



# **EPTP-M-01.- MODUS OPERANDI - PETCORE EUROPE PET TRAY RECYCLABILITY EVALUATION PLATFORM.**

## **Structure and goal of the platform**

### **1. Objectives**

The main objectives of the Petcore Europe PET Tray Recyclability Evaluation Platform (EPTP) are:

- To evaluate the recyclability of PET thermoformed container technologies / products;
- To allow new PET thermoformed container innovations, while at the same time minimising economic and environmental consequences for the European PET recycling industry;
- To promote the recyclability of PET thermoformed containers on the market by:
  - Proposing European harmonised guidelines for PET tray (and other thermoformed containers) recyclability that will be accepted across the whole value chain.
  - Encouraging industry to test new PET tray concepts and/or materials before market launch according to the harmonised guidelines.
  - Giving advice and recommendations to the different stakeholders.
  - Sharing information and knowledge across the whole value chain considering competition law rules and respecting confidential information.

Petcore Europe has a resolute policy of complying with competition law in all its activities.

### **2. Structure and Operation of the Platform**

The Platform is comprised of a Steering Committee and a Technical & Evaluation Committee ('Technical Experts').

Both the Steering Committee and Technical & Evaluation Committee members are proposed by the representative industry group and confirmed by Petcore Europe and can be dismissed by Petcore Europe. The composition of both committees can be found in cl Annex 1

#### **2.1 Steering Committee**

The members of the Steering Committee ('Committee Members'), in alignment with Petcore Europe's mission and vision, have the following strategic responsibilities, discussed in strategic meetings (to be held at least twice a year).

- Adjust the structure and assessment procedure of the PET tray evaluation platform if required;
- Define priorities of the Platform (strategic level);
- Allocate resources and appoint people for supporting roles;
- Review and validate the recommendations of the Technical Committee;
- Approve documents aimed to external communication.

Invitations to Steering Committee Meetings are sent by email at least two weeks before the meeting, except in case of urgent necessity. The invitations contain the agenda, date, place (meaning physical place or other means such as teleconference or intranet forum) and hour of the meeting and are deemed to have been effected at the time of their dispatch.

Meetings are chaired by the Petcore Europe Executive Director or his representative, acting as Chairman.

If a Committee Member cannot attend a Steering Committee meeting, he may grant a proxy to another Committee Member (including the Chairman) to represent him at such meeting and to vote in his place, or he may participate in the meeting by other means such as teleconference or intranet forum if they are supported.

Decisions can be taken outside of meetings, at the written request of the Chairman, who addresses the request for a decision in writing (email or registered letter) to all Committee Members. All such requests for a decision must be returned by the Committee Members within twenty calendar days of the date of the request or will have been deemed to be accepted.

The Committee Members will always try to arrive at a consensus for all decisions. If no consensus is reached, decisions are taken by a simple majority of the votes.

Each Committee Member has one vote. The Chairman (Petcore Europe Executive Director or his representative) has no ordinary voting right, unless in case of parity of votes, in which case the Chairman has a decisive vote.

Minutes of meetings will be recorded by a Petcore Europe representative. They will be uploaded in the Petcore Europe intranet dedicated area and sent by email to all Committee Members within 10 days after the meeting. The Committee Members who were present, validly represented or attended by other means, have 20 calendar days from the date of that email to submit comments and amendments to the Petcore Europe representative. No comments in this period and the minutes will be deemed to have been accepted. If comments or amendments have been made, discussion and formal approval of the minutes will take place at the following meeting by simple majority. Committee Members not attending the following meeting and Committee Members who submitted no comments or amendments within the above time limit will be deemed to have approved the Minutes.

Membership of the Steering Committee is not remunerated.

## **2.2 Technical and Evaluation Committee**

Membership in the Technical & Evaluation Committee is limited to representatives of associations or companies that have personally signed the non-disclosure agreement (supporting document #1) and can make a genuine and proactive contribution to the work. They are hereinafter called the 'Technical Experts', and their meetings the 'Technical Meetings'.

Technical Meetings are chaired by a Petcore Europe representative, acting as Chairman.

The Technical Meetings serve to:

- Assess the impact on recyclability of new PET thermoforms concepts using the most recent test results and technical assessments.

