Basic information

2015/0276(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Packaging and packaging waste: resource efficiency. Circular economy package Amending Directive 94/62/EC 1992/0436(COD) See also 2015/0272(COD) See also 2015/0274(COD) See also 2015/0275(COD) **Subject** 3.70.12 Waste management, domestic waste, packaging, light industrial waste	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	BONAFÈ Simona (S&D)	22/12/2015
	Shadow rapporteur FLORENZ Karl-Heinz (PPE) DEMESMAEKER Mark (ECR) TORVALDS Nils (ALDE) JUARISTI ABAUNZ Josu (GUE/NGL) ŠKRLEC Davor (Verts/ALE) PEDICINI Piernicola (EFDD) JALKH Jean-François (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
ITRE Industry, Research and Energy	FERREIRA João (GUE/NGL)	25/02/2016
JURI Legal Affairs	The committee decided not to give an opinion.	

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Environment	3452	2016-03-04
	Environment	3550	2017-06-19
	Education, Youth, Culture and Sport	3617	2018-05-22

European Commission	**Commission DG**	**Commissioner**
	Environment	TIMMERMANS Frans

European Economic and Social Committee

Key events

Date	Event	Reference	Summary
02/12/2015	Legislative proposal published	COM(2015)0596	Summary
14/12/2015	Committee referral announced in Parliament, 1st reading		
04/03/2016	Debate in Council		
24/01/2017	Vote in committee, 1st reading		
07/02/2017	Committee report tabled for plenary, 1st reading	A8-0029/2017	Summary
14/03/2017	Decision by Parliament, 1st reading	T8-0072/2017	Summary
14/03/2017	Results of vote in Parliament		
14/03/2017	Debate in Parliament		
14/03/2017	Matter referred back to the committee responsible for interinstitutional negotiations		
19/06/2017	Debate in Council		
27/02/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE618.275 GEDA/A/(2018)001577	
16/04/2018	Debate in Parliament		
18/04/2018	Decision by Parliament, 1st reading	T8-0112/2018	Summary
18/04/2018	Results of vote in Parliament		
22/05/2018	Act adopted by Council after Parliament's 1st reading		
30/05/2018	Final act signed		
30/05/2018	End of procedure in Parliament		
14/06/2018	Final act published in Official Journal		

Technical information

Procedure reference	2015/0276(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 94/62/EC 1992/0436(COD) See also 2015/0272(COD) See also 2015/0274(COD) See also 2015/0275(COD)
Legal basis	Rules of Procedure EP 61 Treaty on the Functioning of the European Union TFEU 114-p1
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/05233

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE582.447	25/05/2016	
Amendments tabled in committee		PE583.979	06/07/2016	
Amendments tabled in committee		PE585.639	02/08/2016	
Committee opinion	ITRE	PE582.211	20/10/2016	
Committee report tabled for plenary, 1st reading/single reading		A8-0029/2017	07/02/2017	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T8-0072/2017	14/03/2017	Summary
Text agreed during interinstitutional negotiations		PE618.275	23/02/2018	
Text adopted by Parliament, 1st reading/single reading		T8-0112/2018	18/04/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2018)001577	23/02/2018	
Draft final act	00012/2018/LEX	30/05/2018	

European Commission

Document type	Reference	Date	Summary
For information	SWD(2014)0208	02/07/2014	
Legislative proposal	COM(2015)0596	02/12/2015	Summary
Document attached to the procedure	SWD(2015)0259	03/12/2015	

Document attached to the procedure	SWD(2015)0260	03/12/2015	
Commission response to text adopted in plenary	SP(2018)350	06/06/2018	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	RO_SENATE	COM(2015)0596	05/02/2016	
Contribution	PL_SENATE	COM(2015)0596	16/02/2016	
Reasoned opinion	FR_SENATE	PE577.042	18/02/2016	
Contribution	CZ_SENATE	COM(2015)0596	18/03/2016	
Contribution	RO_CHAMBER	COM(2015)0596	04/04/2016	
Contribution	IT_SENATE	COM(2015)0596	28/06/2016	
Contribution	DK_PARLIAMENT	COM(2015)0596	18/07/2016	
Contribution	IT_CHAMBER	COM(2015)0596	28/02/2017	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0042/2016	27/04/2016	
CofR	Committee of the Regions: opinion	CDR0585/2016	15/06/2016	

Additional information

Source	Document	Date
European Parliament	Briefing	
European Parliament	Briefing	
European Commission	EUR-Lex	

Final act

Directive 2018/0852
OJ L 150 14.06.2018, p. 0141 Summary

Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 02/12/2015 - Legislative proposal

PURPOSE: to prevent and reduce the impact of packaging and packaging waste on the environment in order to facilitate Europe's transition to a circular economy.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with Council.

