

Basic information	
<p><b>2022/0396(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Packaging and packaging waste</p> <p>Repealing Directive 1994/62 <a href="#">1992/0436(COD)</a> Amending Regulation 2019/1020 <a href="#">2017/0353(COD)</a> Amending Directive 2019/904 <a href="#">2018/0172(COD)</a></p> <p><b>Subject</b></p> <p>3.70.12 Waste management, domestic waste, packaging, light industrial waste</p> <p><b>Legislative priorities</b></p> <p><a href="#">Joint Declaration 2022</a> <a href="#">Joint Declaration 2023-24</a></p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">ENVI</a>	Environment, Public Health and Food Safety	RIES Frédérique (Renew)	11/01/2023
			<p>Shadow rapporteur</p> <p><a href="#">SALINI Massimiliano (EPP)</a></p> <p><a href="#">BURKHARDT Delara (S&amp;D)</a></p> <p><a href="#">O'SULLIVAN Grace (Greens /EFA)</a></p> <p><a href="#">FIOCCHI Pietro (ECR)</a></p> <p><a href="#">SARDONE Silvia (ID)</a></p> <p><a href="#">PIMENTA LOPES João (The Left)</a></p>	
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<a href="#">ITRE</a>	Industry, Research and Energy (Associated committee)	TOIA Patrizia (S&D)	25/01/2023
	<a href="#">IMCO</a>	Internal Market and Consumer Protection (Associated committee)	JORON Virginie (ID)	09/02/2023
	<a href="#">AGRI</a>	Agriculture and Rural Development	DE MEO Salvatore (EPP)	16/02/2023

	JURI Legal Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration Transport, Telecommunications and Energy	Meetings 4069	Date 2024-12-16
European Commission	Commission DG Environment	Commissioner SINKEVIČIUS Virginijus	
European Economic and Social Committee			

Key events			
Date	Event	Reference	Summary
30/11/2022	Legislative proposal published	COM(2022)0677 	Summary
13/03/2023	Committee referral announced in Parliament, 1st reading		
15/06/2023	Referral to associated committees announced in Parliament		
24/10/2023	Vote in committee, 1st reading		
06/11/2023	Committee report tabled for plenary, 1st reading	A9-0319/2023	Summary
21/11/2023	Debate in Parliament		
22/11/2023	Decision by Parliament, 1st reading	T9-0425/2023	Summary
22/11/2023	Results of vote in Parliament		
22/11/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
19/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2024)001591 PE760.975	
24/04/2024	Decision by Parliament, 1st reading	T9-0318/2024	Summary
24/04/2024	Results of vote in Parliament		
16/12/2024	Act adopted by Council after Parliament's 1st reading		
19/12/2024	Final act signed		
22/01/2025	Final act published in Official Journal		

Technical information	
Procedure reference	2022/0396(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation

<b>Legislative instrument</b>	Regulation
<b>Amendments and repeals</b>	Repealing Directive 1994/62 1992/0436(COD) Amending Regulation 2019/1020 2017/0353(COD) Amending Directive 2019/904 2018/0172(COD)
<b>Legal basis</b>	Rules of Procedure EP 57_o Treaty on the Functioning of the European Union TFEU 114
<b>Mandatory consultation of other institutions</b>	<a href="#">European Economic and Social Committee</a>
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	ENVI/9/10820

<a href="#">Documentation gateway</a>				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE742.297</a>	11/04/2023	
Amendments tabled in committee		<a href="#">PE749.032</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.033</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.034</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.035</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.036</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.037</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE749.039</a>	12/05/2023	
Amendments tabled in committee		<a href="#">PE745.447</a>	15/05/2023	
Amendments tabled in committee		<a href="#">PE749.038</a>	26/05/2023	
Committee opinion	<a href="#">ITRE</a>	<a href="#">PE746.712</a>	19/07/2023	
Committee opinion	<a href="#">IMCO</a>	<a href="#">PE746.894</a>	20/07/2023	
Committee opinion	<a href="#">AGRI</a>	<a href="#">PE745.499</a>	21/08/2023	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0319/2023</a>	06/11/2023	<a href="#">Summary</a>
Text adopted by Parliament, partial vote at 1st reading /single reading		<a href="#">T9-0425/2023</a>	22/11/2023	<a href="#">Summary</a>
Text agreed during interinstitutional negotiations		<a href="#">PE760.975</a>	15/03/2024	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0318/2024</a>	24/04/2024	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type		Reference	Date	Summary
Coreper letter confirming interinstitutional agreement		<a href="#">GEDA/A/(2024)001591</a>	15/03/2024	
Draft final act		<a href="#">00073/2024/LEX</a>	19/12/2024	
<b>European Commission</b>				

