

JBCE'S ANSWER TO THE CALL FOR EVIDENCE ON THE EVALUATION OF THE SINGLE-USE PLASTICS DIRECTIVE (SUPD)

INTRODUCTION

The Japan Business Council in Europe (JBCE) welcomes the opportunity to provide input to the European Commission's evaluation of the Single-Use Plastics Directive (SUPD). JBCE fully supports the Directive's core objectives—reducing marine litter and promoting the transition toward a circular economy—and underscores the importance of ensuring a science-based, predictable and effective regulatory framework.

It is important to ensure that the implementation of SUPD does not lead to significantly higher costs for ordinary consumers, otherwise the initiative risks failing in practice due to affordability concerns and excessive bureaucracy.

KEY MESSAGES

- ❖ **Coherent implementation across Member States**
Fragmentation caused by divergent national transposition must be addressed to safeguard the integrity of the Single Market.
- ❖ **Ensuring Legal Predictability and Supporting Innovation**
A flexible regulatory framework is needed to accommodate technological developments and encourage investment in innovative materials and solutions.
- ❖ **Policy Coherence and Transparency in the Policy Design Process**
SUPD should be aligned with PPWR¹, the Waste Framework Directive², and other circular economy initiatives to provide a predictable and consistent policy environment.

¹ [Regulation \(EU\) 2025/40 on packaging and packaging waste](#)

² [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste](#)

1. Coherent implementation across Member States

Significant divergences in the national transposition of the SUPD—including instances of “gold-plating,” as well as delays in the publication of key Commission guidelines (e.g., on the cost of cleaning up litter and on the calculation and verification of recycled content targets)—have resulted in a fragmented regulatory landscape. Member States also apply essential provisions differently, such as the methodology for calculating recycled content, leading to inconsistent compliance requirements. These disparities create unnecessary burdens for companies operating in multiple markets and pose a serious risk to fair competition within the Single Market.

Furthermore, several Member States remain subject to infringement procedures due to incomplete transposition of the Directive.

JBCE therefore emphasises that the highest priority should be to ensure the coherent and effective enforcement of the existing SUPD across all Member States. This should be supported by clear and timely implementation guidelines, strengthened conformity checks, and focused efforts to stabilise the current framework before considering new measures that may introduce additional complexity.

2. Ensuring Legal Predictability and Supporting Innovation

The SUPD was originally designed as a forward-looking regulatory framework anticipating technological progress. Its flexible structure—intended to accommodate innovation—remains one of its core strengths. JBCE highly values this approach and considers it essential that such flexibility be maintained and further reinforced in the ongoing evaluation.

The Directive has also served as an important driver for the transition toward a circular economy by creating incentives for research and development. Many companies have already made substantial investments, and given the long lifecycle of innovation programmes, **a predictable regulatory environment is more important than ever.**

For SUP products where suitable and sustainable alternatives are not yet readily available, stringent measures such as consumption reduction targets or market restrictions would be disproportionate. Instead, **policy should focus on evidence-based and practically achievable pathways** to improve environmental performance while allowing innovation to evolve and deliver viable alternatives in due course.

In addition, JBCE notes that interpretations of definitions and scope—such as cases where fermentation-based biodegradable polymers are considered “non-natural polymers” and thus fall within the SUPD scope—may affect the treatment of emerging materials. Ensuring that definitions and scope reflect scientific understanding and are applied consistently will help safeguard legal predictability and support continued innovation in sustainable materials.

3. Policy Coherence and Transparency in the Policy Design Process

The SUPD must operate coherently alongside related EU legislation, including the Packaging and Packaging Waste Regulation (PPWR), the Waste Framework Directive (WFD), the Environmental Omnibus, and the forthcoming Circular Economy Act. Certain obligations—such as recycled content targets and scope definitions—overlap with PPWR. To prevent uncertainty for businesses, **it is crucial to clarify the division of responsibilities between these instruments and present a clear roadmap** indicating which framework will ultimately govern specific obligations.

JBCE further emphasises the importance of transparent evaluation processes and continuous stakeholder dialogues, including public consultations, workshops, and technical exchanges. Such engagement is essential to ensure that regulatory measures remain practical, enforceable, and aligned with real-world technological and market developments.

Conclusion

JBCE will continue to engage in a constructive dialogue with the European Commission to enhance coherent implementation, legal predictability and policy coherence. JBCE will contribute to these efforts by sharing the practical expertise of its member companies, supporting evidence-based and workable improvements to the regulatory framework.

ABOUT JBCE

Founded in 1999, the Japan Business Council in Europe (JBCE) is a leading European organisation representing the interests of over 110 multinational companies. Our members operate across a wide range of sectors, including information and communication technology, electronics, chemicals, automotive, machinery, wholesale trade, precision instruments, pharmaceuticals, textiles, and glass products.

For more information: <https://www.jbce.org/> / E-mail: info@jbce.org

EU Transparency Register: [68368571120-55](https://ec.europa.eu/transparency/regexp1/index.cfm?do=entity.entity_details&entity_id=68368571120-55)