



Plenary sitting

A8-0029/2017

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*****I**
REPORT

on the proposal for a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste (COM(2015)0596 – C8-0385/2015 – 2015/0276(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Simona Bonafè

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▯ symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT 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 (COM(2015)0596 – C8-0385/2015 – 2015/0276(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0596),
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0385/2015),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 27 April 2016¹,
 - having regard to the opinion of the Committee of the Regions of 15 June 2016²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A8-0029/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C 264, 20.07.2016, p.98

² OJ C 17, 18.01.2017, p.46

Amendment 1

Proposal for a directive

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) In view of the Union's dependence on the import of raw materials and the rapid depletion of a significant amount of natural resources over the short term, it is a key challenge to reclaim as many resources as possible within the Union and to enhance the transition towards a circular economy.

Justification

It is important to highlight the wider framework of moving towards a circular economy and stress the opportunity the revision of the Packaging and Packaging Waste Directive offers in enhancing this transition.

Amendment 2

Proposal for a directive

Recital -1 a (new)

Text proposed by the Commission

Amendment

(-1a) Waste management should be transformed into sustainable material management. The revision of Directive 94/62/EC of European Parliament and Council ^{1a} offers an opportunity to that end.

^{1a} **Directive 94/62/EC of European Parliament and Council of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).**

Justification

It is important to highlight the wider framework of moving towards a circular economy and to stress the opportunity the revision of the Packaging and Packaging Waste Directive offers in enhancing this transition.

Amendment 3

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources **and** promoting **a more** circular economy.

Amendment

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and **efficient** utilisation of natural resources, promoting **the principles of the** circular economy, **enhancing the diffusion renewable energy, increasing energy efficiency, reducing the dependence of the Union on imported resources providing new economic opportunities and long-term competitiveness. In order to make the economy truly circular, it is necessary to take additional measures on sustainable production and consumption, focusing on the whole life cycle of products in a way that preserves resources and closes the loop. Using resources more efficiently would also bring substantial net savings for Union businesses, public authorities and consumers while reducing total annual greenhouse gas emissions.**

Amendment 4

Proposal for a directive

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) A political and societal incentive to promote recovery and recycling as a sustainable way to handle natural resources within circular economy should respect the waste management hierarchy laid down in Article 4 of Directive 2008/98/EC of the European Parliament and of the Council^{1a} and to strictly apply the approach by which prevention takes priority over recycling.

^{1a} Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Justification

A circular economy cannot work without clean production. Toxic substances should be avoided 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. This requires changing the approach to toxic substances so that in a circular economy, hazardous substances will not hinder the processes of reuse, repair and recycling.

Amendment 5

Proposal for a directive Recital 1 b(new)

Text proposed by the Commission

Amendment

(1b) Littering and improper disposal of packaging and packaging waste has negative impacts on both the marine environment and the Union economy and poses unnecessary risks to public health. Many of the most commonly found items on beaches include packaging waste, with long-term impacts on the environment which affect tourism and public enjoyment of these natural areas. Additionally, packaging waste that makes its way into the marine environment subverts the priority order of the waste hierarchy, in particular by avoiding preparation for reuse, recycling and other recovery prior to its improper disposal. In order to reduce the disproportionate contribution of packaging waste to marine litter, a binding target should be established, supported by targeted measures adopted by Member States.

Amendment 6

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) The targets laid down in Directive 94/62/EC ***of the European Parliament and of the Council***¹³ for the recovery and recycling of packaging and packaging waste should be amended by increasing the ***preparing for re-use and*** recycling of packaging waste in order to better reflect the Union's ambition to move towards a circular economy.

¹³ ***Directive 94/62/EC of European Parliament and Council of 20 December 1994 on packaging and packaging waste (OJ L 365, 31.12.1994, p. 10).***

Amendment

(2) The targets laid down in Directive 94/62/EC for the recovery and recycling of packaging and packaging waste should be amended by increasing the recycling of packaging waste in order to better reflect the Union's ambition to move towards a circular economy.

Amendment 7

Proposal for a directive

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Separate quantitative targets for re-use, that Member States should aim to achieve, should be established to promote re-usable packaging while contributing to the job creation and to savings in resources.

Amendment 8

Proposal for a directive

Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) Increasing the reuse of packaging

can reduce the overall cost in the supply chain and reduce the environmental impact of packaging waste. Member States should support the introduction on the market of re-usable packaging which is recyclable at the end of its life.

Amendment 9

Proposal for a directive Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) In certain situations, such as food service, single use packaging is required to guarantee food hygiene and the health and safety of consumers. Member States should take account of this when developing prevention measures and should promote greater access to recycling for such packaging.

Justification

Prevention measures must take account of the need to prioritise food hygiene and consumer health and safety. There are certain situations where food hygiene and consumer safety do not permit the use of re-usable forms of packaging, such as for takeaway meals, for example. On the other hand, Member States need to make more effort needs to support out-of-home collection of such packaging and its recycling.

Amendment 10

Proposal for a directive Recital 3

Text proposed by the Commission

Amendment

(3) Furthermore, in order to ensure greater coherence in waste legislation, the definitions in Directive 94/62/EC should be aligned to those of Directive 2008/98/EC *of the European Parliament and of the Council*¹⁴ applicable to waste in general.

(3) Furthermore, in order to ensure greater coherence in waste legislation, *without prejudice to the specificity of packaging and packaging waste*, the definitions in Directive 94/62/EC should be aligned, *where relevant*, to those of Directive 2008/98/EC applicable to waste in general.

¹⁴ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Justification

Ensuring consistency across all EU waste legislation is essential.

Amendment 11

**Proposal for a directive
Recital 4**

Text proposed by the Commission

(4) Clear environmental, economic and social benefits would be derived from further increasing the targets laid down in Directive 94/62/EC **for preparation for re-use and** recycling of packaging waste.

Amendment

(4) Clear environmental, economic and social benefits would be derived from further increasing the targets laid down in Directive 94/62/EC for recycling of packaging waste.

Amendment 12

**Proposal for a directive
Recital 4 a (new)**

Text proposed by the Commission

Amendment

(4a) Waste prevention is the most efficient way to improve resource efficiency, reduce the environmental impact of waste and promote recycling materials of high quality. For those reasons, Member States should adopt a life-cycle approach in order to reduce the environmental impact of products. Member States should take measures to incentivise the take-up of re-usable packaging and to achieve a reduction in consumption of packaging that is not recyclable and of excessive packaging To that end, Member States should make use of adequate economic instruments and other measures to provide incentives for

the application of the waste hierarchy. Member States should be able to use those listed in Annex IVa to Directive 2008/98/EC. Furthermore, waste prevention efforts should not compromise the role of packaging in preserving hygiene or safety for consumers.

