



# **PLASTIC WASTE MANAGEMENT RULES & REGULATORY COMPLIANCE CHALLENGES IN INDIA**

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FICCI WHITE PAPER ON PWM COMPLIANCE  
PLASTIC WASTE MANAGEMENT RULES, 2016 & RELATED AMENDMENTS

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## HISTORY OF PLASTIC WASTE MANAGEMENT IN INDIA

The evolution of plastic waste management in India began with the introduction of the **Plastic Waste (Management and Handling) Rules, 2011** (PWMH Rules, 2011), which marked the first structured effort to regulate plastic waste in the Indian market. These rules primarily focused on improving municipal plastic waste management by mandating cooperation between municipal authorities and local waste pickers for efficient waste collection. Additionally, the PWMH Rules, 2011 introduced measures and establishing an **Extended Producer Responsibility (EPR) mechanism**. This EPR framework required manufacturers to set up plastic waste collection centres individually or in collaboration with municipalities. However, the lack of detailed implementation guidelines limited its effectiveness.

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Recognizing these challenges, the government introduced the **Plastic Waste Management Rules, 2016** (PWM Rules, 2016), which replaced the PWMH Rules, 2011. The revised rules aimed to enhance the regulatory framework by emphasizing segregation, recycling, and the minimization of plastic use. In subsequent years, significant amendments strengthened these efforts. For instance, the **Plastic Waste Management (Amendment) Rules, 2018**, further refined the regulatory framework, while the inclusion of the Guidelines on EPR for Plastic Packaging in Schedule II of the PWM Rules, 2016, in February 2022 marked a pivotal moment. These guidelines introduced a robust EPR mechanism and reinforced the ban on certain single-use plastic items, effective from July 1, 2022, ensuring a stronger compliance regime.

To streamline implementation, the Central Pollution Control Board (CPCB) developed an **online centralized EPR portal**, which became operational in April 2022. This platform has since played a critical role in simplifying compliance and monitoring under the EPR framework. There is a **draft**<sup>1</sup> notification on The **Plastic Waste Management (Second Amendment) Rules, 2023**, notified on 16<sup>th</sup> October 2023 and another **notification**<sup>2</sup> October 30, 2023, marked the latest chapters in this evolving narrative, topped by **Plastic Waste Management (Amendment) Rules, 2024**, notified on 14<sup>th</sup> March 2024. These amendments aim to address persistent challenges faced by industries involved in manufacturing and using plastic packaging, offering practical solutions to improve compliance under the PWM Rules, 2016, and EPR Guidelines.

## PLASTIC WASTE MANAGEMENT (AMENDMENT) RULES, 2022

The Ministry of Environment, Forest and Climate Change (MoEFCC) introduced **Schedule II**<sup>3</sup> to the Plastic Waste Management Rules, 2016 (PWM Rules) through the Plastic Waste Management (Amendment) Rules, 2022, outlining comprehensive Guidelines on **Extended Producer Responsibility (EPR) for Plastic Packaging**. These guidelines assign specific responsibilities to **Producers, Importers, and Brand Owners** (PIBOs) under **Rule 9(1)**<sup>4</sup> of the PWM Rules, focusing on the sustainable management of plastic waste.

<sup>1</sup> [https://moef.gov.in/storage/tender/GSR744\(E\)-Plastic-Waste-Management-\(Second-Amendment\)-Rules-2023.pdf](https://moef.gov.in/storage/tender/GSR744(E)-Plastic-Waste-Management-(Second-Amendment)-Rules-2023.pdf)

<sup>2</sup> <https://egazette.gov.in/WriteReadData/2023/249793.pdf>

<sup>3</sup> [EC Regime\\_PWM.pdf](#)

<sup>4</sup> <https://cpcb.nic.in/displaypdf.php?id=cGxhc3RpY3dhc3RlL1BXTV9HYXpldHRlLnBkZg==>



**Key Features** Categorization of Plastics under EPR:

**Category 1: Rigid** plastic packaging, primarily used for durable packaging.

**Category 2: Flexible** plastic packaging, including single-layer/multilayer plastics, plastic sheets, covers, carry bags, sachets, and pouches.

**Category 3: Multilayered** plastic packaging comprising both plastic and non-plastic materials.

**Category 4: Compostable** plastics used in packaging and carry bags.

**Coverage of EPR Guidelines** The EPR Guidelines emphasize reducing the use of **virgin plastics** by promoting reuse, recycling, integration of recycled content, and sustainable end-of-life disposal. Special focus is placed on the reuse of rigid plastic packaging to minimize environmental impact.

**Implementation and Compliance** The rules establish category-wise EPR targets for PIBOs. Non-compliance with these targets invokes the "**polluter pays**" principle, whereby environmental compensation will be levied to mitigate the impact of plastic waste mismanagement.

**EPR Certificates Surplus** EPR certificates can be generated and utilized to offset previous or future EPR obligations, offering flexibility in meeting annual targets.

**Schedule II** of the **Plastic Waste Management Rules** provides a detailed framework for implementing Environmental Compensation (EC) under the Extended Producer Responsibility (EPR) mechanism. This provision is grounded in the "**polluter pays**" principle, ensuring accountability for non-fulfilment of EPR targets by Producers, Importers, and Brand Owners (PIBOs).

**Key Provisions** Environmental Compensation (EC) EC is levied for shortfalls in meeting EPR targets in three areas:

1. Recycling.
2. Reuse.
3. End-of-Life Recycling.
4. Mandated Use of Recycled Plastic.

The EC rates are structured (1) **₹5,000 per ton** for the first shortfall, (2) **₹10,000 per ton** for the second instance of non-compliance and (3) **₹20,000 per ton** for the third instance. **EC liabilities** can be **carried forward** for up to **three years**, as stipulated in the EPR guidelines.

**Annual Reporting Obligations PIBOs:** Must file annual returns detailing the collection and processing of plastic waste to fulfil their EPR obligations. **Plastic Waste Processors (PWPs):** Required to submit annual returns specifying the quantity of plastic waste processed, categorized by type. These returns must be submitted by April 30 of the following financial year. Non-compliance with annual reporting requirements attracts penalties.



**Centralized Registration Portal**<sup>5</sup> PIBOs must register through an online centralized portal developed by the Central Pollution Control Board (CPCB).

**Obligated Entities & Obligations of PIBOs**<sup>6</sup> The following entities will be covered under the EPR obligations and provisions of this notification: (i) Producer (P) of plastic packaging (ii) Importer (I) of all imported plastic packaging and / or plastic packaging of imported products (iii) Brand Owners (BO) including online platforms/marketplaces and supermarkets/retail chains other than those, which are micro and small enterprises as per the criteria of Ministry of Micro, Small and Medium Enterprises, Government of India. (iv) Plastic Waste Processors.