BACKGROUND: the Commission considers that recent trends suggest that **turning waste into a resource is an essential part** of increasing resource efficiency and closing the loop in a circular economy. The Union's economy currently loses a significant amount of potential secondary raw materials that are found in waste streams. **In 2013, total waste generation in the EU amounted to approximately 2.5 billion tons of which 1.6 billion tons were not reused or recycled** and therefore lost for the European economy. It is estimated that an additional 600 million tons could be recycled or reused. By way of example, only a limited share (43%) of the municipal waste generated in the Union was recycled, with the rest being landfilled (31%) or incinerated (26%).

With respect to **waste management**, the Union also faces large differences amongst its Member States. In 2011, while six Member States landfilled less than 3% of their municipal waste, 18 landfilled over 50%, with some exceeding 90%. This uneven situation needs to be redressed.

The proposal aiming to amend Directive 94/62/EC on waste is part of a **series of measures** on the circular economy which also includes proposals to amend:

- Directive 2008/98/EC on waste;
- Directive 1999/31/EC on the landfill of waste;
- Directive 2000/53/EC on end-of-life vehicles;
- Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators;
- Directive 2012/19/EU on waste electrical and electronic equipment.

The proposals build in part on the proposal that the Commission tabled in July 2014 and subsequently **withdrew in February 2015**. They are in line with the objectives of the Resource Efficiency Roadmap and the 7th Environment Action Programme including:

- full implementation of the waste hierarchy in all Member States;
- decline in absolute and per capita waste generation;
- ensuring high quality recycling and the use of recycled waste as a major, reliable source of raw materials for the Union.

They also contribute to the implementation of the EU Raw Materials Initiative and address the need to prevent food waste.

IMPACT ASSESSMENT : the impact assessment led to the conclusion that the options envisaged will bring the following benefits:

- **reduction of the administrative** burden in particular for small establishments or undertakings, simplification and better implementation including by keeping targets 'fit for purpose';
- **more than 170,000 direct jobs could be created** by 2035, most of them impossible to delocalize outside the EU;
- **GHG emission reduction** – more than 600 millions of tons of green house gas could be avoided between 2015 and 2035;
- **positive effects on the competitiveness** of the EU waste management and recycling sectors as well as on the EU manufacturing sector ;
- **reinjection into the EU economy of secondary raw materials** which in turn will reduce the dependency of the EU on raw materials imports.

CONTENT: the proposal aims to **amend the targets set by Directive 94/62/EC for the recovery and recycling of packaging and packaging waste** to make them better reflect the Union's ambition to move to a circular economy.

The main points are as follows:

Recovery, recycling and reuse: the proposal provides for an **increase in the targets** for preparing for re-use and the recycling of packaging waste. Thus, Member States must take the necessary measures to fulfil the following targets:

- **no later than 31 December 2025 a minimum of 65%** by weight of all packaging waste will be prepared for reuse and recycled;
- no later than 31 December 2025 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

1. 55 % of plastic;
2. 60% of wood;
3. 75% of ferrous metal, aluminium, glass, and paper and cardboard;

- **no later than 31 December 2030 a minimum of 75%** by weight of all packaging waste will be prepared for reuse and recycled;
- no later than 31 December 2030 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

1. 75% of wood;
2. 85% of ferrous metal, aluminium, glass, and paper and cardboard.

The Commission may propose **revised levels of the targets for plastics for 2030** based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics.

Packaging waste exported from the Union: this may only be counted towards the attainment of the targets laid down by the Member State in which the packaging waste was collected if the certain requirements are met and if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council, the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took place in conditions that are equivalent to the requirements of the relevant Union environmental legislation.

Rules on the calculation of the attainment of the targets: the proposal provides for the adoption of harmonised methods of calculation for recycling rates throughout the EU. To ensure harmonised conditions for those calculations, the Commission will adopt detailed rules on the determination of recognised preparation for re-use operators and deposit-refund schemes and on the collection, verification and reporting of data.