Amendment 13

Proposal for a directive Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) 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, such as landfill and incineration charges, pay-as-you-throw schemes, extended producer responsibility schemes and incentives for local authorities. Those measures should be part of the packaging waste prevention programmes in all Member States.

Justification

Member States have a fundamental part to play in ensuring the transition to the circular economy, and it is important that they should create adequate financial, tax and regulatory incentives for packing waste prevention and recycling, in line with the objectives of this Directive. The measures taken should form part of specific programmes for packaging waste management and prevention in all Member States.

Amendment 14

Proposal for a directive Recital 4 c (new)

Text proposed by the Commission

Amendment

(4c) In the vast majority of cases, the provision of packaging does not depend on and is not chosen by the final

consumer but rather by the producer. Extended producer responsibility schemes are a suitable means of both preventing the formation of packaging waste and creating systems that will guarantee the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream, and the reuse or recovery, including recycling of the packaging and/or packaging waste, that is collected.

Amendment 15

Proposal for a directive Recital 4 d (new)

Text proposed by the Commission

Amendment

(4d) 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.

Amendment 16

Proposal for a directive Recital 4 e (new)

Text proposed by the Commission

Amendment

(4e) Member States' national strategies should include the raising of public awareness, in the form of the various incentives and benefits deriving from products made from recycled waste, which will encourage investment in the recycled products sector.

Amendment 17

Proposal for a directive Recital 4 f (new)

Text proposed by the Commission

Amendment

(4 f) Fostering a sustainable bio-economy can contribute to decreasing Europe's dependence on imported raw materials. Improving market conditions for bio-based recyclable packaging and compostable biodegradable packaging and reviewing existing law hampering the use of those materials offers the opportunity to stimulate further research and innovation and to substitute fossil fuel-based feedstocks with renewable sources for the production of packaging, where beneficial from a lifecycle perspective, and support further organic recycling.

Amendment 18

Proposal for a directive Recital 5

Text proposed by the Commission

Amendment

(5) Through a progressive increase of the existing targets on ***preparing for re-use and*** recycling of packaging waste, it should be ensured that economically valuable waste materials are progressively and effectively recovered through proper waste management and in line with the waste hierarchy. That way it should be ensured that valuable materials found in waste are returned into the European economy, thus making progress in the implementation of the Raw Materials Initiative¹⁵ and the creation of a circular economy.

(5) Through a progressive increase of the existing targets on recycling of packaging waste, it should be ensured that economically valuable waste materials are progressively and effectively recovered through proper waste management and in line with the waste hierarchy. That way it should be ensured that valuable materials found in waste are returned into the European economy, thus making progress in the implementation of the Raw Materials Initiative¹⁵ and the creation of a circular economy ***without prejudice to food safety, consumer health and food contact materials law.***

¹⁵ COM(2013) 442.

¹⁵ COM(2013) 442.

Amendment 19

Proposal for a directive Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) A clean, effective and sustainable circular economy requires the removal of hazardous substances from products at the design stage and, in this context, a circular economy should recognise explicit provisions in the Seventh Environment Action Programme which call for the development of non-toxic material cycles so that recycled waste can be used as a major and reliable source of raw material for the Union.

Justification

The EU should focus on creating a clean circular economy and avoid possible major risk of a future loss in public and market confidence in recycled material while creating an endless legacy. The main burden for recyclers is the presence of hazardous substances in material. The focus of the EU should be on getting these hazardous substances out of products and waste, and not endangering public health and the environment by exempting certain classes of businesses or products from safe requirements and by making it impossible to identify those contaminated materials in the future.

Amendment 20

Proposal for a directive Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Once recycled material re-enters the economy due to it receiving end-of-waste status, either by complying with specific end of waste criteria or being incorporated in a new product, it is required to be fully compliant with Union chemicals law.

Justification

REACH does not apply to waste, as stated in Article 2(2) “Waste as defined in Directive 2006/12/EC of the European Parliament and of the Council is not a substance, mixture or article within the meaning of Article 3 of this Regulation”.

Amendment 21

Proposal for a directive Recital 5 c (new)

Text proposed by the Commission

Amendment

(5c) There are substantial differences between household packaging waste and commercial and industrial packaging waste. In order to obtain a clear and accurate insight into both streams, Member States should report on them separately.

Justification

Belgium is currently the only Member State which has a separate collection and reporting system for household packaging waste and commercial and industrial packaging waste. We believe this is a best practice example which has the potential to be replicated at the EU level. The economic reality for household packaging versus commercial and industrial packaging significantly differs: 1) they deal with different products and hence require different packaging, which lead to different waste streams; 2) the commercial dimension is different (B-to-B setting for commercial and industrial packaging versus B-to-C setting for household packaging; 3) the volumes of both streams highly differ. These are the three most compelling reasons for making a clear distinction between both streams.

Amendment 22

Proposal for a directive Recital 6

Text proposed by the Commission

Amendment

(6) Many Member States have not yet completely developed the necessary waste management infrastructure. It is therefore essential to set clear policy objectives in order to avoid locking recyclable materials at the bottom of the waste hierarchy.

(6) Many Member States have not yet completely developed the necessary waste management infrastructure ***for recycling***. It is therefore essential to set clear policy objectives ***for the construction of waste treatment facilities and installations needed for prevention, reuse and recycling***, in order to avoid locking

recyclable materials at the bottom of the waste hierarchy **and to set incentives for investments into an innovative waste management infrastructure for recycling.**

Amendment 23

Proposal for a directive Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In order to help achieve the targets of this Directive and to boost the transition to a circular economy, the Commission should promote the coordination and exchange of information and best practices among Member States and different sectors of the economy. That exchange could be facilitated through communication platforms that could help raise awareness of new industrial solutions and allow for a better overview of available capacities which would contribute to connecting the waste industry and other sectors and support industrial symbiosis.

Amendment 24

Proposal for a directive Recital 7

Text proposed by the Commission

Amendment

(7) With the combination of recycling targets and landfill restrictions laid down in Directives 2008/98/EC and 1999/31/EC, the Union targets for energy recovery **and the recycling targets** for packaging waste laid down in Directive 94/62/EC are no longer necessary.

(7) With the combination of recycling targets and landfill restrictions laid down in Directives 2008/98/EC and 1999/31/EC **of the Council^{1a}**, the Union targets for energy recovery for packaging waste laid down in Directive 94/62/EC are no longer necessary.

^{1a} **Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ**

Justification

Recycling targets remain a fundamental instrument for use in managing the transition to a circular economy.