## **INDUSTRY CONCERNS IN PLASTIC WASTE MANAGEMENT RULES**

### **OBLIGATIONS:**

**1. Obligation for Use of Recycled Plastic Content (Brand Owner)** The industry faces challenges in meeting the **obligation for use of recycled content in plastic packaging** starting from FY 2025-26, category-wise as mandated in **schedule II of the PWM Rules**.

Mandatory use of recycled plastic in plastic packaging (% of manufactured plastic for the year)				
Plastic packaging category	2025-26	2026-27	2027-28	2028-29 and onwards
Category I	30	40	50	60
Category II	10	10	20	20
Category III	5	5	10	10

The industry welcomes this initiative of the government in ensuring **circularity of the plastic** however limited availability of clean **post-consumer plastic waste** due to **poor segregation, insufficient plastic recycling infrastructure, and complexities in recycling multilayer packaging** hinder compliance with minimum recycled content obligation in the plastic packaging. These challenges and difficulties pose **scarcity of recycled resins** for meeting the aforementioned obligations in all plastic categories. Additionally, the **lack of credit**<sup>7</sup> availability for meeting the **obligation of recycled content in imported plastic packaging** further exacerbates the difficulty.

Further, the challenges being faced by the industry are highlighted:

- A. The **supply** of recycled plastic packaging remains **insufficient** due to several factors:
- 1. Inefficient plastic segregation** at the source, often resulting in **contamination and mixing of plastic waste**, significantly diminishes the quality and quantity of materials available for recycling. This challenge undermines recycling efforts and highlights the need for robust segregation practices to enhance material recovery and sustainability;
  - 2. Inadequate categorization of waste and limited recycling infrastructure;**
  - 3. The intricate process** of separating plastic content in multilayered packaging; The lack of effective technology for removal of reverse printed ink & metallization in multi layered

<sup>5</sup> <https://eprplastic.cpcb.gov.in/#/plastic/home>

<sup>6</sup> [EC\\_Regime\\_PWM.pdf](#)

<sup>7</sup> <https://cpcb.nic.in/uploads/plasticwaste/2-amendment-pwmrules-2022.pdf>

plastic which contaminates the **Recyclate**, thereby imparting **grey colour** and rendering it **non-usable**.

4. Virgin material is usually cheaper than recycled plastic;
5. **Limited public awareness** leads to improper waste segregation, increasing contamination and landfill waste;
6. Dependence on informal waste pickers who focus on high-value materials like **rigid packaging** leaves flexible MLP uncollected, increasing landfill accumulation;
7. Manual segregation is labour-intensive and economically non-viable, limiting recovery to a few large facilities;
8. Many regions **lack Material Recovery Facilities (MRFs)** and aggregators for flexible MLP, leading to insufficient collection and processing infrastructure;
9. Flexible MLP requires **substantial storage** space during sorting;
10. Small recovery facilities often lack the space and infrastructure to handle large quantities, limiting collection and sorting capacity;
11. **Limited demand for flexible MLP**, especially multi-layered materials, reduces the incentive for facilities to prioritize sorting and recovery on a large scale;
12. The availability of recycled plastic packaging for domestic regulatory obligations is further constrained by its substantial diversion for alternative uses, such as fibre and yarn production, including **export**<sup>8</sup>. This highlights the need for balanced allocation strategies to ensure sufficient recycled content remains accessible for compliance within the domestic framework.
13. **Mixed waste** during collection **contaminates** flexible packaging, complicating sorting and recycling; and the foreseeable scarcity of recycled resins for meeting the increasing percent (%) obligations across categories. These challenges significantly hinder the industry's ability to meet recycling targets, necessitating a more robust and coordinated approach to address these systemic issues.

- B. Sectoral laws governing food, nutrition, and pharmaceuticals impose restrictions on the use of recycled plastic packaging materials, demanding the highest standards for safety and quality. As per the provision of packaging regulations under the Food Safety and Standards Authority of India (**FSSAI**) only **rPET**<sup>9</sup> is permitted to be used for packaging food items that are in direct contact with the food material. Additionally, as per **FSSAI's** clarification letter dated October 1, 2024, wherein it is stated that manufacturers of multilayer packaging films for food packaging may be allowed for the use of recycled multilayer plastic as one of the layers in a multilayer structure, provided that this layer does not come into direct contact with food. Food contact layer should be not in any case from recycled material. To ensure compliance while addressing industry challenges, recycled content targets for packaging in these sectors should be carefully calibrated to reflect the practical realities. If further warranted by a comprehensive evaluation of the landscape, specific exemptions may be considered to support a balanced approach that aligns environmental objectives with industry capabilities and until **advancements in technology** can ensure safety and product integrity are

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<sup>8</sup> <https://texmin.nic.in/sites/default/files/Final%20report%20on%20study%20to%20promote.pdf>

<sup>9</sup> [Annexure1\\_Draft\\_Guidelines\\_PET\\_15\\_06\\_2022.pdf](#)



uncompromised. Ensuring compliance with these Food safety and quality requirements while maintaining the integrity of sensitive products necessitates these exemptions, as the current obligations are incompatible with the sector's regulatory demands.

- C. Recycling methods like mechanical and chemical recycling face limitations in quality, regulatory alignment, infrastructure, and economic viability. **Mechanical recycling dominates** India's recycling infrastructure, involving collection, sorting, washing, shredding, and extrusion to create recycled pellets. However, **high contamination** and complex multi-layer structures, especially in Cat II, may result in low-grade recycled products, **unsuitable for food-grade applications**.
- D. Under the **current framework** of the **Plastic Waste Management (PWM) Rules**, the **eligibility of imported recycled plastic resins** for fulfilling recycled content obligations remains **unclear**. While the rules emphasize the use of recycled materials from registered and authorized domestic recyclers, they do not explicitly state whether **imported recycled resins** can count towards **compliance targets**. This **lack of clarity** has created operational challenges for **PIBOs** (Producers, Importers, and Brand Owners) relying on imported resins. Without explicit guidance, these entities are compelled to purchase credits from PIBOs that exceed their recycled content targets or seek certified domestic materials, adding complexity and potential cost to their compliance processes. A clear directive on the status of imported recycled resins is critical to ensure equitable and efficient implementation of the PWM Rules. To streamline compliance and improve traceability, the industry requests the **creation of a provision** in the **CPCB portal to capture recycled content from resin suppliers**. Additionally, the portal should **open EPR registration for recycled content manufacturers**, enabling the **online recording and transfer of credits**. This enhancement would ensure a transparent and efficient mechanism for credit transfers, supporting industry efforts to meet recycled content targets while reducing administrative burdens.
- E. Maintaining integrity of certificates through stringent auditing, transparent reporting on the CPCB's EPR Plastic Portal and verification and integration of these credits in compliance reports are essential to foster trust and meet regulatory targets. **Limited availability** of these **credits** in the market also makes it increasingly **difficult** for **importers to meet their quotas**. It further introduces complexities of logistical and administrative burdens needed for certificate trading.
- F. Additionally, Under **Clause 7.4(e)(ii)**<sup>10</sup> of the PWM Rules, CPCB can grant exemptions to PIBOs unable to source recycled plastic content, which creates a non-level playing field.
- G. **Clause 11(d)**<sup>11</sup> of the PWM Rules mandates marking and labelling in alignment with **BIS IS 14534:2023**. This standard requires clear labelling of plastic packaging to specify the polymer type and percentage of recycled content. Ensuring accurate, durable labelling aligned with IS

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<sup>10</sup> [EC Regime PWM.pdf](#)

<sup>11</sup> <https://cpcb.nic.in/uploads/plasticwaste/2-amendment-pwmrules-2022.pdf>



14534:2023 guidelines is essential for traceability and compliance verification, posing operational challenges for PIBOs.