Member States should establish an **effective system of quality control and traceability** of the packaging waste.

Reporting: in order to ensure the reliability of the data gathered on preparation for re-use the proposal sets out common rules for reporting. It lays down more precisely the rules according to which Member States should report what is effectively recycled and can be counted towards the attainment of the recycling targets.

Early warning system: the proposal establishes an early warning system to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets. The Commission shall draw up reports three years before each time-limit laid down.

Simplification and streamlining of reporting obligations: it is proposed to repeal provisions obliging Member States to produce implementation reports every three years and use exclusively the statistical data which Member States report every year to the Commission.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.

Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 07/02/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Simona BONAFÈ (S&D, IT) on the proposal for a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste.

The committee recommended that the European Parliament's position adopted at first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Objective: Members stressed the importance of the Directive for the **transition to a circular economy.** They also stressed the need to avoid toxic substances at the design stage to allow products and materials to circulate in a closed loop without endangering the quality of materials and the health of citizens, workers and the environment.

Prevention: Member States shall take measures to minimise the environmental impact of packaging. Such measures shall include **extended producer responsibility** and **incentives** for the take-up of re-usable packaging in order to reduce the excessive use of packaging.

Furthermore, waste prevention efforts should not compromise the role of packaging in preserving hygiene or safety for consumers.

Member States should put in place adequate incentives for the application of the **waste hierarchy**, in particular, by means of **financial and fiscal incentives** aimed at achieving the packaging waste prevention and recycling objectives of this Directive.

Promoting re-use: Members proposed: (i) a target for re-use of packaging of a minimum of 5% by weight of all packaging waste no later than 31 December 2030; (ii) no later than 31 December 2030, a minimum of 10% by weight of all packaging waste is re-used.

In order to encourage re-use operations, Member States may take measures such as the use of deposit return schemes for re-usable packaging products or the setting up of a minimum percentage of re-useable packaging placed on the market every year per packaging stream.

Generation and recycling: no later than 31 December 2030, a minimum of **80%** by weight of all packaging waste generated will be recycled. For packaging materials, such as paper and cardboard, plastic, glass, metal and wood, Members proposed to raise the minimum recycling targets with a target to be reached by 2025 for each material.

No later than 31 December 2030, the following minimum targets by weight for recycling will be **80%** of wood; **90%** of ferrous metal, aluminium and of glass.

Members proposed introducing a **clear legal obligation to mandate separate collection and sorting for all packaging**. Member States shall take the necessary measures to put in place the separate collection of at least packaging or packaging waste made up of paper, metal, plastic or glass, or any combination thereof, from residual waste.

Member States shall encourage the use of materials obtained from recycled packaging waste for the production of packaging and other products.

Essential requirements: in order to boost the prevention of packaging waste and reduce its impact on the environment while promoting recycling materials of high quality, Members stated that the essential requirements of and Annex II to this Directive should be **reviewed**, and if necessary revised, to strengthen the requirements that will enhance the design for re-use and high quality recycling of packaging.

Lastly, **the impact of the Directive** on human health, the environment and the internal market shall be regularly evaluated to ensure that the essential elements of the Directive are fit for purpose.

Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 18/04/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 533 votes to 37, with 57 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 94/62 / EC on packaging and packaging waste.

The issue had been referred back to the committee responsible for interinstitutional negotiations at the meeting of 14.3.2017.

The European Parliament's position adopted at first reading under the ordinary legislative procedure has modified the Commission proposal as follows:

Objective: the revised Directive on packaging and packaging waste shall include measures aimed at the **prevention of packaging waste** as a first priority and, as other fundamental principles, the increase in the reuse of packaging, recycling and other forms of recovery of packaging waste and thus the reduction of the final disposal of this waste in order to contribute to the transition towards a circular economy.

Prevention: the Directive would oblige Member States to take measures to prevent the production of packaging waste and to reduce the impact of packaging on the environment.

The application of the **waste hierarchy** shall be encouraged by Member States through incentives, including economic instruments and other measures. Extended producer responsibility rules in Directive 2008/98/EC shall apply to extended producer responsibility schemes in the packaging sector.