Amendment 25

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) This Directive sets long-term objectives for the Union's waste management and gives the economic operators and the Member States a clear direction for the necessary investments to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure, Member States should make a sound use of the European Structural and Investment Funds in line with the waste hierarchy *by* promoting prevention, *re-use and* recycling.

Amendment

(8) This Directive sets long-term objectives for the Union's waste management and gives the economic operators and the Member States a clear direction for the necessary investments to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure *and the circular economy*, Member States should make a sound use of the European Structural and Investment Funds in line with the waste hierarchy *and devise those strategies and investment plans so that they are geared primarily to* promoting *waste* prevention *and re-use, followed by* recycling, *in line with the waste hierarchy*.

Amendment 26

Proposal for a directive

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The rules on the further raising of recycling targets from 2030 onwards should be reviewed in the light of the experience gained in applying this Directive.

Amendment 27

Proposal for a directive Recital 10

Text proposed by the Commission

(10) Separate recycling targets should be set for ferrous metals and aluminium in order to achieve significant economic and environmental benefits because more **aluminium** would be recycled leading to significant energy and carbon dioxide savings. The existing preparing for re-use and recycling target for metal packaging should therefore be split into separate targets for those two types of waste.

Amendment

(10) Separate recycling targets should be set for ferrous metals and aluminium in order to achieve significant economic and environmental benefits because more **metals** would be recycled leading to significant energy and carbon dioxide savings. The existing preparing for re-use and recycling target for metal packaging should therefore be split into separate targets for those two types of waste.

Justification

Separate targets not only help to improve the aluminium recycling rates, but also steel recycling rates, it is therefore appropriate to use the word 'metals' rather than 'aluminium'.

Amendment 28

Proposal for a directive Recital 11

Text proposed by the Commission

(11) **Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components that are prepared for re-use by recognised preparation for re-use operators and deposit-refund schemes. 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.**

Amendment

(11) ***In order to ensure a uniform calculation of data on recycling targets the Commission should adopt detailed rules on the determination of recycling operators and on the collection, traceability, verification and reporting of data. After the adoption of this harmonised methodology, Member States should be able, for the purposes of calculating whether the recycling targets are achieved, to take into account the recycling of metals that takes place in conjunction with incineration or co-incineration.***

Amendment 29

Proposal for a directive Recital 12

Text proposed by the Commission

(12) In order to ensure the reliability of the data gathered on **preparation for re-use** it is essential to establish common rules **for** reporting. Similarly, it is important to lay 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. **To that effect, as a general rule,** the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. **In order to limit administrative burdens, Member States should be allowed, under strict conditions, to report recycling rates on the basis of the output of sorting facilities.** Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

Amendment 30

Proposal for a directive Recital 14

Text proposed by the Commission

(14) **Statistical data** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **statistics** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report.

Amendment

(12) In order to ensure the reliability of the data gathered on **recycling** it is essential to establish common rules **on the collection, traceability, verification and reporting of data.** Similarly, it is important to lay 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. **The calculation of the attainment of the targets should be based on one harmonised method that prevents reporting of discarded waste as recycled waste.** **To that end,** the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

Amendment

(14) **Data and information** reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **data reported** should be improved by introducing **a common methodology for collection and processing of data based on reliable sources and by introducing** a single entry point for all waste data, deleting obsolete reporting requirements,

benchmarking national reporting methodologies and introducing a data quality check report.

Amendment 31

Proposal for a directive Recital 16

Text proposed by the Commission

(16) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 94/62/EC, Member States should be required to use ***the most recent*** methodology developed by the Commission ***and*** the national statistical offices of the Member States.

Amendment

(16) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 94/62/EC, Member States should be required to use ***a common methodology for data collection and processing*** developed by the Commission ***in cooperation with the*** national statistical offices of the Member States ***and the national, regional and local authorities responsible for waste management.***

Amendment 32

Proposal for a directive Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Member States should submit to the Commission on request and without delay any information necessary for the evaluation of the implementation of this Directive as a whole and its impact on the environment and human health.

Amendment 33

Proposal for a directive Recital 17

Text proposed by the Commission

(17) In order to supplement *or amend* Directive 94/62/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of *Articles 6a(2), 6a(5), 11(3), 19(2) and 20*. It is of particular importance that the Commission *carries* out appropriate consultations during its preparatory work, including at expert level. *The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council.*

Amendment

(17) In order to supplement Directive 94/62/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of *rules on the calculation of the attainment of the recycling targets, certain exceptions concerning the maximum concentration levels of heavy metals in certain recycled materials, product loops and types of packaging, on the common methodology for data collection and processing and the format for reporting data concerning the attainment of the recycling targets and amendments to the list of illustrative examples on the definition of packaging and any technical difficulties encountered in applying this Directive*. It is of particular importance that the Commission *carry* out appropriate consultations during its preparatory work, including at expert level, *and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.*

Amendment 34

**Proposal for a directive
Recital 18**

Text proposed by the Commission

(18) In order to ensure uniform conditions for the implementation of Directive 94/62/EC, implementing powers

Amendment

(18) In order to ensure uniform conditions for the implementation of Directive 94/62/EC, implementing powers

should be conferred on the Commission in respect of **Articles 12(3d) and 19**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁶.

should be conferred on the Commission in respect of **for adapting to scientific and technical progress, the identification system concerning the nature of the packaging materials used**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁶.

¹⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28/02/2011, p. 13).

¹⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28/02/2011, p. 13).

Amendment 35

Proposal for a directive

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) Member States should ensure that high levels of occupational health and safety requirements are put in place for all Union workers, in line with existing Union law, and in accordance with the specific risks faced by workers in some production, recycling and waste sectors.

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point-1 (new)

Directive 94/62/EC

Article 1 – paragraph 2

Present text

Amendment

"2. To this end this Directive lays

(-1) In Article 1, paragraph 2 is replaced by the following:

"2. To this end this Directive lays

down measures aimed, as a first priority, at preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste. "

down measures aimed, as a first priority, at preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste ***in order to contribute to the transition towards a circular economy.***"

Justification

In the objectives, it is important to highlight the importance of this directive for the transition towards a circular economy.

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point b a (new)

Directive 94/62/EC

Article 3 – point 2 a (new)

Text proposed by the Commission

Amendment

(ba) the following point is added:

"2a. 'Bio-based packaging' shall mean any packaging derived from materials of biological origin excluding material embedded in geological formations and/or fossilised;"

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive 94/62/EC

Article 3 – points 3 to 10

Text proposed by the Commission

Amendment

(c) points 3 to 10 are deleted;

(c) points 3 ***and 4 and from 6*** to 10 are deleted;

Justification

The definition of 're-use' is reinstated.