- H. The **Environmental Compensation (EC)** mechanism enforced by CPCB ensures adherence to commitments under the PWM Rules and EPR Guidelines. **Penalties** for non-compliance include substantial financial fines, reputational damage, operational risks such as **suspension of operations or license revocation**, and **loss of market access** in regions with stringent sustainability regulations. This leads to severe reputational damage for PIBOs.
- I. PIBOs must source **recycled plastic** from **CPCB-registered Plastic Waste Processors (PWP)**s in compliance with **IS 14534:2023**. **Limited availability of certified recyclers** restricts access to compliant materials, affecting companies needing consistent supplies for packaging.
- J. CPCB requires transparent reporting of credit transactions on the EPR portal, with third-party verification and auditing by **CPCB-authorized agencies** to ensure accuracy and prevent fraud. Companies must align with Chain of Custody and traceability standards, such as ISO 22095 and EN 15343, adding complexity to compliance.
- K. **Suppliers of recycled granules and resins**, including recyclers and producers, must provide detailed annual reports on the EPR Plastic Portal. Reports should specify the quantity and type of recycled plastics supplied, requiring precise data tracking, alignment across the supply chain, and consistent reporting to prevent discrepancies. This process is resource-intensive and demands robust, interoperable data management systems to ensure compliance.
- L. **Flexible packaging for food** must meet **FSSAI standards** to ensure food safety. The **2018 Food Safety and Standards (Packaging) Regulations** prohibit non-food-grade recycled plastics in direct food-contact applications to prevent contamination. Recycled plastic used in food-contact applications must have **FSSAI food-grade certification**. Currently, only **rPET**<sup>12</sup> (recycled polyethylene terephthalate) is approved for food-contact use. Unlike USFDA and EFSA, India lacks clear guidelines from FSSAI for food-grade recycled plastics, complicating compliance. Compliance for recycled content in flexible packaging begins FY 2025-26, creating a tight timeframe for securing certified materials. Non-compliance with FSSAI standards poses significant legal and financial risks under the **Food Safety and Standards Act (FSSA), 2006**. Companies face severe legal accountability, including penalties and potential legal action, emphasizing the need for stringent compliance to avoid repercussions.
- M. This creates an unfair burden and highlights the need for a more flexible and equitable system that recognizes all recycled contributions, including imports, to ensure compliance is achievable. Industry request clarity on recycled content related to imported products with existing recycled plastic packaging.

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<sup>12</sup> [Annexure1\\_Draft\\_Guidelines\\_PET\\_15\\_06\\_2022.pdf](#)

N. Despite the issuance of food-grade recycled PET guidelines two years ago, **only five PET recyclers** have been **approved**<sup>13</sup> so far. Among these, two specialize in producing PET film, while the others focus on PET chips for rigid packaging. While stringent checks are essential to ensure safety and quality in recycling processes, the limited number of approved suppliers is insufficient to meet the growing industry demand. This scarcity risks creating monopolistic conditions, driving up material costs, and either inflating consumer prices or squeezing profit margins for FMCG brands.

O. **India** had a **high PET bottle recycling rate of 90%**<sup>14</sup> even before FSSAI's 2022 food-contact guidelines. Historically, recycled PET was primarily used for non-food applications, with recyclers competing for the same raw material. However, since the implementation of the FSSAI guidelines, which expanded the use of recycled PET in food packaging, demand for this material has surged. This **increased demand** has **driven up prices** without a corresponding increase in recycling rates, disrupting the previously self-sustaining supply chain. As a result, **costs** have **risen** for all **recycled PET applications**, straining both the recycling industry and businesses relying on this material for packaging.

The industry has begun efforts to comply with the outlined requisitions; however, the **projected availability of recycled material remains low**. Given these constraints, **industry request** for an **extension of the compliance timelines to upto at least two years** for holistic actions to address the highlighted gaps by the industry to meet obligations effectively and sustainably. During the extended compliance timeline, the efforts shall be made for development of recycling infrastructure, availability of recycled material in all plastic types, scaling up of the overall recycling capability, and availability of food-grade recycled material.

**Key Ask:** The industry including Producers, Importer & Brand-owners are working together holistically to streamline the entire value chain of plastic recycling, however, the **support of municipalities and local bodies in source segregation of the post-consumer plastic** remains vital in this concerted effort. **An extension of compliance timelines to upto at least two years, and rationalisation of recycling targets that aligns with present ecosystem landscape therefore is requested to address these on-ground challenges effectively.**

## **2. Obligation for Reuse (Brand Owner)**

The industry is facing challenges in meeting the obligation for **Reuse of Rigid plastic packaging** starting from FY 2025-26, as mandated in **Schedule II** of the **PWM Rules**: The PWM Rules facilitate EPR compliance in a brand-agnostic manner. However, the reverse logistics required for fulfilling the reuse obligation are brand-specific, diverging from established supply chain practices. Below are the specific challenges and difficulties in meeting the reuse obligation for consideration and revision of the relevant clause of the rules.

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<sup>13</sup> <https://fssai.gov.in/cms/standardpacking.php>

<sup>14</sup> UNIDO-CIPET Report <https://www.unido.org/sites/default/files/files/2018-11/Plenary%20%20-%20Plastics%20-%20Mohanty.pdf>



(II) Minimum obligation to reuse for Category I (rigid plastic packaging).