- Create, recommend and publish harmonised European guidelines for PET tray recyclability and develop quick tests when appropriate.
- Issue technical opinions following a review of and summarising the test results, conclusions and recommendations (incl. communication)
- Ensure the feedback to the Applicant and the communication to other stakeholders according to the instructions of the Applicant. Any external communication needs prior approval by the Applicant.

Each Technical Expert will be provided with access to the Petcore Europe intranet and to the assessments for which the Applicant has allowed disclosure of confidential information, after acceptance of non-disclosure obligations vis-à-vis the Applicant concerned.

The Technical Meetings are closed sessions, external participants can be invited, if required for the purpose of the topics and assessments being discussed, were the NDA obligations are still honoured.

Before submitting an evaluation application, an Applicant can exclude any Technical Expert from accessing the confidential application information. This means that if an assessment is discussed during a meeting and one or more Technical Experts are not allowed to access confidential information related to that assessment, they must abstain and, if necessary, they will be requested by the Chairman to temporarily leave the Technical Meeting.

Technical Meetings take place whenever required or at least three times a year (in person or via teleconference). Invitations to Technical Meetings are sent by email at least two weeks before the meeting, except in case of urgent necessity. The invitations contain the agenda, date, place (meaning physical place or other means such as teleconference or intranet forum) and hour of the meeting and are deemed to have been effected at the time of their dispatch. Technical Experts are requested to provide confirmation or apology at least three days before the meeting.

Technical Experts that do not attend a Technical Meeting (meaning in person, by proxy or other means such as teleconference) without providing such apology will receive a warning. If they do not attend the following Technical Meeting, again without providing an apology, nomination of a replacement will be asked. In case an apology is provided, replacement is still asked after the third consecutive missed Technical Meeting

The Technical and Evaluation Committee will always try to arrive at a consensus for all decisions. If no consensus is reached, decisions are taken by a simple majority of the votes.

Each Technical Expert has one vote. The Chairman (Petcore Europe representative) has no ordinary voting right, unless in case of parity of votes, in which case the Chairman has a decisive vote.

If a Technical Expert cannot attend a Technical Meeting, he may grant a proxy to another Technical Expert (including the Chairman) to represent him at such meeting and to vote in his place, or he may participate in the meeting by other means such as teleconference or intranet forum, if supported.

Decisions can be taken outside of Technical Meeting, at the written request of the Chairman, who addresses the request for a decision in writing (email or registered letter) to all Technical Experts. All such requests for a decision must be returned by the Technical Experts within twenty calendar days of the date of the request or will have been deemed to be accepted.

Minutes of meetings will be recorded by a Petcore Europe representative. They will be uploaded in the Petcore Europe intranet dedicated area and sent by email to all Technical Experts within 10 days after the meeting. The Technical Experts who were present, validly represented or attended by other means, have 20 calendar days from the date of that email to submit comments and amendments to the Petcore Europe representative. No comments in this period and the minutes will be deemed to have been accepted. If comments or amendments have been made, discussion and formal approval of the minutes will take place at the following meeting by simple majority. Technical Experts not attending the following meeting and Technical Experts who submitted no comments or amendments within the above time limit will be deemed to have approved the Minutes.

Membership of the Technical & Evaluation Committee is not remunerated.

### **2.3 Competition law**

Petcore Europe has a resolute policy of complying with competition law in all its activities. The key principle is that no agreement as to trading matters is to be discussed in meetings, e-mails, phone conferences, intranet and any communication form among Members.

The general rule is: do not exchange any confidential or commercially sensitive information, including but not limited to:

- Discuss prices charged to any customer or paid to any supplier.
- Discuss details of trading terms with any customer or supplier.
- Discuss current stock levels, volumes, recent or planned sales figures, shelf positioning, promotions, allocation of sales territories or markets or customers.
- Engage in discussions that could lead to a boycott of a supplier or customer or to an understanding that a named supplier or customer is not a suitable business partner.

Detailed format of the competition law checklist which used before every meeting is available in Annex "5"

### **2.4 Support by Petcore Europe**

Petcore Europe is responsible for managing operations and NDA, and executes the following tasks:

- Answer questions from PET industry stakeholders about the tray recyclability evaluation platform and promote the platform in events when agreed, e.g. by giving speeches to conferences.
- Receive evaluation requests by potential Applicants, assess whether they fall within the scope of the tray recyclability evaluation platform and guide the Applicant in the application form submission.
- Provide the Applicant with the updated list of Technical Experts. If the Applicant requests individual Technical Experts to be excluded from the discussion, Petcore Europe is responsible to exclude them from all discussions.
- Manage application projects, acting as a focal point for information transfer between the Applicant and the Technical Experts.

