

Consultation: Extended Producer Responsibility for Packaging

Which? is the UK's consumer champion. As an organisation we're not for profit - a powerful force for good, here to make life simpler, fairer and safer for everyone. We're the independent consumer voice that provides impartial advice, investigates, holds businesses to account and works with policymakers to make change happen. We fund our work mainly through member subscriptions, we're not influenced by third parties and we buy all the products that we test.

Summary

Which? welcomes the opportunity to respond to this consultation on Extended Producer Responsibility for Packaging. We have been calling for the introduction of mandatory recycling labelling since 2018, and believe this will be crucial in helping consumers to recycle more, and more correctly.

- Our evidence shows that consumers currently find the multitude of recycling labels confusing, and that many consumers aren't confident they are disposing of their recyclable packaging correctly.
- We recommend Option 2, a single labelling scheme, as our preferred approach to implementing mandatory labelling, which we believe will be most effective in providing consumers with clear and helpful information.
- Any label(s), including any enhancements, should be subject to consumer testing to make sure they are clear and easy to understand.
- Any scheme that is considered for designation as the single labelling scheme should have either an existing high level of consumer recognition and understanding, or be able to demonstrate the capacity to build this.
- We agree that all producers could be required to use the same 'do not recycle' label, as our evidence suggests that consumers tend to prefer a common scheme.
- We welcome the Government's intention to make recycling plastic film easier for consumers.



Introduction

Which? is committed to bringing sustainability into everything we do, including through our advocacy, product testing and investigations. We therefore welcome the opportunity to respond to this consultation on Extended Producer Responsibility for Packaging. This has been a focus of our recent investigations, particularly how consumers can be better supported in recycling packaging.

We are responding to the following section of the consultation:

Chapter 7: Modulated fees, labelling and plastic films recycling.

We have limited our response to those areas where we have most expertise and data to contribute at this stage.

Relevant Consultation Questions

32. Do you agree or disagree with our preferred approach (Option 1) to implementing mandatory labelling?

We **disagree** with the Government's preferred approach to implementing mandatory labelling. Our preference for the introduction of mandatory recycling labelling is Option 2, a single labelling scheme. The reasons for this decision are set out below.

Which? supports the Government's intention to introduce mandatory recycling labelling, which we have been calling for since 2018. Our research has shown that consumers do look for information on recycling - we found that 67% of Which? members often or always look for recycling information on grocery packaging before deciding how to dispose of it¹. However, at present, many consumers aren't confident they are disposing of their recyclable packaging correctly - according to a Which? survey of the general public, over 30% of people did not feel confident².

We believe that Option 2 will be most effective in achieving the Government's central aim of providing consumers with clear and helpful information. Based on our research and experience of similar labelling schemes, we believe that a single labelling scheme would be easiest for consumers to recognise and understand, and would remove the current confusion consumers feel towards multiple recycling labels. If the Government does pursue Option 1, we believe that a single design only should be approved in order to reduce consumer confusion. It would also be important for the Government to consider how to ensure that there is strong and effective oversight in order to monitor compliance and ensure consistent application, as well as to develop and maintain consumer confidence and trust.

¹ Which?, [What are supermarkets doing about plastic?](#), online, May 2021

² Which?, "'Not yet recycled': The challenges of plastic recycling", print, August 2019: "In May 2019, 31% of the 1,987 people who recycle we spoke to told us they weren't confident that they were disposing of their recyclable packaging correctly."

In order to be effective, it will be critical that labels are clear and simple to understand, so that consumers know what can be recycled, and how. We recommend that any label should be subject to consumer testing in order to ensure this.

When implementing mandatory recycling labelling, it will be important to address the incorrect or nonexistent labelling on packaging which is currently a significant problem preventing consumers from recycling correctly. For example, in February 2020, Which? analysed the recycling information of a basket of twenty common toiletries, and found that twelve of the products had no recycling information on the label, despite being wholly or partially recyclable³. Which? research has also found that incorrect labelling is commonplace in supermarkets - our 2019 investigation analysed shopping baskets from the eleven major UK supermarkets, and revealed that 42% of the packaging we analysed was labelled either incorrectly or not at all⁴. Iceland, for example, had only correctly labelled 38% of the packaging, and we found mistakes in how products had been labelled in all eleven of the supermarkets we investigated. To address this, the Government should consider how to ensure businesses fully understand and comply with any new regulations on mandatory labelling.