	Year	Target (as percentage of category I rigid plastic packaging in products sold annually)	
A	Category I rigid plastic packaging with volume or weight equal or more than 0.9 Liter or kg but less than 4.9 litres or kg, as the case may be		
	I	2025 – 26	10
	II	2026 – 27	15
	III	2027-28	20
	IV	2028-29 and onwards	25
B	Category I rigid plastic packaging with volume of weight equal or more than 4.9 litres or kg.		
	I	2025 – 26	70
	II	2026 – 27	75
	III	2027-28	80
	IV	2028-29 and onwards	85

- A. The **reverse supply chain for rigid plastic packaging** poses logistical and environmental complexities that challenge its feasibility as a sustainable solution. Transporting empty rigid packaging over long distances to manufacturing locations requires significant resources, increasing greenhouse gas emissions through higher fuel consumption and vehicle usage. Additionally, cleaning and reprocessing these packages demand considerable water and energy inputs, potentially **offsetting the environmental benefits of reuse**. While reuse targets aim to reduce virgin plastic usage, rigid packaging is optimized for single-use functionality with minimal plastic content. During **reverse logistics and cleaning**, such packaging is prone to **scratches, dents, and damage**, rendering it **unsuitable for reuse** and often leading to **rejection during quality assessments**. Designing packaging robust enough for multiple reuse cycles would necessitate using more plastic or alternative materials, undermining the sustainability goals. Moreover, a proven system to track the number of times packaging is reused is not yet established, affects the accurate calculation of EPR obligations as well as raising concerns about its safety and effectiveness in delivering products over multiple cycles. Informal reuse by consumers and retailers at the point of sale adds another layer of complexity. Balancing these challenges requires a nuanced approach to reuse targets, incorporating practical measures and advanced systems to ensure that efforts to promote reuse align with broader sustainability objectives without inadvertently creating inefficiencies.
- B. The cleaning processes necessary for reuse may jeopardize the safety and integrity of both products and packaging. There is an urgent **need** for the development of **effective disinfection and cleaning technologies**, as well as the **establishment of BIS standards for reuse**, which are currently **lacking**.
- C. **Rigid plastic packaging**, especially large or **bulk packs**, is often **repurposed** by **Indian consumers for household storage**, making it difficult to estimate potential reuse volumes. Unlike in developed countries, where consumers are more likely to return such packaging, Indian consumers tend to hold onto these larger packs, complicating collection and reuse efforts. This distinctive behaviour poses a challenge in managing plastic waste efficiently. On the positive side, this **ongoing reuse** by repurposing of the packs by **customers themselves**, results in a **lower carbon footprint** as compared to the collection, refilling, and redistribution of the packs by manufacturers.

- D. Sectoral regulations in place restrict the reuse of packaging for certain products, adding another layer of complexity. Quality and food safety issues in reused materials, particularly in food and pharmaceuticals, further complicate efforts.
- E. There is a significant risk of counterfeit products being refilled in packaging owned by brand holders, posing serious health risks to consumers.
- F. **Reused packaging** will inevitably **differ** from **original packaging**, impacting **consumer acceptance** and the effectiveness of reuse systems. A thorough assessment of consumer access and the desirability of reusable packaging is essential.
- G. Considering the food safety concerns, **FSSAI**<sup>15</sup> has only allowed refillable containers of plastics that are 5 Liters of above, that too only for Packaged drinking and mineral water. Less than 5 Liters of containers are anyways prohibited by law for refilling.

It needs to be considered that the **purpose of reuse** is to **reduce** the **consumption of virgin polymers**, however the use of recycle content in packaging as stipulated under “obligation for use of recycle content” also meets the same purpose, and the industry is undertaking all efforts necessary to comply to this requirement.

**Key Ask:** In light of these above concerns, Industry request an **Industry-Govt Consultation** on the **reuse obligation** for repealing this clause by making revisions and emphasizing alternative efforts on reducing the use of virgin plastic such as enhanced use of recycled content against the stipulated target, to reduce the use of rigid plastic by replacing it with available business-friendly and sustainable alternate material. *For example, a brand owner can increase the recycled plastic content in rigid packaging above the mandated level to offset the obligation for reuse, thus reducing the overall use of virgin plastic while fulfilling both recycling and reuse targets.* To ensure a practical and scalable transition under the PWM framework, we recommend setting reduced targets at approximately 2%, which can be incrementally ramped up each subsequent year, allowing time for the development of adequate infrastructure, capacity-building among stakeholders, and adaptation to the regulatory framework. This phased approach will enable industries to align effectively with environmental objectives while maintaining operational feasibility.

### **3. Obligation of recycling – Category III**

Although the infrastructure for recycling Category III (Multilayered) plastic packaging, including cartons, exists, with the necessary capacity available through paper mills and full carton recyclers. However, a **significant challenge** lies in the **lack of recognition** of **paper mills** as Plastic Waste Processors (PWPs) under the current regulatory framework. These mills, which recycle cartons as part of mixed waste streams, including other wastepaper, are not credited for their recycling efforts under the PWM Rules. This lack of recognition results in the **inadequate generation of recycling credits, limiting the industry's ability to fully comply** with the recycling obligation and thus making the **infrastructure** for

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<sup>15</sup> [Compendium\\_Packaging\\_01\\_02\\_2022.pdf](#)



**recycling Category III (Multilayered) plastic packaging is not fully established.** Given these challenges, the **industry** requests **additional time to reformulate packaging structures** to make them fully recyclable and to meet the **minimum recycling obligation of 30% for Category III materials**. This request for an extension is necessary to ensure compliance while addressing the limitations posed by the current credit system. The industry also urges the **recognition of paper mills as PWPs** to accurately capture their recycling contributions, **enabling efficient credit generation** and facilitating compliance with the mandated recycling targets. As per **MoEFCC's Office Memorandum**<sup>16</sup> on Applicability of thickness restriction on shrink film, cling libs, stretch film-under Plastic Waste Management Rules, 2016, as amended- Reg, dated 03<sup>rd</sup> Feb 2023, for Category III targets, the obligations are based on the total weight of the packaging, not just the plastic content. As paper-based beverage cartons comprise of 70% paper on average, paper mills serve as integral players in carton recycling. To be able to achieve said targets for multilayer multi-material packaging, the Ministry may consider allowing EPR registration of paper mills as PWPs who are recycling both plastic and non-plastic packaging waste in line with OM of CPCB.

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#### **OTHER CONCERNS:**

**Price fixation for EPR Credits** Regarding the recent price fixation for EPR certificates outlined in the PWM Rules, the industry request that the Hon'ble Ministry consider removing or revising these provisions. The **mandated price fixation for EPR certificates** is poised to escalate the cost of meeting EPR obligations, diminish the incentives for surplus generation, and stifle competition and infrastructure development within the waste management sector. Industry proposes a market-driven approach to the price discovery of EPR credits, guided by the **natural forces of demand and supply**, rather than the regulated framework established by the **amendment**<sup>17</sup> dated March 14, 2024.

**Clarity on categorisation of 'metallized layers'** Industry note that the PWM Rules (Amendment) Rules 2024, have **removed** the phrase '**metallized layers** or' from the definition of '**multilayered packaging**.' The **categorization** of packaging with metallized layers under the PWM Rules should depend on its **manufacturing process**. If the metallized layer is created through **vacuum metallization**, where metal is directly deposited onto a plastic substrate, it forms a **single-layer structure** and should be classified as **Category II**. However, if the **Aluminium foil laminated to any plastic layer**, it qualifies as **multilayered packaging (MLP)** and should be classified under **Category III** due to the distinct substrate involved. Industry seeks **regulatory clarity** to ensure that the classification aligns with the specific processes used, supporting compliance and effective recycling. Should this not be feasible, industry urge the **deferral** of the **reclassification** to the 2025-26 period to prevent potential disruptions.