Document type	Reference	Date	Summary
Legislative proposal	COM(2022)0677 	30/11/2022	<a href="#">Summary</a>
Document attached to the procedure	SEC(2022)0425 	01/12/2022	
Document attached to the procedure	SWD(2022)0384	01/12/2022	
Document attached to the procedure	SWD(2022)0385 	01/12/2022	
Commission response to text adopted in plenary	SP(2024)394	08/08/2024	

#### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	<a href="#">CZ_CHAMBER</a>	COM(2022)0677	18/04/2023	
Contribution	<a href="#">IT_CHAMBER</a>	COM(2022)0677	24/04/2023	
Contribution	<a href="#">ES_PARLIAMENT</a>	COM(2022)0677	26/04/2023	
Contribution	<a href="#">RO_SENATE</a>	COM(2022)0677	28/04/2023	
Contribution	<a href="#">PL_SENATE</a>	COM(2022)0677	30/05/2023	
Contribution	<a href="#">CZ_SENATE</a>	COM(2022)0677	05/06/2023	
Contribution	<a href="#">IT_CHAMBER</a>	COM(2022)0677	03/07/2023	
Reasoned opinion	<a href="#">IT_SENATE</a>	PE749.997	20/07/2023	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES6037/2022	27/04/2023	

#### Additional information

Source	Document	Date
EP Research Service	<a href="#">Briefing</a>	04/04/2024
European Commission	<a href="#">EUR-Lex</a>	

#### Final act

<a href="#">Regulation 2025/0040</a> <a href="#">OJ OJ L 22.01.2025</a>	<a href="#">Summary</a>
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<b>Delegated acts</b>	
<b>Reference</b>	<b>Subject</b>
2026/2631(DEA)	Examination of delegated act

## Packaging and packaging waste

2022/0396(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 476 votes to 129, with 24 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

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

### **Subject matter**

The proposed Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market. It also establishes requirements for extended producer responsibility, packaging waste prevention, such as the reduction of unnecessary packaging and the reuse or refill of packaging, as well as collection and treatment, including recycling, of packaging waste.

### **Requirements for substances in packaging**

Packaging placed on the market should be manufactured in such a way as to **minimise the presence and concentration of substances of concern** in the composition of packaging materials, as well as the adverse environmental effects associated with microplastics. The Commission will monitor the presence of substances of concern in packaging and packaging components and take appropriate follow-up action.

From 18 months from the date of entry into force of this Regulation, food contact packaging should not be placed on the market if it contains **per- and polyfluorinated alkyl substances** (PFAS) in a concentration of or above certain limit values.

### **Minimum recycled content in plastic packaging**

Under the new rules, **all packaging** (except for lightweight wood, cork, textile, rubber, ceramic, porcelain and wax) will have to be recyclable by fulfilling strict criteria. The amended text also includes minimum recycled content targets for plastic packaging and minimum recycling targets by weight of packaging waste.

By 1 January 2040, any plastic part of packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging type and format as referred to in Table 1 of Annex II, calculated as an average per manufacturing plant and year: (a) 50 % for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component; (b) 25% for contact sensitive packaging made from plastic materials other than PET; (c) 65 % for single use plastic beverage bottles; (d) 65 % for plastic packaging other than referred to before.

By 1 January 2030, the manufacturer or importer should ensure that the packaging placed on the market is designed so that its weight and volume is **reduced to the minimum necessary** for ensuring its functionality taking account of the shape and material that the packaging is made of.

### **Labelling of packaging**

From 42 months from the date of the entry into force of this Regulation, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting.

### **Excessive packaging**

By 1 January 2030, or 36 months after the entry into force of the delegated acts adopted pursuant to the second sub-paragraph, whichever is the latest, economic operators who fills the packaging in grouped packaging, transport packaging or e-commerce packaging, should ensure that the empty space ratio is maximum **50 %**.