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point d

Directive 94/62/EC

Article 3 – paragraph 2

Text proposed by the Commission

'In addition, the definitions of 'waste', 'waste producer', 'waste holder', 'waste management', 'collection', 'separate collection', 'prevention', '**re-use**', 'treatment', 'recovery', '**preparing for re-use**', 'recycling', 'final recycling process' and 'disposal' laid down in Article 3 of Directive 2008/98/EC shall apply.'

Amendment

'In addition, the definitions of 'waste', 'waste producer', 'waste holder', 'waste management', 'collection', 'separate collection', 'prevention', '**sorting**', '**municipal waste**', '**industrial and commercial waste**', 'treatment', 'recovery', 'recycling', '**organic recycling**', 'final recycling process', '**litter**', and 'disposal' laid down in Article 3 of Directive 2008/98/EC shall apply.'

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

'**Such other measures may consist of national programmes, incentives through extended producer responsibility schemes to minimise the environmental impact of packaging or similar actions adopted, if appropriate,** in consultation with economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention. They shall comply with the objectives of this Directive as defined in Article 1(1) ';

Amendment

'**Member States shall take measures to minimise the environmental impact of packaging and contribute to achieving the waste prevention objectives that are laid down in paragraph -1 of Article 9 of Directive 2008/98/EC. Such measures shall include** extended producer responsibility **as defined in the third subparagraph in Article 8(1) and incentives for the take-up of re-usable packaging.**

Member States shall take measures to achieve a sustained reduction in consumption of packaging that is not recyclable and of excessive packaging. Such measures shall not compromise

hygiene or food safety.

*In addition, Member States may take other actions adopted in consultation with economic operators **and consumer and environmental organisations** and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention.*

They shall comply with the objectives of this Directive as defined in Article 1(1).

Member States shall make use of adequate economic instruments and other measures to provide incentives for the application of the waste hierarchy. Such instruments and measures may include those listed in Annex IVa to Directive 2008/98/EC.'

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 94/62/EC

Article 4 – paragraph 3

Present text

3. *The Commission shall, as appropriate, present proposals for measures to strengthen and complement the enforcement of the essential requirements and to ensure that new packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging.*

Amendment

(2a) In Article 4, paragraph 3 is replaced by the following:

'3. By 31 December 2020 the Commission shall present proposals to update the essential requirements in order to strengthen and complement the enforcement of these requirements so as to ensure that new packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging. The Commission shall, after consulting all stakeholders, present a legislative proposal for updating requirements, in particular to strengthen the design for re-use and high quality recycling.

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Directive 94/62/EC

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(2b) In Article 4, the following paragraph is inserted:

'3a. Member States shall encourage, where environmentally beneficial from a life-cycle perspective, the use of bio-based recyclable packaging and of biodegradable compostable packaging, by taking measures such as those:

(a) promoting their use through, inter alia, the use of economic instruments;

(b) improving market conditions for such products;

(c) reviewing existing law hampering the use of those products.'

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 2 c (new)

Directive 94/62/EC

Article 5 – title

Text proposed by the Commission

Amendment

(2c) In Article 5, the following title is inserted:

'Re-Use'

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 94/62/EC

Article 5 – paragraph 1

Present text

Member States *may* encourage reuse systems of packaging, which can be reused in an environmentally sound manner, in conformity with the Treaty.

Amendment

(2d) *In Article 5, paragraph 1 is replaced by the following:*

1. *In line with the waste hierarchy, Member States shall encourage reuse systems of packaging, which can be reused in an environmentally sound manner, in conformity with the Treaty, without compromising food hygiene or the safety of consumers.*

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 2 e (new)

Directive 94/62/EC

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(2e) *In Article 5, the following paragraph is inserted:*

'1a. *Member States shall aim to achieve the following targets for re-use of packaging:*

(a) *no later than 31 December 2025, a minimum of 5% by weight of all packaging waste is re-used;*

(b) *no later than 31 December 2030, a minimum of 10% by weight of all packaging waste is re-used.'*

Amendment 46

Proposal for a directive

Article 1 – paragraph 1 – point 2 f (new)

Directive 94/62/EC

Article 5 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(2f) *In Article 5, the following paragraph is inserted:*

'1b. In order to encourage re-use operations, Member States may take, inter alia, the following measures:

- **the use of deposit return schemes for re-usable packaging products;**
- **the setting up of a minimum percentage of re-useable packaging placed on the market every year per packaging stream;**
- **the establishment of adequate economic incentives to producers of re-usable packaging.'**

Amendment 47

Proposal for a directive

Article 1 – paragraph 1 – point 2 g (new)

Directive 94/62/EC

Article 5 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

(2g) In Article 5, the following paragraph is inserted:

1c. Packaging and reused packaging which is collected by a deposit-refund scheme may be counted towards the attainment of prevention targets established by national prevention programmes.

Amendment 48

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a

Directive 94/62/EC

Article 6 – title

Text proposed by the Commission

Amendment

(a) the title is replaced by 'Recovery, *re-use* and recycling';

(a) the title is replaced by 'Recovery, and recycling';

Amendment 49

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a a (new)

Directive 94/62/EC

Article 6 – paragraph -1 (new)

Text proposed by the Commission

Amendment

(aa) In Article 6, the following paragraph -1 is inserted:

‘-1. Member States shall put in place sorting systems for all packaging materials.’

Justification

Separate collection and sorting for all packaging needs to be mandated not just promoted. Packaging that is not separately collected and sorted is not recycled. Only by introducing a clear legal obligation to mandate separate collection and sorting for all packaging, will all recyclable packaging materials have guaranteed access to collection and recycling schemes. Requiring Member States to set up systems to collect and sort all packaging is also necessary to secure a constant supply of recyclable materials thus providing a predictable scenario for innovation and investment in existing and new collection and sorting technologies and infrastructure.

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) no later than 31 December 2025 a minimum of **65%** by weight of all packaging waste will be ***prepared for reuse and*** recycled;

(f) no later than 31 December 2025 a minimum of **70%** by weight of all packaging waste ***generated*** will be recycled;

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) 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:

- (i) **55** % of plastic;
- (ii) **60%** of wood;
- (iii) **75%** of ferrous metal;
- (iv) **75%** of aluminium;
- (v) **75%** % of glass;
- (vi) **75%** of paper and cardboard;

(g) no later than 31 December 2025 the following minimum targets by weight for recycling will be met regarding the following specific materials contained in packaging waste:

- (i) **60** % of plastic;
- (ii) **65%** of wood;
- (iii) **80%** of ferrous metal;
- (iv) **80%** of aluminium;
- (v) **80** % of glass;
- (vi) **90%** of paper and cardboard;

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) no later than 31 December 2030 a minimum of **75%** by weight of all packaging waste will be **prepared for reuse and** recycled;

(h) no later than 31 December 2030 a minimum of **80%** by weight of all packaging waste **generated** will be recycled;

Amendment 53

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point i

Text proposed by the Commission

Amendment

(i) 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:

(i) no later than 31 December 2030 the following minimum targets by weight for recycling will be met regarding the following specific materials contained in packaging waste:

- (i) 75% of wood;
- (ii) 85% of ferrous metal;
- (iii) 85% of aluminium;
- (iv) 85% of glass;
- (v) 85% of paper and cardboard.