**Challenges in Credit Transfers Among PIBOs Under Recent Regulatory Changes** The Extended Producer Responsibility (EPR) framework, governed by the Central Pollution Control Board (CPCB), initially permitted credit transfers among Producers, Importers, and Brand Owners (PIBOs). This mechanism offered flexibility, enabling PIBOs to transfer credits within or across entities to meet their compliance obligations under the Plastic Waste Management (PWM) framework. However, recent

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<sup>16</sup>[https://eprplastic.cpcb.gov.in/plastic/downloads/Issues\\_related\\_to\\_implementation\\_of\\_EPR\\_Guidelines\\_for\\_Plastic\\_Packaging\\_&\\_Ban\\_on\\_SUP\\_items-reg.pdf](https://eprplastic.cpcb.gov.in/plastic/downloads/Issues_related_to_implementation_of_EPR_Guidelines_for_Plastic_Packaging_&_Ban_on_SUP_items-reg.pdf)

<sup>17</sup> [https://moef.gov.in/storage/tender/GSR201\(E\)-\[14032024\]-Plastic-Waste-Mangement-Rules-2024.pdf](https://moef.gov.in/storage/tender/GSR201(E)-[14032024]-Plastic-Waste-Mangement-Rules-2024.pdf)

regulatory changes have introduced significant challenges, complicating the operational dynamics of credit transfers. A key issue faced by PIBOs is the restriction on intra-group credit transfers, a practice previously allowed under EPR guidelines. This restriction has disrupted compliance strategies, reduced flexibility and increasing uncertainty for companies striving to meet their waste management targets in a cost-effective manner. The lack of clarity in the updated regulations has further compounded these difficulties, hindered seamless execution of waste management plans while trying to align with environmental goals.

Moreover, the PWM framework broadly defines Brand Owners (BOs), which has created specific challenges for businesses supplying plastic-packaged commodities for industrial (B2B) use. Producers (P) can pass on their EPR obligations to BOs, but BOs in B2B industries face unique hurdles. These challenges stem from a lack of visibility into downstream supply chains, which often involve traders, dealers, and distributors. Obtaining details about the end-use and disposal of plastic packaging in such matrixed supply chains is logistically complex and fraught with confidentiality concerns. For B2B industries, the inability to transfer EPR liabilities further downstream exacerbates compliance burdens. Without a clear mechanism to trace or pass on liability, companies are left struggling to ensure compliance while managing operational confidentiality and logistical hurdles.

To address these challenges, it is imperative to provide clear regulatory guidance and establish streamlined mechanisms for credit transfers. This includes allowing intra-group transfers where feasible and tailoring provisions for B2B businesses to accommodate the complexities of their supply chains. Doing so would help maintain the efficacy of EPR measures, support operational efficiency, and foster greater adherence to environmental objectives.

Additionally, in 2016, the Plastic Waste Management (PWM) framework initially proposed state-specific EPR compliance targets based on geographic footprints. While the industry successfully advocated for the removal of this provision, its principles are yet to be uniformly enforced. Certain states, cities, and local bodies continue to impose localized compliance requirements, undermining the **geo-neutrality principle of EPR credits**. This principle allows Brand Owners to purchase credits from any state, irrespective of their operational footprint, thereby streamlining compliance and fostering flexibility. The persistence of state-wise mandates creates operational inefficiencies, contradicts the national EPR framework, and poses a significant challenge to businesses aiming to align with the Government of India's ease of doing business strategy. Moreover, some industry members report difficulties in executing intra-PIBO credit transfers across geographies, despite explicit CPCB directions permitting such practices. Industry urges clear and uniform guidance from CPCB and State PCBs to eliminate these inconsistencies, ensuring that EPR principles are consistently applied across all jurisdictions. This harmonization would alleviate undue pressures on businesses, facilitate smoother compliance, and strengthen the operational framework of the EPR system in India.

**Digitization and Labelling** Industry proposes the voluntary adoption of **QR codes** as an alternative method for declaring the information required under Rule 11 of the PWMR Rules. This approach would offer several benefits, including faster and more efficient compliance without the need to alter existing artwork or incur additional network costs. QR codes, as part of broader digital advancements in packaging, would streamline the labelling process by integrating smart technologies such as blockchain, enabling real-time access to product information, track-and-trace capabilities, and product

authentication. These innovations promote supply chain transparency and provide consumers with critical details about the product's origin, safety, and sustainability. Moreover, digital labeling facilitates compliance with evolving regulatory standards while allowing businesses to customize their packaging. It enhances brand storytelling, fostering consumer trust and loyalty through direct engagement. By implementing QR codes, businesses can maintain accurate and efficient packaging processes, thereby improving the ease of doing business and strengthening regulatory adherence.

**Clause 11(1)(a)(ii) of PWM Rules, 2016** Under this clause, marking and labelling requirements are exempt for cases governed by Rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011, provided they receive CPCB approval. For your reference, the pertinent excerpts from the rule are included below.

(1) Each plastic packaging shall contain the following information, printed in English, namely:-

(a) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging, in case of, rigid plastic packaging with effect from 1 July, 2024, multilayer flexible plastic packaging having more than one layer with different types of plastics, including plastic sachet or pouches, and multi-layered plastic packaging;

(b) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging and thickness in case of flexible plastic packaging of single layer including plastic sachet or pouches (if single layer), plastic sheets or like and covers made of plastic sheet, carry bags;

(c) name and registration certificate number for producer or importer or brand owner generated through centralized online portal specified in Schedule II for plastic packaging with effect from 1 January, 2025 and number of certificate issued under clause (h) of sub-rule (4) in case of plastic sheet or like used for packaging and plastic packaging as well as carry bags commodities made of compostable plastic, as applicable;

(d) name and certificate number issued under clause (h) of sub-rule 4 in case of plastic sheet or like used for packaging and plastic packaging as well as carry bags and commodities made of biodegradable plastic:

Provided that the provisions of this sub-rule shall not apply to plastic packaging covered under rule 26 of the Legal Metrology Packaged Commodities Rules, 2011, and in respect of plastic packaging cases where it is technically not feasible to print the requisite information, as per specifications given in the Guidelines for use of Standard Mark and labelling requirements under BIS Compulsory Registration Scheme for Electronic and IT Products;

Provided further that the plastic packaging under the first proviso shall be approved by the Central Pollution Control Board:

Provided also that the relevant information in respect of plastic packaging under the first and second proviso shall be printed on the packaging that holds together individual units of goods or the individual units of packaging.

