

Packaging and packaging waste: recovery and recycling of waste

2001/0291(COD) - 11/02/2004 - Final act

PURPOSE : To amend Directive 94/62/EC on packaging and packaging waste. **LEGISLATIVE ACT :** Directive 2004/12/EC of the European Parliament and of the Council amending Directive 94/62/EC on packaging waste. **CONTENT :** The provisions outlined in this Directive increase and reinforce the recycling and recovery targets originally set out in the 1994 Directive on Packaging and Packaging Waste. In addition the definition of "packaging" is clarified. Temporary derogations are foreseen for Ireland, Portugal and Greece. Similarly, the acceding Member States have been awarded temporary derogations. In essence, the following points amend the 1994 Directive: Firstly, the definition of "packaging" is enhanced. Annex I lists illustrative examples of what may or may not constitute "packaging." Thus, for example, the film around a CD box is "packaging", whilst tool boxes or wax around cheese is not. Secondly, on the question of "prevention" Member States should ensure that preventable measures for the production of packaging and packaging waste are implemented. This may take the form of national programmes and/or projects to introduce producer responsibility to minimise the environmental impact. The European Commission will assist the Member States in this task by developing suitable European standards. In addition, the Commission will present proposals for measures ensuring that producers have taken all the necessary measures to minimise the environmental impact of a product. Thirdly, new targets are set for the recovery and recycling of waste. They are: - No later than 30 June 2001 between 50% as a minimum and 65% as a maximum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery. - No later than 31 December 2008 60% as a minimum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery. - No later than 30 June 2001 between 25% as a minimum and 45% as a maximum by weight of the totality of packaging materials contained in packaging waste will be recycled with a minimum of 15% by weight for each packaging material. - No later than 31 December 2008 between 55% as a minimum and 80% as a maximum by weight of packaging waste will be recycled. - No later than 31 December 2008 the following minimum recycling targets for materials contained in packaging waste will be attained: -60% by weight for glass; -60% by weight for paper and board; -50% by weight for metals; -22.5% by weight for plastics, counting exclusively material that is recycled back into plastics; -15% by weight for woods. Fourthly, Greece, Ireland and Portugal have been given temporary derogations and are free to choose the date of implementing the targets outlined above - but the date must be no later than 31 December 2011. The Commission is asked to prepare a report by 2005 on the implementations of the Directive and its impact on the environment. Lastly, requirements are also made for scientific and technical progress. In this matter the European Commission will be assisted by a Committee. **ENTRY INTO FORCE:** 18/02/2004. **IMPLEMENTATION:** 18/08/05.