- (i) 80% of wood;
- (ii) 90% of ferrous metal;
- (iii) 90% of aluminium;
- (iv) 90% of glass;

Amendment 54

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 94/62/EC

Article 6 – paragraph 3

Text proposed by the Commission

3. Packaging waste sent to another Member State for the ***purposes of preparing for reuse, recycling or recovery*** in that other Member State may only be counted towards the attainment of the targets laid down in paragraph 1(f) to (i) by the Member State in which the packaging waste was collected.

Amendment

3. Packaging waste sent to another Member State for the ***purpose*** of recycling in that other Member State may only be counted towards the attainment of the targets laid down in paragraph 1(f) to (i) by the Member State in which the packaging waste was collected.

Amendment 55

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c a (new)

Directive 94/62/EC

Article 6 – paragraph 4

Present text

4. Member States shall, ***where appropriate***, encourage the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations

Amendment

(ca) In Article 6, paragraph 4 is replaced by the following:

'4. Member States shall encourage the use of materials obtained from recycled packaging waste, ***when beneficial from a life-cycle perspective and in line with the waste hierarchy***, for the manufacturing of packaging and other products by:

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations

preventing the use of those materials.

preventing the use of those materials;

(ba) making use of adequate economic instruments in order to incentivise the uptake of secondary raw material that may include measures promoting the recycled content of the products and the application of sustainable public procurement criteria;

(bb) promoting materials that, when recycled, do not endanger human health when they are recycled into food contact materials.'

Justification

Member States should encourage the use of materials obtained from recycled packaging waste for the production of packaging and other products, by improving market conditions for such materials and reviewing existing legislation which hampers their use, as well as creating incentives to use secondary raw materials and promoting materials which, once recycled, do not damage human health.

Amendment 56

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d

Directive 94/62/EC

Article 6 – paragraphs 5, 8 and 9

Text proposed by the Commission

(d) paragraphs 5, 8, and 9 are deleted;

Amendment

(d) paragraphs 5 and 9 are deleted;

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d a (new)

Directive 94/62/EC

Article 6 – paragraph 8

Present text

8. *The Commission shall, as soon as possible and no later than 30 June 2005, present a report to the European*

Amendment

(da) Paragraph 8 is replaced by the following:

'8. *To that end, the Commission shall, by 31 December 2024, examine the targets laid down in Article 6 and the progress*

Parliament and the Council on the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market. The report shall take into account individual circumstances in each Member State. It shall cover the following:

- (a) an evaluation of the effectiveness, implementation and enforcement of the essential requirements;*
- (b) additional prevention measures to reduce the environmental impact of packaging as far as possible without compromising its essential functions;*
- (c) the possible development of a packaging environment indicator to render packaging waste prevention simpler and more effective;*
- (d) packaging waste prevention plans;*
- (e) encouragement of reuse and, in particular, comparison of the costs and benefits of reuse and those of recycling;*
- (f) producer responsibility including its financial aspects;*
- (g) efforts to reduce further and, if appropriate, ultimately phase out heavy metals and other hazardous substances in packaging by 2010.*

This report shall, as appropriate, be accompanied by proposals for revision of the related provisions of this Directive, unless such proposals have, by that time, been presented.

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point a

towards achieving them, taking into account the best practices and measures used by Member States to reach those targets.

In its assessment, the Commission shall consider setting:

- (a) targets on other packaging waste streams;*
- (b) separate targets for household packaging waste and for commercial and industrial packaging waste.*

To that end, the Commission, shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and the Council.'

Text proposed by the Commission

'1. For the purpose of calculating whether the targets laid down in Article 6(1)(f) *to (i)* have been attained,

(a) the weight of the packaging waste recycled shall be *understood* as the weight of the input waste entering the final recycling process;

(b) *the weight of the packaging waste prepared for reuse shall be understood as the weight of packaging waste that has been recovered or collected by a recognised preparation for re-use operator and has undergone all necessary checking, cleaning and repairing operations to enable re-use without further sorting or pre-processing;*

(c) *Member States may include products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes. For the calculation of the adjusted rate of packaging waste prepared for re-use and recycled taking into account the weight of the products and components prepared for re-use, Member States shall use verified data from the operators and apply the formula set out in Annex IV.*

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1a (new)

Text proposed by the Commission

Amendment

'1. For the purpose of calculating whether the targets laid down in points (f) to (i) of Article 6(1) have been attained the weight of the packaging waste recycled shall be *calculated* as the weight of the input waste entering the final recycling process *in a given year*.

1a. By 31 December 2018, the Commission shall request the European standardisation organisations to develop

European quality standards for waste materials entering the final recycling process and for the secondary raw materials, in particular for plastics, based on the best available practices.

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 2

Text proposed by the Commission

2. In order to ensure harmonised conditions for the application of paragraph **1(b) and (c) and of Annex IV**, the Commission shall adopt delegated acts in accordance with Article 21a establishing minimum quality and operational requirements for the determination of **recognised preparation for re-use operators and deposit-refund schemes**, including specific rules on data collection, verification and reporting.

Amendment

2. In order to ensure harmonised conditions for the application of paragraph **1** the Commission shall adopt delegated acts in accordance with Article 21a **in order to supplement this Directive by** establishing minimum quality and operational requirements for the determination of **final recycling operators**, including specific rules on data collection, **traceability and** verification and reporting.

Justification

To ensure that paragraph 1(a) of this Directive is applied uniformly, the Commission should adopt delegated acts establishing minimum quality and operational requirements for the determination of final recycling operators.

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall examine the possibilities of and, if appropriate, propose measures for streamlining the reporting of composite packaging with the obligations laid down in this Directive.

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3

Text proposed by the Commission

Amendment

3. *By way of derogation from paragraph 1, the weight of the output of any sorting operation may be reported as the weight of the packaging waste recycled provided that:*

deleted

(a) such output waste is sent into a final recycling process;

(b) the weight of materials or substances that are not subject to a final recycling process and that are disposed or subject to energy recovery remains below 10% of the total weight to be reported as recycled.

Justification

In its resolution on 'Resource efficiency: moving towards a circular economy', adopted on 9 July 2015, the European Parliament called for the calculation of targets for recycling to be performed using a single harmonised method in all Member States, based on a solid reporting method preventing the reporting of discarded waste (landfilled or incinerated) as recycled waste.