**Rule 26 of The Legal Metrology (Packaged Commodities) Rules<sup>18</sup>, 2011** Rule 26(a) exempts SKUs that are less than 10 grams or 10 millilitres, while Rule 26(c) applies to products containing scheduled

**26. Exemption in respect of certain packages.-**

Nothing contained in these rules shall apply to any package containing a commodity if—

(a) the net weight or measure of the commodity is ten gram or ten milli litre or less, if sold by weight or measure;

\*Provided that the declaration in respect of maximum retail price and net quantity shall be declared on packages containing 10g to 20g or 10ml to 20ml.

(b) any package containing fast food items packed by restaurant or hotel and the like;

(c) it contains scheduled formulations and non-scheduled formulations covered under the Drugs (Price Control) Order, 1995 made under section 3 of the Essential Commodities Act, 1955 (10 of 1955);

(d) agricultural form produces in packages of above 50 kg'.

\* Provisio will stand withdrawn wef 01.07.2012 vide GSR 748(E) dated 24.10.2011

<sup>18</sup> <https://consumeraffairs.nic.in/sites/default/files/uploads/legal-metrology-acts-rules/8.pdf>



and non-scheduled formulations. For convenience, the relevant excerpts from these rules are provided below:

There are imported products which are manufactured for multiple countries at the same site and therefore, printing of India specific number is not possible. Request you to kindly exempt those products, if PIBO is doing EPR for the same.

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**Key Ask** Industry requests to outline the standard process to obtain the necessary approval for exemptions from the marking or labelling requirements as stipulated under Clause 11(1)(a)(ii) of PWM Rules, 2016. Alternatively, Industry request to reconsider the requirement as such without any prior approval.

**Clarity of Labelling Information vis-à-vis Plastic Waste Management (Amendment) Rules, 2024**  
**Clause 9** of the **Plastic Waste Management (Amendment) Rules, 2024**<sup>19</sup>, mandates that packaging must display the percentage of recycled content along with the appropriate Mobius loop symbol (numbered 1 to 7) to indicate the type of plastic used. For multilayered plastic (MLP) clarification is sought on whether Mobius loop number 4, denoting LDPE, should be used. Industry request confirmation to ensure accurate compliance with the labelling requirements, aligning with the provisions of the PWM Rules, 2024.

**Printing of Name & Registration Certificate Number on Rigid Plastic Packaging** In light of G.S.R. 807(E) dated October 30, 2023, which mandates the CPCB EPR registration number on every rigid packaging (Category I), industry faces significant challenges. FMCG companies often use hundreds of moulds with multiple cavities, making this requirement impractical. Industry request clarification that displaying the brand owner's name and registration number on the label attached to the rigid packaging will suffice for compliance. Industry also seeks exemptions for small packs, repeal of the CPCB's prior approval requirement, and allow manufacturers, brand owners, or importers discretion in demonstrating the impracticality of providing such details. Many moulds are imported, and modifications would require returning them to their country of origin, leading to substantial business disruptions and costs.

**Extension of implementation date for printing the Name & Registration Certificate Number on plastic packaging** Industries face challenges in implementing Rule 11 of the PWM Rules due to substantial quantities of pre-printed plastic packaging materials in inventory which were purchased/ imported anticipating future requirements of the business. Business volumes of some products of our members grow in the winter season. Therefore, they have printed/ imported huge quantities of packaging materials that are yet to be used for the upcoming winter season. These materials, procured well in advance for seasonal demand, cannot be retrofitted without significant financial and environmental costs. To prevent wastage and ensure compliance, industries have already updated new orders to include the required details. However, an **extension of nine to twelve months** is requested **to utilize existing stock responsibly**. For flexible plastic liner bags used exclusively for industrial purposes (B2B packaging), clear guidance is sought to address compliance requirements effectively.

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<sup>19</sup> [https://moef.gov.in/storage/tender/GSR201\(E\)-\[14032024\]-Plastic-Waste-Mangement-Rules-2024.pdf](https://moef.gov.in/storage/tender/GSR201(E)-[14032024]-Plastic-Waste-Mangement-Rules-2024.pdf)



This extension will enable a smoother transition, mitigate environmental harm from destroyed materials, and uphold the industry's commitment to sustainability and regulatory adherence.

**Exemption for Marking or Labelling on Small Packages** Industry face challenges in printing the Name and Registration Certificate Number on small product packaging due to space constraints. While **Rule 11 provides exemptions for products under Rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011**, and certain electronics, many small packages in other categories lack sufficient space for the required declarations. This is particularly relevant for B2B products packed in small custom-sized sachets or pouches and later transported in larger cartons or drums. Industry requests an exemption for such small packages where space limitations make compliance impractical, to preserve packaging functionality and aesthetics.

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**Marking or labelling on the Imported Products** As per the changes in the PWM Rules, dated October 30th, 2023, the specific exemption on the marking and labelling on the imported products has been withdrawn. Therefore, it mandates all imported plastic packaging to have the Marking or labelling declarations. There are certain challenges faced by the Brand Owners which are (a) The packaging manufacturers are located outside the country and manufacture the same packaging/ product for other markets which poses practical challenges and difficulties to incorporate this requirement for one specific country (b) Packaging along with the products are exported in different other countries as a finished good and India-specific regulations are inapplicable to other countries.

**Clarification and Safeguards Needed for Reuse Targets and Counterfeit Risks** Businesses are seeking clarity on the calculation of Reuse Targets under the PWM framework, effective from 2025-26. If businesses plan to phase out rigid containers in favour of flexible packaging, ambiguity remains about whether reuse targets will be calculated based on rigid packaging sold annually or averaged over the previous two years. If based on a two-year average, brands transitioning away from rigid packaging may face impractical targets in 2025-26 without the ability to generate credits. Additionally, implementing Deposit Refund Schemes to meet reuse targets could inadvertently increase counterfeiting risks, as counterfeiters may replicate packaging solely to exploit the refund system, undermining genuine compliance efforts. Industry request CPCB to clarify the calculation methodology for Reuse Targets, specifying whether targets will apply to annual or averaged sales of rigid packaging. Further, industry urge the introduction of safeguards within Deposit Refund Schemes to mitigate counterfeiting risks and protect the integrity of compliance systems.

**Impact of 50-Micron Plastic Film Thickness Requirement on Sustainability and Operational Efficiency Latest<sup>20</sup>** Plastic Waste Management (PWM) guideline mandates that single-layer plastic sheets, which are not an integral part of multilayered packaging (MLP), must be **more than 50 microns in thickness**. This regulation has led to a significant increase in the usage of plastic film, doubling consumption compared to previous standards where films of 20-30 microns were used for shrink-bundling and overwrapping. While this change aims to reduce plastic waste, it inadvertently contradicts the principle of "**reduce**" by escalating both plastic consumption and waste generation. Additionally, the increased film thickness introduces several technical challenges, such as the need for higher temperatures to shrink the sleeves, which can distort packaging, especially for mono cartons made from

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<sup>20</sup> <https://cpcb.nic.in/uploads/plasticwaste/2-amendment-pwmrules-2022.pdf>

paperboard. The **thicker material** is also **harder** for **consumers** to **tear**. However, if **multilayered packaging (MLP)** is used, the **film thickness** requirement drops to **20 or 30 microns**, alleviating these issues.

