reusable packaging, recycled content and compostability<sup>4</sup>. However, before the PPWR regulation enters into force, Member States are already legislating locally and introducing non-harmonised specific requirements and mandatory sorting pictograms.

Sorting instructions are not harmonised across the EU and each country (and in some cases region) has its own specific requirements and symbols. For example, in France and Spain, the sorting instructions are mandatory to be printed on the packaging, and – as seen in the table below – they use different symbols. In Italy, it is possible to include those instructions via a digital label, instead of printing it on the packages. Moreover, different components of packaging waste need to be sorted in different ways, into bins or bags with different colours, depending on the country (and region).

Examples of waste sorting pictograms from different EU countries:	
<p><b>Spain</b></p>	<p><b>Ireland</b></p> <p><b>Widely Recycled</b> This label is applied to items which will be sorted, baled and shipped for recycling.</p> <p><b>Check MyWaste.ie</b> This label applies to items which may need to give the consumer more direction.</p> <p><b>Not Yet Recycled</b> This label applies to packing which will not be recycled, such as composites.</p>
<p><b>France</b></p>	
<p><b>Scandinavian countries</b></p>	

The inclusion of multiple different sorting or recycling instructions for multiple geographies is potentially confusing for the consumer and may not be permitted under national rules. This situation leads to limiting the capacity to have shared labels between Member States, which increases packaging waste and is a barrier to trade within the single market.

### 4. An example: Foods for Special Medical Purposes (FSMP)

Problems and confusion have arisen in relation to the need to label Specialised Nutrition products with different, non-harmonised, national recycling logos. This is the case for all the specialized nutrition products, but we will focus below on the striking example of Food for Special Medical Purposes “FSMP” (also known as ‘medical foods’ or ‘medical nutrition’).

<sup>4</sup> Article 11 of COM (2022) 677 final: Proposal for a Regulation (...) on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC - [LINK](#)

It is common industry practice to use multilanguage labelling to ensure the sufficient supply of FSMPs to the vulnerable populations who rely on these foods for their dietary needs, often to accommodate life-threatening conditions and rare diseases.

FSMPs are generally used by relatively small populations of patients, often for a prolonged time period, and used under supervision of their healthcare professional. Multilingual labelling facilitates access to products in some Member States where availability could be prohibitive since the target population may be too limited to justify separate labelling for each country. Small volumes of a wide range of product variants are manufactured and labelled in low volumes for patients; typically, the products have long shelf lives.

Manufacturers are continually assessing ways to accommodate additional national recycling/waste logos on packs. The challenges for FSMPs are compounded since several languages are already present on pack:

- Specialised nutritional products, including FSMPs, are legally required to bear information on their labels<sup>5</sup> in addition to that of general foods, especially regarding the intended use of the products, so space on pack is already extremely limited.
- The presence of multiple, different national sorting or recycling advice/logos is potentially confusing for the consumer. Patients established on an FSMP use the same product repeatedly over time so do not need to have recycling information visible on pack once they have been informed of how to dispose.
- Label print runs are much less frequent than for other foods, due to registration and reimbursement requirements in different markets, thus the ability to react to implement new or local sorting /recycling information is hindered.
- Multiple pack changes/ updates in a short space of time disrupt the supply chain of these vital products and are costly relative to the product value. Delays and inventory management challenges can be particularly acute; an out-of-stock situation must be avoided to prevent significant problems for patients established on a particular dietary regimen. It is not sustainable for industry to bear significant stock write-off of packaging to accommodate several recycling logos since national schemes are not harmonised.
- Some national logo schemes may not be compatible to use together on the same multilingual label with the result that, for some EU markets, it may no longer be possible to continue to share a multi-lingual label. Due to the relatively low production volumes to accommodate small patient numbers, the supply of some FSMPs may become less commercially viable and have to be removed from the market.

## 5. Member States should enable digital labelling, but the EU should harmonise in the medium term

Many of the challenges and opportunities described above were recognised in Italy and provision was made for packaging disposal information to be provided by digital means i.e. either a website or via a scannable QR code on the label which could provide the Italian consumer with information specific to their recycling infrastructure. We consider this to be an excellent example for other EU Member States.

For the medium term, we support harmonisation of sorting information and pictograms at EU level, to reduce complexity, increase clarity for the consumers, and fully enable the internal market. SNE also acknowledges the recent conclusion of the EU Commission's Joint Research Centre that "providing food information via QR codes rather than on paper labels has a negative impact on consumers"<sup>6</sup> and shares the views that mandatory food information is essential on paper labels and notes that such information is harmonised in the EU. SNE does not believe that these conclusions apply to this pragmatic position regarding recycling/waste sorting information that is currently not harmonised in the EU.

<sup>5</sup> Foods for special medical purposes are also subject to significant additional mandatory food information requirements in addition to standard food labelling. This includes text related to both the nature and use of the product and nutritional information.

<sup>6</sup> [JRC Publications Repository - Using QR codes to access food information: a behavioural study with European consumers \(europa.eu\)](#)

## ANNEX: Four Reasons to enable more digital labelling - especially for products for small vulnerable consumer groups

Advantage of Digital labelling for recycling	In General	When it comes to products for small vulnerable consumer groups such as FSMP
1. Cost Efficiency	Digital labelling of recycling information can <b>reduce printing, storage, and distribution costs</b> . It also minimizes resources related to label changes and updates.	Foods for special medical purposes (FSMP), including for patients with rare diseases, are produced and labelled in low volumes for patients in several countries and typically have long shelf lives. This means that <b>label changes are disproportionately difficult and costly</b> relative to the product value, and delays and inventory management challenges can be particularly acute. Therefore, the benefits of digital labelling are particularly great.
2. Clarity of information wherever you are	Digital labels/ QR codes <ul style="list-style-type: none"> <li>- permit clear information to be provided on the packaging materials used that can be understood by consumers/patients in different EU countries and beyond.</li> <li>- allow clear information to be provided on the sorting and recycling specific to the market where the patient/consumer resides, without the confusion of conflicting information, for other countries, on the pack.</li> </ul>	
3. Reduced Waste	Digital labelling of recycling information helps <b>reduce packaging waste</b> and supports sustainability efforts.  Digital labels also avoid unnecessary destruction of products and packaging when new regulations/obligations are implemented in one specific Member State (see also below: 'flexibility').	Given that these products are made in low volumes for patients in several/ multiple countries, the labels are already typically multi-lingual, and space is therefore particularly limited. At the same time, recycling and sorting information is a lower priority for such products, because a patient will typically use a given food for special medical purposes for an extended time period. Hence, once they have accessed the recycling information, they can be expected to know how to sort the packaging of products without the need to have the information directly on every pack.
4. Flexibility to deal with new uncertainties	Unlike physical labels, digital labelling of recycling information can be <b>updated in real-time</b> , rather than requiring very costly and lengthy physical re-labelling of thousands of products.  QR codes/ digital labels allow flexibility to change the information as recycling infrastructure and packaging materials evolve with developments in technology and as regulations change	