Reuse: Member States shall take measures to encourage the **increase in the share of reusable packaging** placed on the market and of systems to reuse packaging in an environmentally sound manner, without compromising food hygiene or the safety of consumers. Such measures may include, *inter alia*:

- the use of deposit-return schemes;
- the setting of qualitative or quantitative targets;
- the use of economic incentives;
- the setting up of a minimum percentage of reusable packaging placed on the market every year for each packaging stream.

Recovery and recycling:

- by 31 December 2025, at least **65%** (by weight) of all packaging waste generated shall be recycled. This share should increase to **70%** by 31 December 2030 at the latest;
- **separate targets** have been set for specific packaging materials. By 2030, the targets shall be 55% by weight for plastics; 30% for wood; 80% for ferrous metals; 60% for aluminium; 75% for glass and 85% for paper and cardboard.

A Member State may extend the deadlines for achieving the targets by up to 5 years. To benefit from this derogation, it should present an implementation plan evaluated by the Commission.

- The **calculation of recycling targets** shall be based on the weight of packaging waste which enters recycling. As a general rule, the actual measurement of the weight of packaging waste counted as recycled shall be at the point where packaging waste enters the recycling operation. Nevertheless, in order to limit administrative burdens, Member States should, under strict conditions and by way of derogation from the general rule, be allowed to establish the weight of packaging waste recycled on the basis of measuring the output of any sorting operation.

Return, collection and recovery systems: Member States shall take the necessary measures to ensure that systems are set up to provide for:

- the **return and/or collection** of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream in order to channel it to the most appropriate waste management alternatives;
- the **reuse or recovery** including recycling of the packaging and/or packaging waste collected.

Those systems shall be open to the participation of the economic operators of the sectors concerned and to the participation of the competent public authorities. They shall also apply to imported products under non-discriminatory conditions, including the detailed arrangements and any tariffs imposed for access to the systems, and shall be designed so as to avoid barriers to trade or distortions of competition.

Essential requirements: by 31 December 2020 at the latest, the Commission should examine the possibility of strengthening the essential requirements to, *inter alia*, improve design for re-use and promote high quality recycling, as well as to strengthen enforcement. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal

Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 14/03/2017 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 582 votes to 88, with 28 abstentions, **amendments** to the proposal for a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste.

The matter was **referred back to the committee responsible for interinstitutional negotiations**. The vote on the legislative resolution has been postponed to later session.

The main amendments adopted in plenary concerned the following issues:

Objective: Members stressed that the revision of the waste Directive offers an opportunity for waste management to be transformed into sustainable material management. They also stressed the importance of the Directive for the transition to a circular economy.

Prevention: the Directive obliges Member States to take measures to minimise the environmental impact of packaging.

Such measures shall include **extended producer responsibility** and **incentives** for the take-up of re-usable packaging and to achieve a reduction in consumption of packaging that is not recyclable and of excessive packaging. Furthermore, waste prevention efforts shall not compromise the role of packaging in preserving hygiene or safety for consumers.

Member States shall make use of adequate economic instruments and other measures to provide incentives for the application of the waste hierarchy. They shall encourage, where environmentally beneficial from a life-cycle perspective, the use of **bio-based recyclable packaging** and of biodegradable compostable packaging.

Promoting re-use: Parliament proposed a target for re-use of packaging of a minimum of **5%** by weight of all packaging waste no later than 31 December 2025. No later than 31 December 2030, a minimum of 10% by weight of all packaging waste is re-used.

In order to encourage re-use operations, Member States may take measures such as the use of deposit return schemes for re-usable packaging products or the setting up of a minimum percentage of re-useable packaging placed on the market every year per packaging stream

Generation and recycling:

- no later than 31 December 2025 a minimum of **70%** by weight of all packaging waste generated will be recycled. This shall increase to 80% by 31 December 2030;
- for packaging waste such as paper, cardboard, plastic, glass, ferrous metal, aluminium, wood, it is proposed to raise the minimum recycling targets with a target to be reached by 2025 for each material.

No later than 31 December 2030, the following minimum targets by weight for recycling will be **80%** of wood; **90%** of ferrous metal, aluminium and of glass.

Members called for specific measures for return and collection systems. Member States shall take the necessary measures to put in place the **separate collection** of at least packaging or packaging waste made up of paper, metal, plastic or glass.

Member States shall encourage the use of materials obtained from recycled packaging waste for the production of packaging and other products.