Amendment 63

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 4

Text proposed by the Commission

Amendment

4. Member States shall establish an effective system of quality control and traceability of the packaging waste to ensure *that conditions* laid down in paragraph 3(a) *and (b)* are met. The system may consist of either electronic registries

4. *In accordance with the delegated acts adopted pursuant to paragraph 2,* Member States shall establish an effective system of quality control and traceability of the packaging waste to ensure *compliance with the rules* laid down in

set up pursuant to Article 35(4) of Directive 2008/98/EC, technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste.

paragraph *1*. The system may consist of either electronic registries set up pursuant to Article 35(4) of Directive 2008/98/EC, technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste. ***Member States shall inform the Commission about the system chosen for quality control and traceability.***

Justification

It is important that Member States establish a packaging waste monitoring and traceability system to ensure that the rules laid down in Article 1(1) of this Directive are complied with, and that they should inform the Commission about the method chosen for the management of this system.

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 5

Text proposed by the Commission

5. For the purposes of calculating whether the targets laid down in Article 6(1)(f) **to (i)** have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration in proportion to the share of the packaging waste incinerated provided that the recycled metals meet certain quality requirements. Member States shall use the common methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.

Amendment

5. For the purposes of calculating whether the targets laid down in points (f) to (i) of Article 6(1) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration ***or co-incineration only if waste has been sorted prior to incineration or if the obligation to set up separate collection for paper, metal, plastic, glass and bio-waste has been complied with*** in proportion to the share of the packaging waste incinerated ***or co-incinerated*** provided that the recycled metals meet certain quality requirements. Member States shall use the common methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.

Amendment 65

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 94/62/EC

Article 6b – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) examples of best practices which are used throughout the Union and which can provide guidance on progress towards achieving the targets.

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 94/62/EC

Article 6b – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where necessary, the reports referred to in paragraph 1 shall address the implementation of requirements of this Directive other than those referred to in paragraph 1, including the forecasting of the achievement of the targets contained in the waste prevention programmes and the percentage and the per capita quantity of municipal waste that is disposed of or subject to energy recovery.

Amendment 67

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 94/62/EC

Article 7 – paragraph 1

Present text

Amendment

"1. Member States shall take the necessary measures to ensure that systems

(5a) Article 7 (1) is replaced by the following:

"1. Member States, in order to meet the objectives laid down in this Directive,

are set up to provide for:

- (a) 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;
- (b) the reuse or recovery including recycling of the packaging and/or packaging waste collected,

in order to meet the objectives laid down in this Directive.

These 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 in conformity with the Treaty."

Amendment 68

Proposal for a directive

Article 1 – paragraph 1 – point 5 b (new)

Directive 94/62/EC

Article 7 a (new)

Text proposed by the Commission

shall take the necessary measures to ensure that systems are set up to provide for, ***and incentivise:***

- (a) 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;
- (b) the reuse or recovery including recycling of the packaging and/or packaging waste collected.

These 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 in conformity with the Treaty."

Amendment

(5b) The following Article is inserted:

'Article 7a

Specific measures for return and collection systems

Member States shall take the necessary measures to put in place:

- (a) 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;

(b) composite packaging as defined under Commission Decision 2005/270/EC shall be collected in existing collection schemes meeting the quality standards required for final recycling. '

Justification

In order to increase recycling, more must be collected and governments need to ensure that everything that can be recycled is recycled, in particular for packaging. Requiring Member States to set up systems to collect all packaging and packaging wastes will secure feedstock, thus generating investment and driving innovation in collection and sorting infrastructure and, in turn, 'creating the recycling pipeline'. To leverage existing collection infrastructure, composite material should be collected in existing collection systems. Requiring separate collection of packaging waste would align the Packaging and Packaging Waste Directive with the Waste Framework Directive which proposes under Article 11 that Member States must set up separate collection for at least the following: paper, metal, plastic and glass.

Amendment 69

Proposal for a directive

Article 1 – paragraph 1 – point 5 c (new)

Directive 94/62/EC

Article 8 – paragraph 2

Present text

"2. To facilitate collection, reuse and recovery including recycling, packaging shall indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC^[1].

^[1] OJ L 50, 20.2.1997, p. 28."

Amendment

(5c) In Article 8, paragraph 2 is replaced by the following:

"2. To facilitate collection, reuse and recovery including recycling, ***packaging shall contain information useful for that purpose. In particular,*** packaging shall indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC^[1].

^[1] OJ L 50, 20.2.1997, p. 28."

Amendment 70

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

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Text proposed by the Commission

'3a. Member States shall report the data concerning the attainment of the targets laid down in Article 6(1)(a) to (i) for each calendar year to the Commission. They shall report **this data** electronically within **18** months of the end of the reporting year for which the data are collected.

Amendment

'3a. Member States shall report the data concerning the attainment of the targets laid down in **points (a) to (i) of Article 6(1)** for each calendar year to the Commission. They shall **collect and process the data in accordance with the common methodology referred to in paragraph 3d and** report **it** electronically within **12** months of the end of the reporting year for which the data are collected.

Amendment 71

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3a – subparagraph 2

Text proposed by the Commission

The data shall be reported in the format established by the Commission in accordance with paragraph 3d. The first reporting shall cover data for the period from 1 January [enter year of entry into force of this Directive + 1 year] to 31 December [enter year of entry into force of this Directive + 1 year].

Amendment

The data shall be **collected and processed, using the common methodology referred to in paragraph 3d, and** reported in the format established by the Commission in accordance with paragraph 3d. The first reporting **with respect to the targets laid down in points (f) to (i) in Article 6** shall cover data for the period from 1 January [enter year of entry into force of this Directive + 1 year] to 31 December [enter year of entry into force of this Directive + 1 year].

Justification

It is important that the data reported should be based on a common methodology and reported in the format established by the Commission in accordance with paragraph 3d.

Amendment 72

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3c

Text proposed by the Commission

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Amendment

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. ***Until the common methodology for data collection and processing referred to in paragraph 3d has been established***, the report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States. ***The Commission shall also assess*** completeness, reliability, timeliness and consistency of the data and the information submitted. The assessment may include specific recommendations for improvement. The report shall be drawn up ***nine months after the first reporting of the data by the Member States and*** every three years ***thereafter***.

Amendment 73

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3c a (new)

Text proposed by the Commission

Amendment

3ca. In the report, the Commission shall include information on the implementation of the Directive as a whole and evaluate its impact on human health, the environment and the internal market. If appropriate, a proposal to revise this Directive may accompany the report.