As per Rule 4 (1) (d) of PWM Rules 2016, "Plastic sheet or like, which is not an integral part of multi layered packaging (MLP) and cover made of plastic sheet used for packaging, wrapping the commodity shall not be less than fifty microns in thickness except as specified by the Central Government where the thickness of such plastic sheets impair the functionality of the product". Central Government shall grant such exemptions on recommendations of CPCB.

Restriction of 50 microns thickness as per Rule 4 (1) (d) of PWM Rules 2016 is not applicable to plastic sheet which is an integral part of MLP.

Since PIBOs are already fulfilling their Extended Producer Responsibility (EPR) obligations, **removing the 50-micron requirement**

**for shrink bundling and overwrap films** would significantly **reduce plastic consumption, improve operational efficiency**, and provide a better-quality experience for consumers. This change would support both environmental goals and industry functionality.

**EPR Liability Among Third-Party Manufacturers, Brand Owners, and Plastic Producers** The allocation of Extended Producer Responsibility (EPR) liability in cases involving third-party manufacturers (3Ps), brand owners (BOs), and plastic producers presents significant challenges. When a BO outsources production to a 3P, the plastic components required for manufacturing are often supplied by a plastic producer directly to the 3P on behalf of the BO. In such cases, invoices are generated in the name of the 3P. While the EPR responsibility for the finished product should lie with the BO, the current filing system often attributes EPR liability to the 3P. This creates a scenario where the plastic producer might also record EPR obligations for the same materials, leading to duplication if the BO is already covering these under their EPR targets. The issue becomes more complex when the 3P is unregistered under the EPR framework. Here, the onus of compliance for sales made to the unregistered 3P falls on the plastic producer, even if the BO has accounted for these obligations. This dual responsibility leads to redundancy and inefficiency. Regulatory clarity is urgently required to establish a streamlined mechanism that prevents duplicative compliance while ensuring accountability across the supply chain.

**Consolidation of Regulation, Guidance, and Expert Engagement** Industry members have highlighted the need for a structured, consolidated document encompassing the Plastic Waste Management Rules, 2016, as amended, along with related guidelines and schedules. Currently, these are scattered across multiple files on the EPR portal, creating challenges in compliance reporting, collection mechanisms, and technology adoption. A **single, updated document** serving as a comprehensive reference, along with expert-led workshops on best practices, reporting standards, and technological innovations, would significantly enhance clarity and EPR effectiveness across sectors.

**EPR Portal** The current EPR portal faces several challenges that hinder efficient compliance and data management. Firstly, there is limited flexibility in updating critical company information, such as registration details, company type, and contact information, making it difficult for stakeholders to maintain accurate records. Introducing a real-time feature to reflect user-submitted updates would streamline the process and improve overall portal functionality. Secondly, the annual reporting process is cumbersome, requiring line-by-line data such as invoices, product descriptions, and HSN codes, which demands significant specialized man-hours. The current CPCB bot is partially functional, preventing the efficient updating of a high volume of data. Simplifying the annual reporting requirements



by removing line-wise information would alleviate this burden. Lastly, new tabs like "reuse" in the CPCB portal are not self-explanatory, and there is a lack of prior notification or guidelines to help stakeholders correctly compile the required data beforehand. To improve the system, CPCB should publish clear guidelines for these new sections, similar to how they issue official gazettes for new implementations. These improvements would enhance data accuracy, simplify compliance, and make the portal more user-friendly for all stakeholders.

**Issues related to Labelling & Packaging of FMCG Products: Requirement of Inter-Ministerial Team to Look into Labelling and Artwork** FMCG products are required to display at least 17 legal declarations under four different legislations from various ministries. Frequent regulatory updates—such as labelling amendments—lead to significant disruptions. Between 2020 and 2023, there were 31 cumulative labelling changes, including 10 under the Food Safety and Standards Act alone. Between 2020 and 2022, there were **10 labelling amendments** under only the **Food Safety and Standards Act, 2006** and a total of **12 changes** including **Legal Metrology** and **Plastic Waste Management Rules**. In 2022 alone, companies had to grapple with 9 changes to labelling regulations under FSSAI, Plastic Waste Management Rules. These constant changes result in the **destruction of pre-printed packaging**, imposing **financial costs** and **environmental burdens**. In 2024, four more changes have already been recommended, further amplifying compliance challenges for the industry.

**Key Ask:** To mitigate these challenges, the industry proposes that updates to consumer goods regulations be scheduled at fixed intervals (e.g., annually in April-May), except in cases of urgent safety or environmental concerns. This approach would streamline compliance, enabling a **“one-touch”** update for **labelling and artwork** that consolidates all regulatory requirements. The use of **QR codes** as a solution to simplify labelling requirements, with the aim of making essential information clear and accessible. Additionally, industry is looking forward to more predictability in regulatory changes, suggesting a **calendarized approach to packaging modifications** to help businesses manage their inventory and compliance efforts more effectively. Given the multi-ministerial nature of these regulations, we look forward to the establishment of an inter-ministerial team to facilitate this process. Given the task's multi-ministerial nature, the industry requests Govt to lead the effort in establishing the inter-ministerial team.

**Conflicting Regulatory Frameworks Impacting Pharmaceutical Packaging** Indian drug manufacturers face significant compliance challenges due to conflicting mandates under the **Plastic Waste Management Rules<sup>21</sup>**, **Schedule M<sup>22</sup> of the Drugs and Cosmetics Rules, 1945**, and the **Indian Pharmacopoeia (IP)**. These frameworks impose overlapping yet contradictory requirements regarding the use of recycled content in pharmaceutical packaging materials. As per **Section 14.26<sup>23</sup> of Schedule M**, pharmaceutical packaging must adhere to IP standards, which prohibit the use of post-manufactured or recycled materials and disallow the reuse of previously filled containers to ensure product safety and integrity. Similarly, **Chapter 6.2.1<sup>24</sup> of IP** explicitly says It should be ensured that there is no change in

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<sup>21</sup> <https://thc.nic.in/Central%20Governmental%20Rules/Plastic%20Waste%20Management%20Rules,%20202016.pdf>

<sup>22</sup> <https://drugscontrol.py.gov.in/revised-schedule-m-gsr-922e>

<sup>23</sup> <https://drugscontrol.py.gov.in/sites/default/files/2024-08/G.S.R.%20922%28E%29.pdf>

<sup>24</sup> [Primary\\_Packages\\_for\\_Pharmaceuticals-8249242526.pdf](#)

the composition or any change in the manufacturing method used by the manufacturer and more importantly, that no use is made of post-consumer recycled material.