Essential requirements: in order to boost the prevention of packaging waste and reduce its impact on the environment while promoting recycling materials of high quality, the essential requirements of and Annex II to this Directive should be **reviewed**, and if necessary revised, to strengthen the requirements that will enhance the design for re-use and high quality recycling of packaging.

Lastly, **the impact of the Directive** on human health, the environment and the internal market shall be regularly evaluated to ensure that the essential elements of the Directive are fit for purpose.

Packaging and packaging waste: resource efficiency. Circular economy package

2015/0276(COD) - 30/05/2018 - Final act

PURPOSE: to prevent and reduce the impact of packaging and packaging waste on the environment in order to facilitate Europe's transition to a circular economy.

LEGISLATIVE ACT: Directive (EU) 2018/852 of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste.

CONTENT: this Directive amending Directive 94/62/EC on packaging and packaging waste is part of a **package of measures on the circular economy** which includes a **package of measures on waste**, consisting of four legislative proposals laying down new rules on waste management and setting legally binding targets for recycling.

The revised Directive on packaging and packaging waste shall include measures aimed at the **prevention of packaging waste** as a first priority and, as other fundamental principles, the increase in the **reuse of packaging, recycling and other forms of recovery of packaging waste** and thus the reduction of the final disposal of this waste in order to contribute to the transition towards a circular economy.

Extended producer responsibility schemes: since it is generally the producer, and not the consumer, who chooses the quantity and type of packaging used, the Directive establishes extended producer responsibility schemes. The extended producer responsibility rules of Directive 2008/98/EC on waste shall therefore apply to extended producer responsibility schemes in the packaging sector. Mandatory extended producer responsibility schemes shall be in place for all packaging **by 2024**.

Reuse: in line with the waste hierarchy laid down in Directive 2008/98/EC, Member States shall take measures to encourage the increase in the share of reusable packaging placed on the market and of systems to reuse packaging in an environmentally sound manner and without compromising food hygiene or the safety of consumers. Such measures may include, *inter alia*:

- the use of deposit-return schemes;
- the setting of qualitative or quantitative targets;
- the use of economic incentives;
- the setting up of a minimum percentage of reusable packaging placed on the market every year for each packaging stream.

Where single-use packaging is essential to ensure food hygiene and consumer health and safety, Member States shall take measures to ensure that such packaging is recycled.

New recycling targets for packaging waste: the revised Directive provides for increased targets for the preparation for re-use and recycling of packaging waste.

By 31 December 2025, at least 65% (by weight) of all packaging waste generated shall be recycled. This share should increase to **70% by 31 December 2030 at the latest**.

The following minimum targets by weight for recycling will be met regarding the following specific materials contained in packaging waste:

- **plastic**: 50% by weight by 2025 and 55% by 2030;
- **wood**: 25% by weight by 2025 and 30% by 2030;
- **ferrous metals**: 70% by weight by 2025 and 80% by 2030;
- **aluminium**: 50% by weight by 2025 and 60% by 2030;
- **glass**: 70% by weight by 2025 and 75% by 2030;
- **paper and cardboard**: 75% by weight by 2025 and 85% by 2030.

A Member State may extend the deadlines for achieving the targets by **up to 5 years**. To benefit from this derogation, it should present an implementation plan evaluated by the Commission.

The **calculation of recycling targets** shall be based on the weight of packaging waste which enters recycling. Member States shall, under strict conditions and by way of derogation from the general rule, be allowed to establish the weight of packaging waste recycled on the basis of measuring the output of any sorting operation.

Return, collection and recovery systems: in order to meet the objectives laid down in this Directive, Member States shall take the necessary measures to ensure that systems are set up to provide for:

- **the return and/or collection** of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream in order to channel it to the most appropriate waste management alternatives;
- **the reuse or recovery** including recycling of the packaging and/or packaging waste collected.

Those systems shall be open to the participation of the economic operators of the sectors concerned and to the participation of the competent public authorities. They shall also apply to imported products under non-discriminatory conditions, including the detailed arrangements and any tariffs imposed for access to the systems, and shall be designed so as to avoid barriers to trade or distortions of competition.

By 31 December 2024 at the latest, the Commission shall examine the data on reusable packaging provided by Member States in order to examine whether it is possible to set quantitative targets for the re-use of packaging, including calculation rules, and to adopt other measures to promote the re-use of packaging.

ENTRY INTO FORCE: 4.7.2018.

TRANSPOSITION: no later than 5.7.2020.