### **Prevention of packaging waste and reuse**

Each Member State should reduce the amount of packaging waste produced per inhabitant, compared to the amount produced in 2018, by at least: a) 5% by 2030; b) 10% by 2035; c) 15% by 2040.

Certain types of **single-use plastic packaging** should be banned from 1 January 2030. These include packaging for unprocessed fresh fruit and vegetables, packaging for foods and drinks packaged and consumed in the hotel and catering sector, and packaging for individual portions (e.g.

condiments, sauces, cream or sugar), miniature packaging for toiletries and **very light plastic bags** (with a thickness of less than 15 microns), with the exception of very light plastic bags required for reasons of hygiene or supplied as packaging for bulk wet foodstuffs such as raw meat, fish or dairy products.

The new rules set specific 2030 reuse targets are foreseen for alcoholic and non-alcoholic beverages packaging (except e.g. milk, wine, aromatised wine, spirits), transport and sales packaging, as well as grouped packaging. Member States may grant a five-year derogation from these requirements under certain conditions.

Consumers should always have the opportunity to purchase takeaway foodstuffs and beverages in **reusable containers or in containers belonging to them**, under conditions that are no less favourable than for foodstuffs and beverages offered in single-use packaging. Economic operators selling takeaway foodstuffs or beverages should give consumers the option of buying these foodstuffs or beverages in their **own containers** or in reusable packaging.

Final distributors of beverages and takeaways must also endeavour to offer 10% of their products in reusable packaging by 2030.

### ***Deposit and return systems***

By 1 January 2029, Member States should take the necessary measures to ensure the **separate collection of at least 90% per year by weight** of single use plastic beverage bottles with the capacity of up to three litres; and single use metal beverage containers with a capacity of up to three litres. They should also take the necessary measures to ensure that deposit return systems are set up for the relevant packaging formats and to ensure that a deposit has to be charged at the point of sale.

## **Packaging and packaging waste**

2022/0396(COD) - 22/01/2025 - Final act

PURPOSE: to improve the environmental sustainability of packaging and to ensure the free movement of packaging in the internal market.

LEGISLATIVE ACT: Regulation (EU) 2025/40 of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

CONTENT: this Regulation establishes requirements for the entire life-cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market. It also establishes requirements for extended producer responsibility, packaging waste prevention, such as the reduction of unnecessary packaging and the re-use or refill of packaging, as well as the collection and treatment, including recycling, of packaging waste.

The new rules will significantly reduce the generation of packaging waste by setting binding re-use targets, restricting certain types of single-use packaging and requiring economic operators to minimise the packaging used. The regulation covers the full life cycle of packaging.

### ***Safe, sustainable and recyclable packaging***

Under the new rules, all packaging (except packaging for infant formula, packaging used for the transport of dangerous goods and packaging made from lightweight wood, cork, textiles, rubber, ceramics, porcelain or wax) must be recyclable and meet strict criteria.

The regulation sets **targets for 2030 and 2040** for a minimum percentage of recycled content (**30%** for single-use plastic beverage bottles by 2030 and up to **65%** by 2040). By 1 January 2030 at the latest, the manufacturer or importer must ensure that packaging placed on the market is designed in such a way that its weight and volume are reduced to the minimum necessary to ensure its functionality.

Packaging placed on the market must be manufactured in such a way as to minimise the presence and concentration of substances of concern in the composition of the packaging materials, as well as the adverse environmental effects associated with microplastics. From 12 August 2026, packaging intended to come into contact with food must not be placed on the market if it contains a concentration of per- and polyfluoroalkyl substances (PFAS) equal to or higher than certain limit values.

By 12 August 2028, packaging placed on the market must bear a **harmonised label** containing information on its material composition in order to facilitate sorting by consumers.

By 1 January 2030, economic operators who fill group packaging, transport packaging or e-commerce packaging must ensure that the maximum empty space ratio, expressed as a percentage, does not exceed 50%.

### ***Plastic carrier bags***

Member States must take measures to **sustainably reduce** the consumption of lightweight plastic carrier bags on their territory. This target will be considered to have been achieved when annual consumption does not exceed 40 lightweight plastic carrier bags per capita, or the equivalent in weight, by 31 December 2025 and, subsequently, by 31 December of each year.