Conversely, **Schedule II<sup>25</sup>, Clause 7.4 of PWM Rules (Amendment) 2022** mandates the inclusion of recycled content in packaging. While CPCB allows exemptions on a case-to-case basis where statutory requirements conflict, pharma companies are still required to purchase credits to meet these obligations. This regulatory ambiguity creates **Operational inefficiencies** in manufacturing processes, **Higher compliance costs** due to mandatory procurement of credits and **Potential risks to product safety** when considering alternative packaging options.

**Key Ask:** To resolve these conflicts, the pharmaceutical industry requests uniform exemptions for pharmaceutical packaging under the PWM Rules, reflecting IP standards. **Harmonizing** Schedule M, IP, and PWM regulations is essential to create a **consistent framework** that ensures product safety, operational efficiency, and regulatory compliance.

**Clarifications requested for Use of Recycled Content in Category III of Plastic Waste Management Rules vis-à-vis Paper-based beverage cartons** Producers of paper-based beverage cartons wish to ensure timely compliance regarding Recycled Plastic Content in packaging material (Category III), in the Plastic Waste Management (Amendment) Rules, 2022. For this purpose, industry seek guidance and clarifications from MoEFCC on the following aspects:

- A. **Clarification regarding weight of recycled plastic content:** The rules mandate incorporating 5% recycled plastic content in Category III (multi-layer) packaging materials. Industry request clarification that this recycled plastic content must be 5% of the weight of the plastic components of the packaging material (and not 5% the total weight of all the packaging material, which includes other materials such as paper).
- B. **Clarification regarding compliance deadline:** The rules establish April 1, 2025, as the deadline for incorporating 5% recycled plastic content in Category III packaging materials. We request clarification that this deadline refers to new stock of packaged products produced with effect from that date, as older stocks will remain until sold out. Aseptic paper-based carton packages typically have a shelf life of 6 months, while aseptic packaging material has a shelf life of 9-12 months. Industry seek confirmation that this deadline refers to the initiation of production of beverage cartons using recycled content by brand owners.
- C. **Clarification on Importing Recycled Plastics:** The PWMR 2022 state that recycled plastic used in imported materials does not count towards fulfilling EPR obligations. We interpret "imported materials" to mean the finished imported packaging material, as EPR obligations are directly tied to the packaging material itself, rather than the raw materials used in its production. We request that import of raw material (polymer) with recycled content for the manufacturing of aseptic cartons in Category III be permitted and the recycled plastic be counted toward EPR obligations in a transition period until more recycled plastic producers are available in India. Further, India currently lacks sufficient chemical recycling facilities to produce food-grade recycled plastic for food and beverage packaging. The absence of these facilities is creating challenges for the beverage carton industry. While chemical recycling capacity is beginning to

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<sup>25</sup> <https://thc.nic.in/Central%20Governmental%20Rules/Plastic%20Waste%20Management%20Rules,%202016.pdf>



expand in India, industry will take time to establish these facilities on a larger scale. Therefore, industry request the Ministry to allow the import of recycled plastics as raw materials for domestic production (and counted toward EPR) until local recycling capabilities are sufficiently developed. A formal clarification on the allowance of import of recycled plastic to be used as raw material would be greatly appreciated by the industry.

- D. **Guidelines for Use of Recycled Plastic Content in Food Packaging:** As paper-based beverage cartons contain polymers for food contact, compliance with the 5% recycled plastics requirement necessitates clear guidelines for safe use in food contact materials. Further, the FSSAI has recently issued a written clarification dated 01 October 2024 to AARC (beverage carton industry alliance) that recycled plastic may be used in packaging material in Category III provided that it is used in the non-food contact layer. A written confirmation is sought from FSSAI whether this clarification would apply to all manufacturers of Category III packaging material for use of recycled content in compliance with PWMR. This clarification will be instrumental in ensuring compliance of Category III producers with the existing PWMR guidelines.
- E. **Clarity regarding Acceptable Certification:** The ISCC (International Sustainability and Carbon Certification) system is globally recognized for its robust framework in certifying recycled polymers through mass balance attribution and chain of custody methods. The industry kindly requests confirmation that ISCC certification will be recognized as valid for demonstrating compliance with the use of recycled polymers in the packaging value chain, as stipulated under the PWMR, 2022.
- F. **Packages without recycled plastic contents produced prior to April 2025:** Beverage products (such as dairy, juice) packaged in paper-based beverage cartons have an average shelf life of 6 months once filled. Given this, cartons produced prior to April 2025 and put on the shelf will need at least 6 months before getting exhausted completely. Industry seek clarification from the Ministry whether PIBOs will be allowed a grace period of up to 6 months to exhaust all paper-based beverage cartons produced without recycled plastic contents until March 2025.
- G. **Credit transfer:** To comply with the April 1, 2025, requirement of introducing recycled content in packaging material, producers of packaging materials will need to initiate production from at least 1st February 2025. However, since the recycled content mandate comes into effect from April 2025, Industry seek clarification on how producers can a) receive credit from CPCB for the packaging material produced prior to April 2025, and b) transfer the credit to brand owners for the packaging material produced prior to April 2025.
- H. **Imported beverage products:** Industry seek clarity whether beverage products imported into India post April 2025 will continue to be allowed to be sold or whether the requirement of minimum-recycled contents would apply from April 2025 on these imported cartons.
- I. **Use of pre-consumer waste for compliance with recycled content requirement:** Presently, PWMR 2022 does not specify whether producers are required to produce recycled plastics using only post-consumer waste or whether pre-consumer waste/industrial or factory waste could be reused in the packaging material towards meeting the recycled content requirements. A suitable clarification on this matter is sought from the Ministry.
- J. **Registration for Paper Mills as PWP to meet EPR Targets:** As per MoEFCC's directive dated 03.02.2023, for Category III targets, the obligations are based on the total weight of the packaging, not just the plastic content. As paper-based beverage cartons comprise of 70%



paper on average, paper mills serve as integral players in carton recycling. Industry kindly request that the Ministry allow EPR registration of paper mills as PWPs who are recycling both plastic and non-plastic packaging waste as per OM of CPCB. The current regulatory framework under the Plastic Waste Management (PWM) laws only recognizes the plastic component (about 25%) of paper-based beverage cartons, even though these cartons are made up of a significant portion of paper (approximately 70%). Additionally, regarding the recycling, it is pertinent to note that while the paper content is processed and contributes to recycling, the regulations primarily focus on the plastic material, leaving the paper recycling efforts unacknowledged in the final output. This misalignment between the input (paper cartons) and output recognition (plastic) creates a challenge for achieving higher recycling rates. Even if 100% of paper-based cartons are collected and recovered for processing, the lack of full recognition for the paper content hinders the ability to meet the desired recycling targets effectively. This gap needs to be addressed to enhance the overall recycling process and improve the compliance framework for packaging materials like beverage cartons.



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