



Japan Machinery Center  
for Trade and Investment

3th February 2025

Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan, Jor Bagh Road,  
New Delhi – 110003

Via email: [sohsmd-mef@gov.in](mailto:sohsmd-mef@gov.in)

**Our comments on draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024: Notification No. S.O. 5282(E)**

Dear Sirs,

The Japan Machinery Center for Trade and Investment (“**JMC**”) is a non-profit organization. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of the JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues regarding products for trade and is strongly concerned with overseas environment- and product safety-related regulations on products. From this standpoint, we would like to comment on Our comments on draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024: Notification No. S.O. 5282(E).

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If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: [morikawa@jmcti.or.jp](mailto:morikawa@jmcti.or.jp))).

Sincerely yours,

A handwritten signature in black ink that reads 'Kanno Yasuhiko' in a cursive style.

KANNO Yasuhiko

Chairman

Environment Law Committee



**Our comments on draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024: Notification No. S.O. 5282(E)**

We, the Japan Machinery Center for Trade and Investment, would like to send the following comments to the Ministry of Environment, Forest & Climate Change regarding draft Environment Protection (Extended Producer Responsibility for Packaging made from paper, glass and metal as well as sanitary products) Rules, 2024: Notification No. S.O. 5282(E) published on the 6<sup>th</sup> December, 2024.

We understand the Government of India's concern for ensuring environmentally sound management of packaging made from post-consumer paper board, glass and metal, and paper products including sanitary products and efforts to promote circular economy through reuse, recovery and recycling.

Having given the rules careful consideration, we are concerned about a number of provisions that will be difficult for producers to comply with in practice and submit the following comments.

Our comments below are specifically on the requirement of the use of recycled content for paper packaging.

1. The scope of the rules is too broad.

According to Rule 5., any packaging made of paper is covered.

We understand this to mean that all paper packaging such as packaging for B2C and B2B products, transport packaging, packaging for manufacturing parts, and packaging for repair parts are covered by the rule. Transport packaging and packaging for repair parts are not necessarily procured and controlled by PIBOs. It is unrealistic to obtain information on the recycled content usage rate and weight for such vast range of packaging.

2. The obligation to use recycled content should not be imposed.

Packaging materials other than plastic, especially paper, have been widely recycled and used in the world without mandatory requirements. To promote the use of non-plastic packaging materials, regulations on areas such as the use of recycled material or detailed reporting requirement that could hinder their use should be avoided.

3. Collecting information on the recycled content usage rate is extremely burdensome and unrealistic. According to sub-rule (7) of Rule 7., the PIBOs shall ensure the following percentages of the recycled content usage rate in packaging made from paper:

2026-27: 40%

2027-28: 50%

2028-29: 60%

2029-30 and onwards 70%.

As mentioned above, for paper packaging, recycled paper is widely used without the need for mandatory requirements. However, the recycled content rate of individual paper packaging is not necessarily clear. It is unrealistic to collect information on the recycled content rate for so many types of paper packaging, and in such a short timeframe.

4. The target for recycled content usage rate is too high.

In addition, the availability of recycled material for paper packaging is not always stable, and the supply is not sufficient in certain countries and regions of the world. Under such circumstances, the recycled content use target of 40% to 70% as required in sub-rule (7) of Rule 7. it is difficult to meet. Even if packaging is available, suppliers will be significantly limited.

5. Obtaining information on the recycler of recycled material is challenging.

According to sub-rule (7) of Rule10., PIBOs shall annually report to CPCB and include the provision of information on recycled content rate used for packaging and details of the registered recyclers from whom the recycled packaging has been procured.

It is challenging and unrealistic to confirm the recyclers of all recycled material used in packaging. Recycled materials are often procured from multiple sources which may change, and it may not be possible to track the latest information. It is especially difficult to obtain information if the manufacturer is downstream processor. In fact, information on recycled material supplier may be confidential for business reason and it may not be possible to obtain such information. Also, it is unclear from the rules which system the necessary registration of recyclers is based on.

6. Environmentally designed packaging which does not use recycled material should also be acknowledged.

According to sub-rule (1) xi. of Rule 3, “Use of recycled content” means recycled material, instead of virgin material, is used as raw material in the manufacturing process.

There are paper packaging options of paper made from a blend of materials such as sugar cane pomace or bagasse, plants that can be harvested in short cycles such as bamboo, which avoid the use of virgin pulp. Therefore, packaging designed with consideration to the environment should be regarded as equivalent to packaging made of recycled material.

7. Paper packaging is used for many applications, and it is not appropriate to require the use of recycled materials in all cases.

Paper packaging materials have various applications, such as the following, and the appropriate material is selected accordingly.

- a. Exterior packaging (e.g., cartons)
- b. Cushioning materials (e.g., pulp molds)
- c. Wrap for precision products to prevent scratches and dust
- d. Separator between rubber/soft plastic parts and the contacting material so that they do not adhere to each other in high-temperature, long-time shipping and storage.

Recycled materials can be used in applications a and b above, but materials containing recycled materials should be avoided in c and d applications in order to maintain product quality. On the other hand, the amount of packaging used in c and d is very small, and the use of recycled materials does not provide meaningful environmental benefit.

8. If, nevertheless, the use of recycled content for paper packaging will be required, the scope of packaging and target of recycled content use should be limited to a realistic requirement, and the requirement for foreign recycled material should not be disadvantageous compared to that for Indian recycled material.

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