It will also be important to address the current confusion consumers feel towards the various recycling and recyclability symbols, which can act as a barrier to correct recycling. Which? research in 2018 found that only 32% of the 1,000 people we spoke to correctly understood the PET symbol⁵. For items labelled with the Mobius Loop, only 9% said they would check their local recycling rules before sorting packaging with this symbol, whereas 45% said they would put these items straight into mixed recycling, despite items with this symbol not necessarily being accepted in all recycling schemes⁶.

For the 'Check locally' On-Pack Recycling Label (which is now being phased out), while 42% of people said that they'd check local recycling if they saw this symbol, 19% said they would put these items in with their mixed recycling without checking local recycling rules. We also found that consumers were confused by the Green Dot symbol, with 41% saying they would put packaging that displays this symbol straight into mixed recycling, whereas the symbol doesn't necessarily mean that the packaging is recyclable, and a significant 32% answered "don't know"⁷.

We do not currently have enough evidence to be able to establish whether consumers find the design of the existing recycling labels unclear, or whether it is the multitude of labels that is causing the confusion - or indeed a combination of the two. However, we do have evidence from other comparable labelling schemes which shows that consumers have tended to prefer a single consistent scheme. For example, in food labelling, Which? has found that a consistent label is essential, as it benefits from repeated exposure and increased awareness and understanding, whereas multiple labels were found to be confusing and could cause people to

³ Which?, 'Bathroom Plastics: it's time to clean up', print, February 2020

⁴ Which?, 'What are supermarkets doing to wrap up the plastic problem?', print, July 2019

⁵ Which?, "'Not yet recycled": The challenges of plastic recycling', print, August 2019

⁶ Which?, "'Not yet recycled": The challenges of plastic recycling', print, August 2019

⁷ Which?, "'Not yet recycled": The challenges of plastic recycling', print, August 2019

switch off.

In the case of front of pack nutrition labelling, for example, a failure to adopt a single national scheme from the outset meant that multiple schemes were used by different retailers and manufacturers, making it difficult for consumers to quickly and easily compare between products and requiring consumers to have to understand how the different schemes applied. It took several years before the government brought industry, consumer groups and other stakeholders together to agree a common national scheme. This set out common criteria for how the scheme should be applied, as well as presentation, while also allowing some limited flexibility for how it was presented on pack by different brands. We think it is important to learn the lessons from this and develop a consistent approach from the outset.

As such, we recommend Option 2, as we believe a consistent label for recycling would similarly benefit from repeated exposure and increased awareness and understanding. We recognise that it will be important to minimise the impact on businesses as much as possible, and recommend that as a first step, the Government should seek to determine via consumer testing whether any of the existing schemes would be suitable for designation as the single labelling scheme - or whether an alternative scheme would be preferable. This should involve an exploration of whether consumers today find the design of any of the existing schemes easy to understand when looked at individually. We would suggest that any scheme that is considered should have either an existing high level of consumer recognition and understanding, or be able to demonstrate the capacity to build this.

33. Do you agree or disagree with the proposal that all producers could be required to use the same 'do not recycle' label?

We **agree** with this proposal.

As mentioned in our response to Question 32, consumers currently find the different recycling and recyclability symbols confusing overall, and based on our experience of other comparable schemes such as food labelling, our evidence suggests that consumers tend to prefer a common scheme. It would be helpful for the Government to investigate this further via consumer testing in order to determine the best way to present 'Do not recycle' information. Any label must be clear and easy for the consumer to understand.

36. Do you think it would be useful to have enhancements on labels, such as including 'in the UK' and making them digitally enabled?

We are **unsure**.

The Government should test any labels, including enhancements, with UK consumers to ensure they are as clear and easy to understand as possible. This is essential in order for them to be effective in encouraging greater correct recycling.

37. Do you agree or disagree that local authorities across the UK who do not currently collect plastic films in their collection services should adopt the collection of this material no later than end of financial year 2026/27?



We agree.

Which? welcomes the Government's intention to make recycling plastic film easier for consumers. Our investigation into supermarket own-label groceries in 2018 found that between 4% and 10% of the packaging we looked at was plastic film that could only be recycled at supermarket collection points or 'bring banks' rather than at the kerbside, but that fewer than one in ten shoppers (9%) always or often took packaging back to a supermarket to be recycled⁸.

**Which?
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⁸ Which?, 'How to use less plastic and help save the planet', print, August 2018