

To the Agricultural Permanent  
Representatives to the EU

Bruxelles, 13 December 2023

**Subject: AREFLH and AREPO concerns on regulation on packaging and packaging waste and how the formulation of Article 22 and Annex V, par. 2, proposed in the Presidency compromise proposal would affect PDO and PGI fruits and vegetables**

*Dear Permanent Representative,*

In view of the upcoming Environment Council, to be held on 18 December 2023, during which you are going to agree on the general approach on a proposal for a regulation on packaging and packaging waste that will serve as the negotiating mandate to begin trilogues with the European Parliament, we would like to flag an issue of concern regarding this regulation.

Particularly, we would like to raise your attention on the formulation proposed in the Presidency compromise proposal with regard to **Article 22 and Annex V, par. 2** of the above-mentioned regulation. As a matter of fact, banning single-use packaging for fruit and vegetables weighing less than 1.5 kg, without distinguishing between plastic packaging, paper packaging, cardboard packaging or more virtuous packaging such as paper-linen or paper-bamboo composites, **would be detrimental to fruits and vegetables under EU quality schemes. For this reason, we believe that an exemption to PDO and PGI fruits and vegetables should be granted.** This exemption for quality schemes is necessary because of the need to provide consumers with the compulsory information on certification and the logo. Moreover, the absence of this information on packaging would increase the risk of deliberate fraud or clumsy communication about the true origins and quality of labelled products.

Reading the Presidency compromise proposal, **we are aware that the possibility of exempting fruits and vegetables under quality schemes is not completely phased out.** In fact, Art. 22, par. 4b, allows the European Commission, through a delegated act, to publish guidelines in consultation with Member States including examples of packaging and any exemptions to the restrictions together with an exemplificative list of fruits and vegetables excluded from Annex V, par. 2.

However, we are worried that **this still leaves a level of uncertainty as to which products could actually be exempted in the future.**

As a result, we would like to draw your attention to **the European Parliament's formulation of this Annex**, which we consider to be much more comprehensive and reassuring, **expressly specifying an exemption for PDO and PGI fruits and vegetables.**

Consequently, for the sake of further clarity and legal certainty, we would like to encourage you to align the position with the one of the European Parliament.



We thank you in advance for your time and consideration and remain available to engage in further exchanges on the matter.

Yours faithfully,

Simona Caselli  
**AREFLH President**

Laurent Gomez,  
**Secretary General of AREPO**

[AREPO, the Association of European Regions for Products of Origin](#) is a network of regions and producer associations that deals with products of origin and EU quality schemes. It represents 35 European regions and over 850 associations of producers for over 60% of European GIs.

[AREFLH, the Assembly of European Horticultural Regions](#) is an association founded in the year 2000. It represents its 17 member regions, 41 POs and AOPs and 9 associate members from 11 European countries operating in the fruit and vegetable sector.