

Packaging and packaging waste: The LAW

The European Union is seeking to harmonise national measures concerning the management of packaging and packaging waste to provide a high level of environmental protection and ensure the functioning of the internal market.

ACT

European Parliament and Council Directive [94/62/EC](#) of 20 December 1994 on packaging and packaging waste [[See amending acts](#)].

SUMMARY

This Directive covers all packaging placed on the market in the Community and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household or any other level, regardless of the material used. Directive [2004/12/EC](#) (amending Directive [94/62/EC](#)) establishes criteria clarifying the definition of the term 'packaging'. Clear examples are given in Annex I, such as tea bags, which are non-packaging, and the film overwrap around a CD case or labels hung directly on or attached to a product, which are packaging. This Annex replaces Annex I to Directive [94/62/EC](#).

Directive [94/62/EC](#) requires Member States to take measures, which may include national programmes, to prevent the formation of packaging waste, and encourages them to develop packaging reuse systems.

The Member States must introduce systems for the return and/or collection of used packaging to attain the following targets:

- by no later than 30 June 2001, between 50 and 65% by weight of packaging waste to be recovered or incinerated at waste incineration plants with energy recovery;
- by no later than 31 December 2008, at least 60% by weight of packaging waste to be recovered or incinerated at waste incineration plants with energy recovery;
- by no later than 30 June 2001, between 25 and 45% by weight of the totality of packaging materials contained in packaging waste to be recycled (with a minimum of 15% by weight for each packaging material);
- by no later than 31 December 2008, between 55 and 80% by weight of packaging waste to be recycled;
- no later than 31 December 2008 the following targets for materials contained in packaging waste must be attained: 60% by weight for glass, paper and board; 50% by weight for metals; 22.5% by weight for plastics and 15% by weight for wood.

No later than 31 December 2007, the European Parliament and the Council, acting on a proposal from the Commission, are to set targets for 2009-14.

The incineration of waste at plants with energy recovery is regarded as contributing to the realisation of these objectives.

Greece, Ireland and Portugal, because of the large number of small islands, the presence of rural and mountain areas and the low level of packaging consumption respectively, will not be bound by the targets until 2011.

Directive [94/62/EC](#) lays down essential requirements with which these countries should comply regarding the composition and the reusable and recoverable nature of packaging

and packaging waste. The Commission is to promote the development of European standards relating to these essential requirements. Provisions concerning proof of conformity with national standards must be applied immediately.

To provide the necessary Community data on waste management, the Member States must ensure that databases on packaging and packaging waste are established on a harmonised basis so that the realisation of the targets of this Directive can be monitored. They must also promote information campaigns aimed at the general public and economic operators.

At the end of 2006, the Commission presented a report on the implementation of the Packaging Directive and on the options for increasing the prevention and reuse of packaging.

Directive [2005/20/EC](#) sets a later deadline for the 10 new Member States (the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, Slovakia) to meet the targets of the revised Packaging Directive. The extensions are until 31 December 2012.

Learn more on:

http://europa.eu/legislation_summaries/environment/waste_management/l21207_en.htm