- Provide support to the Technical Experts in document management and update, such as protocol, position papers, etc.
- Manage Technical and Steering Committee Meetings: circulate the agenda, chair the meeting, write and circulate the minutes.
- Petcore Europe ensures proper functioning of the platform and enables the Technical Experts' decision making process on applications.
- Petcore Europe ensures proper functioning of the dedicated website area and intranet by performing the following tasks:
  - Host and update both the public and private webpages regarding the platform.
  - Upload relevant documentation, e.g. assessment results and update existing one (e.g. design guidelines).
  - Manage access rights to the intranet, by providing each Technical Expert with an account and access only to the parts of the intranet that are relevant to the role and conditional to acceptance of a non-disclosure obligation from the Technical Expert vis-à-vis the Applicant concerned.
  - Manage the intranet discussion forum.
  - Manage the Technical Experts register.
- Petcore Europe manages the content and signature of the Signed agreement with Applicants (third-party) by performing the following tasks:
  - Agree on the standard third-party agreement document, including the Non-Disclosure Agreement (NDA) asking for support of a lawyer if required, and keep it up-to-date (Annex 3).
  - Provide the third-party agreement document to the Applicant and get it signed by the Applicant.
  - Have the Technical Experts accept a non-disclosure obligation (Annex 2) vis-à-vis PETCORE Europe .
  - If the Applicant requires amendments to the third-party agreement document, discuss the changes with a lawyer and have them accepted by the Technical Experts.
  - Store the third-party agreement document.
  - The third-party agreement document includes the NDA, required to allow confidential information exchange between the Applicant and the Technical Experts. The applicant may choose to exclude individual Technical Experts from the discussion by providing written notice.

## 2.5 Expenses

Any expense and its coverage for products or services provided by a Technical Expert or by a Third Party for the Petcore Europe PET Tray Evaluation Platform shall be approved upfront by the Steering Committee.

Any expense and coverage for products or services provided by a Steering Committee member or 3<sup>rd</sup> party for the Petcore Europe PET Tray Evaluation Platform shall be approved upfront by the TC if this within annual budget for the EPTP or by the BoD of PETcore europe if it is outside the annual EPTP budget.

The platform's operations are ensured by Petcore Europe staff members which are covered within Petcore Europe's budget. The details for the hours per employee need to be detailed in the annual EPTP budget.

Recyclability evaluation laboratory tests have to be carried out upon Applicant's expense. The applicant retains ownership of the test results.

### 3. Assessment Procedure

Process-step	Tools	Output	Who
<p><b>Initial request</b> A request is introduced by a third-party Applicant, the Platform or one of its members.</p>	Application Form	Signed application form	Applicant
<p><b>Application validation</b> Petcore Europe verifies if the application falls within the scope. Consultation with Technical Committee if appropriate.</p> <p>For third-party applications only: Petcore Europe provides the Secrety Agreement with Applicant (third-party) and has it signed by the Applicant.</p> <p>Petcore Europe provides the Applicant with the updated list of Technical Experts. The Applicant can have one or more Representatives excluded from the discussion by providing a written motivation.</p> <p>Petcore Europe opens a dedicated discussion topic in the assessment discussion forum of the intranet, providing access only to the Technical Experts for which the Applicant had no objection and who accepted a non-disclosure obligation vis-à-vis the Applicant regarding all information submitted by the Applicant, and uploads the Application Form.</p>	<ul style="list-style-type: none"> <li>- Agreement with Applicant (third-party)</li> <li>- Intranet discussion forum</li> <li>- Access limitations, subject to acceptance of NDA</li> <li>- List of Technical Experts</li> </ul>	<ul style="list-style-type: none"> <li>- Signed agreement</li> <li>- Logging NDA acceptance</li> <li>- New discussion</li> </ul>	Petcore Europe & Applicant
<p><b>Existing information retrieval</b> Petcore Europe asks the Applicant to provide the global penetration rate of the PET thermoform concept, including competitors (for safety factor calculation) and any available documentation and information that can help speeding up the</p>	Discussion Forum		Petcore Europe & Applicant

