

# Packaging and packaging waste: recovery and recycling of waste

2001/0291(COD) - 06/03/2003 - Council position

On the basis on a cost-benefit analysis the Commission has proposed the limited revision of Directive 94/62/EC described under point II above, thus not proposing to undertake a broader revision at this point in time. The Council has, in general, accepted this limited approach at this stage while emphasising a number of elements which should be considered in the coming report on the progress of the implementation and impact of the Directive on the environment as well as on the functioning of the internal market. This report should be able to serve as a basis for a broader revision. Against that background, the main points of the common position, in addition to the requirements to the above mentioned report and a coming revision, are the following: 1) The Council finds that the definition of "packaging", which is already established in Directive 94/62/EC shall be further based on three supplementary criteria, which are accompanied by certain non-binding illustrative examples set out in an Annex. These supplementary criteria, as well as the non-binding illustrative examples, should help in the practical work when deciding what constitutes packaging and what is not packaging. Technical adaptation of the illustrative examples may be needed and can be initiated according the relevant procedure. 2) The new definitions concerning recycling proposed by the Commission, which aim to distinguish between mechanical, chemical and feedstock recycling, have not been accepted since this is considered to be premature so long as newer forms of recycling are not yet fully developed. 3) With regard to the revision of targets, the Council agreed on an increase to 60% of the minimum target for recovery of packaging waste, but without a maximum target which is no longer considered necessary to ensure the functioning of the internal market. Furthermore, the Council has agreed on an increase to 55% of the minimum target for recycling of packaging waste with the maximum target being increased to 80%. It was also agreed to establish specific minimum recycling targets for certain materials contained in packaging waste (glass, paper and board, metals, plastics recycled into plastics and wood). In connection with these increases of the targets it was decided to establish a somewhat longer timeframe than proposed by the Commission for Member States to reach the increased targets, namely a general deadline by 31 December 2008 and a special deadline four years later for the three Member States which were also granted this amount of additional time under Directive 94/62/EC that is Greece, Ireland and Portugal. Concerning the European Parliament amendments, 16 of these have been incorporated, either verbatim, in part or in spirit, into the Council's common position. The Council considers that its common position takes account of the Opinion of the European Parliament in first reading to an important extent and wherever possible on the basis of the approach of a limited revision, with a feasible increase of certain targets at this stage coupled with requirements for the coming broader revision. The Council's common position represents a balanced solution for a focused amendment of the Directive and, within that line of ambition, ensures an environmental benefit to be derived from the new targets while making requirements on industry which are practically feasible and while also maintaining the internalmarket safeguards necessary in this field.