### ***Single-use plastic packaging***

The new rules introduce **restrictions** on single-use plastic packaging for: (i) pre-packed fruit and vegetables of less than 1.5 kg; (ii) food and beverages filled and consumed within hotels, bars and restaurants; (iii) individual portions of condiments, sauces, milk creamer and sugar in hotels, bars and restaurants; (iv) small, single-use cosmetic and toiletry products; (v) very lightweight plastic bags with the exception of very lightweight plastic bags necessary for hygiene reasons or provided as packaging for loose moist foodstuffs such as raw meat, fish or dairy products.

The new rules set specific reuse targets for **alcoholic and non-alcoholic beverage packaging** by 2030 (except, in particular, milk, wine, aromatised wine and spirits).

Consumers should always be able to purchase takeaway food and beverages in **reusable or own containers**, on terms no less favourable than those applying to food and beverages offered in single-use packaging. Take-away businesses will have to offer customers the possibility of bringing their own containers to be filled with cold or hot beverages or ready-prepared food, at **no additional charge**.

Final distributors of drinks and takeaway meals will also have to strive to offer, by 2030, **10%** of their products in reusable packaging.

### ***Reuse targets***

The Regulation sets new binding reuse targets for 2030 and indicative targets for 2040. The targets vary depending on the type of packaging used by operators (e.g. binding targets of **40%** for transport and sales packaging and 10% for grouped packaging).

### ***Prevention of packaging waste***

Each Member State will have to reduce the amount of packaging waste produced per capita, compared to the amount in 2018, by at least: (a) by **5%** by 2030; (b) by **10%** by 2035; (c) **15%** by 2040.

By 1 January 2029 at the latest, Member States shall take the necessary measures to ensure the separate collection of at least 90%, per year, by weight of single-use metal and plastic beverage packaging (up to three litres).

### ***Recycling targets***

Member States will take the necessary measures to achieve the following recycling targets throughout their territory: by 31 December 2025 at the latest, at least **65%** by weight of all packaging waste produced and by 31 December 2030 at the latest, at least **70%** by weight of all packaging waste generated.

ENTRY INTO FORCE: 11.2.2025.

APPLICATION: from 12.8.2026.

## **Packaging and packaging waste**

2022/0396(COD) - 06/11/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Frédérique RIES (Renew, BE) on the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

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

### ***Minimum recycled content in plastic packaging***

The amended text stipulated that from 1 January 2030, the plastic part in packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging format, calculated as an average per manufacturing plant, per year:

- 30 % for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component;
- 7.5 % (compared to 10% proposed by the Commission) for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles.

Economic operators should be exempted from the obligation to meet the targets if, during a calendar year, they fall within the definition of microenterprise.

### ***Labelling of packaging***

Members suggested that 24 months after the adoption of the implementing acts, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting. The label should be exclusively based on pictograms and be easily understandable, including for persons with disabilities. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

The label may be accompanied by a QR code or other type of digital data carrier placed on the packaging that contains information on the destination of each separate component of the packaging in order to facilitate consumer sorting.

### ***Packaging forum***

As regards the establishment of the packaging forum, Members called on the Commission to ensure that there is a balanced participation of Member States' representatives and all interested parties involved with the packaging industry, including waste treatment industry representatives, manufacturers and packaging suppliers, distributors, retailers, importers, SMEs, environmental protection groups and consumer organisations.

#### ***Obligations related to refill***

From 1 January 2030, final distributors with an area, excluding all storage and dispatch areas, of more than 400m<sup>2</sup> shall endeavour to dedicate 10% of their sales area to refill stations for both food and non-food products.

#### ***Re-use and refill targets***

Economic operators, including online platforms, making large household appliances available on the market for the first time within the territory of a Member State should ensure that from:

- 1 January 2030, 50% of those products are made available in reusable transport packaging within a system for reuse;
- 1 January 2040, 90% of those products are made available in reusable transport packaging within a system for reuse.

#### ***Requirements for substances in packaging***

Members suggested that food contact packaging containing intentionally added per- and polyfluorinated alkyl substances (PFASs) or Bisphenol A (BPA, CAS 80-05-7) should not be placed on the market from 18 months from the date of entry into force of this Regulation.

#### ***Plastic carrier bags***

Very lightweight plastic carrier bags, below 15 microns, have a high potential to become waste and contribute to marine pollution, therefore Members considered that measures should be taken to restrict their placing on the market except for strictly necessary uses. Those plastic bags should not be placed on the market as packaging for bulk foodstuffs, except for hygienic reasons or for packaging wet bulk foodstuffs such as raw meat, fish or dairy products.