evaluation process (e.g. lab tests) and uploads it in the discussion			
<b>Discussion</b> The Technical Experts starts a discussion on how to proceed with the assessment. Petcore Europe may facilitate the discussion by making proposals. Proposals are accepted if no answer is provided within 20 calendar days from posting in the forum. Technical Experts may ask for additional information. The Petcore Europe representative acts as focal point for communication between the Applicant and the Technical Experts. Any request for confidential information disclosure from the Applicant has to be justified and limited to the purpose of the evaluation.	Discussion Forum		Petcore Europe, Technical Committee & Applicant
<b>Quick-Assessment</b> Fast assessment based on experience, history or quick lab-test for basic products. If fast assessment is not possible, then next step.	<ul style="list-style-type: none"> <li>- Petcore Europe PET Tray Recycling Guidelines</li> <li>- History (in-house tests, or other external tests)</li> </ul>	Yes/No-response: YES = fully compatible with existing PET stream - assessment is finished (go to communication). NO or uncertain = next step.	Petcore Europe & Technical Committee
<b>Test Design</b> Tests are designed on case-by-case basis by the Technical Experts, according to the specificities of the PET thermoform concept under assessment. Whenever possible, the protocol will be followed. "Ad-hoc" testing might be required in some cases.	<ul style="list-style-type: none"> <li>- Test design based on protocol</li> </ul>	Approved test design by Technical Experts	Petcore Europe, Technical Committee & external laboratory
<b>Testing</b> Test requirements are communicated to the Applicant. Tests have to be carried out by qualified laboratories endorsed by the Technical & Evaluation Committee upon Applicant's expense. The Applicant retains ownership of the test results.		Test result and report	Petcore Europe, Applicant & External laboratory
<b>Evaluation and Decision</b> Decision Yes /No or Yes under conditions. Temporary endorsements might be possible for very novel concepts and under specific conditions.	<ul style="list-style-type: none"> <li>- Test report</li> <li>- Evaluation report</li> <li>- Recommendation</li> </ul>	Overview of test results, feedback to Applicant, proposal for external communication (if necessary)	Petcore Europe & Technical Committee

<p><b>External communication</b>          Either passive (e.g. adapted Guidelines for Recycling) or active communication (e.g. press release). Active communication needs validation by the Steering Committee. Positive opinion statements publication on Petcore Europe website needs Applicant's approval after the positive assessment. The Applicant is offered opportunity to review the content of a positive opinion before final approval. Proposed amendments have to be approved by the Technical Committee and be in line with the assessment conclusions.</p>	<ul style="list-style-type: none"> <li>- Guidelines</li> <li>- Press release and website publication</li> </ul>	<p>Statement concerning evaluated technology</p>	<p>Petcore Europe, Technical Committee &amp; Steering Committee</p>
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Further  
Test  
Required?

NO

New  
Application

Steering Committee

YES

## 4. External Communication and Publication Guidelines

The Technical Committee can recommend the use of communication tools (e.g. design guidelines, press releases, fact sheets, etc.), considering the publication guidelines. All external communication must be validated by the Steering Committee and must be approved by BoD PETcore Europe

### Publication Guidelines

Every publication by the Platform, based on the opinion of the Technical Committee has to be approved by the Steering Committee and should contain at least the following information:

- Petcore Europe logo
- Date
- Title (including applicant, content of evaluation)
- introduction of the applicant
- content of the evaluation (what was tested, according to what protocol)
- results
- conclusions (including additional conditions)
- contact information

The recommendations of the Technical Experts fall under one of the following categories, according to the Design for Recycling Guidelines for PET thermoforms. Any external communication including information about an Applicant needs prior review and approval by the Applicant.