Justification

The impact of the Directive should be regularly assessed to ensure that the essential elements of the Directive are fit for purpose.

Amendment 74

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3d

Text proposed by the Commission

3d. The Commission shall adopt **implementing** acts laying down the format for reporting data in accordance with paragraph 3a. **Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).**';

Amendment

3d. The Commission shall adopt **delegated** acts **in accordance with Article 38a in order to supplement this Directive by laying down the common methodology for data collection and processing** and the format for reporting data in accordance with paragraph 3a. ';

Amendment 75

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 94/62/EC

Article 21a – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 6a(2), Article 11(3), Article 19(2) and Article 20 shall be conferred on the Commission for an indeterminate period of time from [enter date of entry into force of this Directive].

Amendment

2. The power to adopt delegated acts referred to in Article 6a(2), Article 11(3), **Article 12(3d)**, Article 19(2) and Article 20 shall be conferred on the Commission for an indeterminate period of time from [enter date of entry into force of this Directive].

Amendment 76

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 94/62/EC

Article 21a – paragraph 3

Text proposed by the Commission

3. The delegation of power referred to in Article 6a(2), Article 11(3), Article 19(2) and Article 20 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of power referred to in Article 6a(2), Article 11(3), **Article 12(3d)**, Article 19(2) and Article 20 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 77

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 94/62/EC

Article 21a – paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 6a(2), Article 11(3), Article 19(2) and Article 20 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.'

Amendment

5. A delegated act adopted pursuant to Article 6a(2), Article 11(3), **Article 12(3d)**, Article 19(2) and Article 20 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.'

Amendment 78

Proposal for a directive

Article 1 – paragraph 1 – point 12 a (new)

Directive 94/62/EC

Annex II

Text proposed by the Commission

Amendment

(12a) Annex II to Directive 94/62/EC on packaging and packaging waste is replaced as set out in the Annex to this Directive.

Amendment 79

Proposal for a directive

Article 1 – paragraph 1 – point 14

Text proposed by the Commission

Amendment

(14) Annex IV is added to Directive 94/62/EC on packaging and packaging waste as set out in the Annex to this Directive.

deleted

Justification

Products and components which have not become waste must not count towards the attainment of targets for recycling, as the operations concerned are waste recovery operations. The re-use of products and components constitutes processing which prevents the generation of waste, so in accordance with the waste hierarchy it should be regarded as a prevention measure. Paragraph 6a(1) already defines the method of calculation of the rate of recycling.

Amendment 80

Proposal for a directive

Annex – paragraph - 1 (new)

Directive 94/62/EC

Annex II – point 1 – indent 1

Present text

Amendment

- Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling, and to minimize its impact on the environment when packaging waste or residues from packaging waste management operations

(-1) In Annex II, point 1, the first indent is amended as follows:

‘- Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling, **in line with the waste hierarchy**, and to minimize its impact on the environment when packaging waste or residues from packaging waste

are disposed of.

management operations are disposed of.’

Amendment 81

Proposal for a directive

Annex – paragraph -1 a (new)

Directive 94/62/EC

Annex II – point 1 – indent 1 a (new)

Text proposed by the Commission

Amendment

(-1a) In Annex II, point 1, the following indent 1a is inserted:

‘- Packaging shall be produced in such a way as to minimise its carbon footprint, including by using biodegradable and sustainable bio-based materials.’

Amendment 82

Proposal for a directive

Annex – paragraph -1 b (new)

Directive 94/62/EC

Annex II – point 3 – point c

Present text

Amendment

(c) Packaging recoverable in the form of composting

Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it **should** not hinder the separate collection and the composting process or activity into which it is introduced.

(-1b) In Annex II, point 3, point c is amended as follows:

‘(c) Packaging recoverable in the form of composting

Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it **does** not hinder the separate collection and the composting process or activity into which it is introduced.’

Amendment 83

Proposal for a directive

Annex – paragraph -1 c (new)

Present text

(d) Biodegradable packaging
Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water.

Amendment

(-1c) In Annex II, point 3, point d is amended as follows:

‘(d) Biodegradable packaging
Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water. ***Oxo-degradable plastic packaging shall not be considered as biodegradable.***’

Amendment 84

**Proposal for a directive
Annex – paragraph 2**

Text proposed by the Commission

The following Annex IV is added:

'ANNEX IV

Calculation method for preparing for re-use of products and components for the purpose of Article 6(1)(f) to (i)

In order to calculate the adjusted rate of recycling and preparation for re-use in accordance with Article 6(1)(f) to (i), Member States shall use the following formula:

"E=" "(A+R)*100" /"(P+R)"

E: adjusted recycling and re-use rate in a given year;

A: weight of packaging waste recycled or prepared for re-use in a given year;

R: weight of products and components prepared for re-use in a given year;

P: weight of packaging waste generated in

Amendment

deleted

a given year.'

Justification

Products and components which have not become waste must not be counted towards the attainment of targets for recycling, as the operations concerned are waste recovery operations. The re-use of products and components constitutes processing which prevents the generation of waste, so in accordance with the waste hierarchy it should be regarded as a prevention measure. Paragraph 6a(1) already defines the method of calculation of the rate of recycling.

EXPLANATORY STATEMENT

Introduction

The current linear development model, which may be summarised as 'take, produce, consume and dispose of', is beginning to show signs of reaching its limits. Our planet is warming, and the resources used, on which we depend, are becoming increasingly scarce. Unless structural measures are taken, demand for raw materials by the world economy could increase by more than 50% in the next 15 years. In order to reverse this trend, we must adopt a circular development model which keeps materials and their value in circulation within the economic system for as long as possible, by optimising the integrated waste cycle in order to put resources to efficient use. Re-use, recycling and recovery are becoming the key words around which a new paradigm needs to be built to promote sustainability, innovation and competitiveness, so that waste will cease to be a problem and become a resource.

The package should therefore be considered in a far wider context than that of a mere review of waste legislation. The rapporteur aims to encourage the Commission in its aim of preserving the environment, making the European economy more competitive and promoting sustainable reindustrialisation. Increasing the value of resources means intervening in all phases of the product life cycle: from extraction of raw materials to product design and from distribution, through consumption, to the end of life of products.

A clear and stable legislative framework is the first step in promoting the transition.

Such a systemic change calls for ambitious policies, backed by legislation capable of sending the right signals to investors. If European legislation fails to incorporate clear definitions and binding targets, it could harm progress towards the circular economy.

Taking the waste hierarchy as a basis, the rapporteur has made it her purpose to amend the Commission proposal mainly with regard to waste prevention and channelling waste back into the production process. In order to reduce the quantity of waste, it is necessary to launch upstream the innovation of production processes and business models basic to the circular economy.