By 31 December 2027, the Commission should prepare a report on the need and feasibility of reducing the use of paper carrier bags and, where appropriate, submit a legislative proposal setting out targets for a paper carrier bags reduction and measures to achieve these targets.

#### ***Mandatory separate collection for packaging***

The report proposed a separate collection target of 90% for 2029 regarding all types of packaging covered by the legislative proposal and no longer only for plastic beverage bottles under the single use plastics directive, in a bid to increase recycling rates and content in line with the wishes of the sectors concerned.

## **Packaging and packaging waste**

2022/0396(COD) - 30/11/2022 - Legislative proposal

PURPOSE: to update the EU legislative framework for packaging and packaging waste.

PROPOSED ACT: Regulation 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 the Council.

BACKGROUND: packaging is necessary to protect and to transport goods. The manufacturing of packaging is also a major economic activity in the EU. However, regulatory approaches differ from one Member State to another, which creates obstacles that prevent the internal market for packaging from fully functioning. Such discrepancies create legal uncertainty for businesses, leading to lower investment in innovative and environment-friendly packaging and new circular business models.

Moreover, the amount of packaging waste is growing, frequently at a faster pace than GDP. Packaging waste increased by more than 20% over the last 10 years in the EU and is forecast to soar by another 19% until 2030, if no action is taken.

The regulatory failures of the current Directive (e.g. poorly designed essential requirements for packaging and difficulties encountered by Member States in enforcing them) has made it clear that harmonisation is necessary, and that the harmonised rules should take the **form of a regulation**, rather than a revision of the current Directive.

CONTENT: therefore, the Commission **proposes this regulation to update the EU legislative framework** for packaging and packaging waste by giving Member States and businesses adequate support to achieve waste reduction targets. As an integral part of the European Green Deal and the new EU circular economy action plan, it will contribute to the EU's growth strategy for a modern, resource-efficient, clean and competitive economy with no net emissions of greenhouse gases by 2050 and with economic growth decoupled from resource use. In line with the new approach to products announced in the European Green Deal and the circular economy action plan, the **proposal covers the entire life cycle of packaging**.

#### ***Sustainability requirements for packaging***

The proposal lays down requirements for substances in packaging, in particular a restriction on the concentration level of lead, cadmium, mercury and hexavalent chromium. The Commission is empowered to adopt delegated acts lowering the level of this restriction as well as laying down exemptions from it.

As of 1 January 2030, the proposal considers that plastic packaging should contain certain minimum amount of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging; specific packaging has been exempted, as appropriate. These amounts should increase by 1 January 2040 and the derogations should be revised.

The proposed regulation defines conditions for packaging to be considered **compostable** and prescribes that filter coffee pods, sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags should be compostable by 24 months after the entry into force of this Regulation. Moreover, the weight and volume of packaging should be minimised with due account taken of the packaging's safety and functionality. Requirements for reusable packaging has also been introduced.

#### ***Labelling, marking and information requirements***

The proposal requires that packaging is marked with a label containing information on its material composition in order to facilitate consumer sorting. The same labels should be placed on **waste receptacles** for the consumer to easily identify the appropriate disposal route. Harmonised labels should be designed also to inform, at the choice of the manufacturer, about the recycled content in plastic packaging. Reusable packaging shall bear a **QR code** or other type of data carrier giving access to the relevant information facilitating its re-use.

It is proposed that economic operators that supply products to final distributors or end users in grouped, transport or e-commerce packaging must ensure that the ratio of empty space in the packaging in relation to the packaged product(s) is maximum 40 %. A number of targets on re-use and refill for different sectors and packaging formats has been specified.

As for **lightweight plastic carrier bags**, the annual consumption of these bags cannot exceed 40 such bags per person by the 31st December 2025. Member States can exclude very lightweight plastic carrier bags, which are required for hygiene purposes or provided as sales packaging for loose food to prevent food wastage, from the obligation to meet the target.

#### ***Management of packaging and of packaging waste***

The proposal requires each Member State to progressively reduce the packaging waste generated per capita as compared to the packaging waste generated per capita in 2018, by 5 % by 2030, 10 % by 2035 and 15 % by 2040. Member States should establish a **register** which should serve to monitor the compliance of producers of packaging with the requirements laid down in the proposed Regulation.