- Full compatibility – no impact on the collection & sorting schemes and on the PET recycling process (also known as category “YES”);  
The Platform can communicate in such a way as to contribute to the development of this PET thermoformed container and/or to promote market introduction thereof.
- Limited compatibility - Limited impact on the collection & sorting schemes and on the PET recycling process (also known as category “CONDITIONAL”). The conditions of endorsement set by the Platform specify the conditions that the Applicant, or a third-party, will need to meet to keep their PET thermoformed container endorsed for recyclability. It is the responsibility of the Applicant to ensure that their clients are aware of the conditions for endorsement.  
The Applicant is encouraged to inform the Platform prior its market introduction.  
In the event the Platform finds any violation of the conditions for endorsement, the Applicant will be contacted in order to give an opportunity for compliance. In case of non-compliance the recyclability endorsement can be reversed.
- Low or no compatibility – negative impact on the collection & sorting schemes and/or on the PET recycling process (also known as category “NO”).  
In the event the Applicant decides to put or to keep the PET container on the market after receiving a negative assessment – thus jeopardizing the PET recycling in general, as well as the use of the recycled material in different end applications –, the Platform may contact the application in order to give an opportunity for compliance.

- Temporary endorsements - Temporary endorsements might be possible for very novel PET thermoformed container concepts and under specific conditions. For very novel concepts, that are still in the development phase, testing and experience from PET recyclers might not allow the Technical Experts to come to a definitive conclusion. The Platform might decide to provide these concepts with a temporary endorsement, under specific conditions (in any case the innovation has to be aligned with the guidelines, and has to not create issues in recycling – i.e. losses, contamination, etc.). The temporary endorsement has a clear expiration date and is provided to allow the Applicant to bring the solution to the market under controlled conditions. During the temporary endorsement period, the Applicant cooperates with the Platform (for example by carrying out additional tests or getting feedback from PET recyclers) in order to obtain the answers to the questions still open and allow the Platform to come to a definitive conclusion. The Platform reserves the right to withdraw the temporary endorsement at any time, let it expire or provide a deadline extension, depending on the assessment ongoing and the cooperation with the Applicant.

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## Annex 1 List of Platform Members

### Steering Committee

The Steering Committee is chaired and coordinated by the Executive Director of Petcore Europe, which facilitates the platform by staying neutral to represent the PET value chain and coordinate to bring the experience from all parts of value chain.

- Two Representatives, Plastics Recyclers Europe – **1 Vote**
  - Herbert Snell (Veolia)
  - Paolo Glerean (Aliplast)
- Three manufacturers – **1 Vote**
  - Ana Fernandez (Klöckner Pentaplast)
  - Nicolas Lorenz (Paccor)
  - Mark Dawes (Dupont-Teijin)
- One or two representatives from brands – **1 Vote**
  - Rafael Graterol (group Bel)
- Two EPRs representatives – **1 Vote**
  - An Vossen (Plarebel)
  - Paul East (Recoup)
- PETCORE Europe – **1 Vote** (vote only in case of parity)
  - Christian Crépet, Executive Director Petcore Europe (vote only in case of parity)
  - Raphael Jaumotte, Technical Manager
- Optional at a later stage: other parts of the value chain (important: has to represent full segment of value chain)

### Technical and Evaluation Committee

Meetings are chaired and coordinated by ???(each member has one vote except for the Petcore Europe representative, as indicated),

- Two Representatives, Plastics Recyclers Europe – **1 Vote**
  - Fabrizio Di Gregorio, Plastics Recyclers Europe
  - Willem Christiaans, Plastics Recyclers Europe, Indorama
- Two EPRs representatives – **1 Vote**
  - Vincent Colard, Citeo
  - Luca Stramare, EPRO, Corepla
- Three manufacturers WG – **1 Vote**
  - Samuel Pardo, KP
  - Matthias Mazurelle, TPL
  - David Constant, Paccor
- One for two representatives from brands – **1 Vote**
  - Rafael Graterol, Groupe Bel
- PETCORE Europe – **1 Vote** (vote only in case of parity)

- Raphaël Jaumotte, Petcore Europe
- Christian Crepet, PETCORE Europe
- Possible invitees for technical support – No voting rights

**Annex 2: NDA for Technical Experts**

See ‘Annex 1 - NDA\_TrayEvaluationPlatform for Technical Experts’

**Annex 3: Application Form and Secrecy Agreement**

see “Annex 3-1- Application Form Petcore Europe Tray Evaluation Platform” and “Annex 3-2- Petcore Europe Tray Evaluation Platform - Secrecy Agreement for applicant”

**Annex 4: PET Tray Design guidelines and Recycling Evaluation Protocol**

see “Annex 4 - Tray Recycling Evaluation Protocol” and Design Guidelines

**Annex 5: format competition law checklist for the meetings**

Version	Publication Date	Revision notes
V0	Sept-21	NEW DOCUMENT