In addition, the draft requires a **deposit and return system** (DRS) for single-use plastic beverage bottles with the capacity of up to three litres and single-use metal and aluminium beverage containers with a capacity of up to three litres. By 1 January 2029, Member States must ensure that all DRS follow the minimum requirements set out in Annex X. Member States are also allowed to include **glass** in the DRS and should ensure that DRS for single-use packaging formats, in particular for single-use glass beverage bottles, where technically and economically feasible, are equally available for reusable packaging.

**Recycling targets** of packaging waste that Member States must meet by 31 December 2025 and by 31 December 2030 are set out.

## **Packaging and packaging waste**

2022/0396(COD) - 22/11/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted, by 426 votes to 125, with 74 abstentions, **amendments** to the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

The matter has been referred back to the committee responsible for interinstitutional negotiations.

#### ***Subject matter***

This Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market, as well as for the extended producer responsibility, prevention, reduction in unnecessary packaging, reuse or refill of packaging, collection, treatment and recycling of packaging waste.

#### ***Requirements relating to substances contained in packaging***

Members called for food contact packaging containing intentionally added **per- and polyfluorinated alkyl substances (PFAS) or bisphenol A** not to be placed on the market within 18 months of the date of entry into force of the regulation.

#### ***Recyclable packaging***

The new rules require all packaging to be recyclable, meeting strict criteria to be defined by secondary legislation. Some temporary exemptions are foreseen, for example for wood and wax food packaging.

By 1 January 2029, the Commission should adopt delegated acts to resolve the problems encountered in applying the provisions of the regulation, in particular to inert packaging materials placed on the market in the Union in very small quantities (i.e. around 0.1% by weight).

### ***Minimum recycled content in plastic packaging***

The amended text stipulated that from 1 January 2030, the plastic part in packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging format, calculated as an average per manufacturing plant, per year:

- **30%** for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component;
- **7.5%** (compared to 10% proposed by the Commission) for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles.

Economic operators should be exempted from the obligation to meet the targets if, during a calendar year, they fall within the definition of microenterprise.

Contact-sensitive plastic packaging for foods intended for infants and young children and foods for special medical purposes covered by Regulation (EU) No 609/2013 would be excluded from the minimum recycled content requirement for plastic packaging. That exclusion should apply to inks, adhesives, paints, varnishes and lacquers used on packaging and for any plastic part representing less than 5% of the total weight of the whole packaging unit.

### ***Labelling of packaging***

Members suggested that 24 months after the adoption of the implementing acts, packaging placed on the market should be marked with a label containing information on its material composition in order to **facilitate consumer sorting**. The label should be exclusively based on pictograms and be easily understandable, including for persons with disabilities. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging. However, it applies to e-commerce packaging.

The label may be accompanied by a QR code or other type of digital data carrier placed on the packaging that contains information on the destination of each separate component of the packaging in order to facilitate consumer sorting.

### ***Reduce packaging, restrict certain types of use***

Besides the overall packaging reduction targets proposed in the regulation (5% by 2030, 10 % by 2035 and 15 % by 2040), Members want to set specific targets to reduce plastic packaging (**10% by 2030, 15% by 2035 and 20% by 2040**).

Members proposed to **ban the sale of very lightweight plastic carrier bags** (below 15 microns), unless required for hygiene reasons or provided as primary packaging for loose food to help prevent food wastage. They also proposed to heavily restrict the use of certain single use packaging formats, such as hotel miniature packaging for toiletry products and shrink-wrap for suitcases in airports.

### ***Refill obligations***

From 1 January 2030, final distributors with an area, excluding all storage and dispatch areas, of more than 400m<sup>2</sup> should endeavour to dedicate 10% of their sales area to refill stations for both food and non-food products.

By 24 months from the date of entry into force of this Regulation, the final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away should provide a system for consumers to bring their own container to be filled.

### ***Mandatory separate collection***

By 1 January 2029, the final distributor making available on the market food and beverages filled and consumed within the premises in the HORECA sector should ensure that separate collection systems are set up for the different fractions of packaging waste materials, to help the consumer to sort packaging waste.

Members want EU countries to ensure that **90%** of materials contained in packaging (plastic, wood, ferrous metals, aluminium, glass, paper and cardboard) is collected separately by 2029.