The transformation of the Union into a green, low-carbon economy which uses resources efficiently is already one of the main objectives of the Seventh European Environmental Action Programme, and it is worth recalling that Europe has committed itself to attaining the UN's sustainable development targets.

Directive on packaging and packaging waste

Eurostat estimates that in 2013 more than 79.368 million tonnes of packaging waste was generated in Europe, some 500 000 tonnes more than in 2012. The recycling rate was 65.3%, a slight increase on the figure for 2012, with only three Member States below 50%. In the next few years, it is anticipated that the quantities of packaging placed on the market will continue to increase.

Directive 94/62/EC has undergone a number of revisions. In 2010, as part of the Commission's Work Programme, the Directive was subjected to a specific fitness check, the

results of which were published in the 2014 Staff Working Document¹ which accompanied the original legislative package on the circular economy, which the Commission withdrew in December 2014.²

Various recommendations in the Staff Working Document which are intended to improve the effectiveness and efficiency of the Directive have not been included in the new Commission proposal. Certain key elements in the Directive should therefore be improved, particularly in order to align them with the waste management hierarchy, which classifies prevention as the most important level.

The raising of recycling targets, the extension of compulsory EPR schemes to packaging, better wording and more stringent implementation of essential requirements and promotion of re-use are among the initiatives which the rapporteur has sought to bring forward in order to promote efficient use of resources.

Quantitative prevention and qualitative improvement of packaging should be the primary objective of a revision of the Directive in line with the principles on which the circular economy is based. To this end, it is necessary to remove incentives for the excessive use of packaging imposed on the consumer, promoting the design of packaging which can be recycled and/or re-used more easily. In addition, measures should be promoted to support research into and the use and marketing of packaging using renewable resources. Lastly, the rapporteur has incorporated the same amendments as were inserted in the Waste Framework Directive as regards the definitions and the methodology for calculating quantities of waste subject to preparation for re-use and recycling.

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014SC0209>.

² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014PC0397>.

20.10.2016

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste (COM(2015)0596 – C8-0385/2015 – 2015/0276(COD))

Rapporteur: João Ferreira

SHORT JUSTIFICATION

Taking into account the different starting positions in the Member States with regard to the progressive increase in the targets for recycling and preparing for re-use, which mean that different levels of effort will be required to achieve the goals set, some flexibility is needed in relation to the time schedule for meeting the targets.

As acknowledged in the proposal, many Member States have not yet completely developed the necessary waste management infrastructure. It is therefore essential to set clear policy objectives in order to avoid locking recyclable materials at the bottom of the waste hierarchy. Without calling the objectives themselves into question, the feasibility of complying with them demands a degree of time flexibility.

Moreover, the existence of new objectives, revised upward, justifies the provision of new resources with which to achieve them. It is therefore justified for the European Union to increase the resources placed at the disposal of the Member States in order to support them in making the necessary investments.

The right conditions and incentives also need to be created to make it an attractive proposition for industry to incorporate packaging waste in its production processes in order to produce added-value products while saving virgin raw materials.

In the meantime, energy recovery should remain a viable option for the management of packaging and packaging waste wherever it is technically, economically and environmentally justified.

Extended producer responsibility schemes are a suitable means of both preventing the formation of packaging waste and creating systems that will guarantee the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream, and the reuse or recovery including recycling of the packaging and/or packaging waste collected.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources and promoting a more circular economy.

Amendment

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, including the marine environment and wildlife, protecting human health, ensuring prudent and rational utilisation of natural resources and promoting a more circular economy, ***reducing resource dependence in the Union and increasing resource efficiency.***

Amendment 2

Proposal for a directive

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Member States should foster a sustainable bio-economy with the aim of using waste as a resource. In accordance with that aim, waste prevention is the most efficient way to improve resource efficiency, and Member States should take measures to prevent unnecessary packaging, and reduce the manufacture and consumption of single-use packaging. Member States should be able to include market restrictions of superfluous packaging. Member States should require all packaging placed on the market to comply with minimum requirements that promote the design of circular packaging, which could include the use of recycled content, and material with low

greenhouse gas emissions. The Commission should promote, as appropriate, the preparation of Union standards and guidelines relating to the essential requirements referred to in Annex II.

Amendment 3

Proposal for a directive Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Littering and improper disposal of packaging and packaging waste has negative impacts on both the marine environment and the Union economy and poses unnecessary risks to public health. Many of the most commonly found items on beaches also include packaging waste, with long-term impacts on the environment which affect tourism and public enjoyment of these natural areas. Additionally, packaging waste that makes its way into the marine environment subverts the priority order of the waste hierarchy, in particular by avoiding preparation for reuse, recycling and other recovery prior to its improper disposal. In order to reduce the disproportionate contribution of packaging waste to marine litter, a binding target should be established, supported by targeted measures adopted by Member States.

Amendment 4

Proposal for a directive Recital 5

Text proposed by the Commission

Amendment

(5) Through a progressive increase of the existing targets on preparing for re-use and recycling of packaging waste, it should be ensured that economically valuable

(5) Through a progressive increase of the existing targets on preparing for re-use and recycling of packaging waste, it should be ensured that economically valuable

waste materials are progressively and effectively recovered through proper waste management and in line with the waste hierarchy. That way it should be ensured that valuable materials found in waste are returned into the European economy, thus making progress in the implementation of the Raw Materials Initiative¹⁵ and the creation of a circular economy.

¹⁵ COM(2013) 442.

waste materials are progressively and effectively recovered through proper waste management and in line with the waste hierarchy. That way it should be ensured that valuable materials found in waste are returned into the European economy, thus making progress in the implementation of the Raw Materials Initiative¹⁵ and the creation of a circular economy, ***and, in the case of packaging materials, without prejudice to food safety, consumer health and food contact materials.***

¹⁵ COM(2013) 442.

Amendment 5

Proposal for a directive Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) At the same time, conditions and incentives also need to be created to make it an attractive proposition for industry to incorporate packaging waste in its production processes, in order to produce added-value products while saving virgin raw materials.

Amendment 6

Proposal for a directive Recital 6

Text proposed by the Commission

Amendment

(6) Many Member States have not yet completely developed the necessary waste management infrastructure. It is therefore essential to set clear policy objectives in order to avoid locking recyclable materials at the bottom of the waste hierarchy.

(6) Many Member States have not yet completely developed the necessary waste management infrastructure ***for recycling***. It is therefore essential to set clear policy objectives ***for the construction of waste treatment facilities and installations needed for prevention, reuse and recycling***, in order to avoid locking recyclable materials at the bottom of the

waste hierarchy *and to set incentives for investments into an innovative waste management infrastructure for recycling.*

Amendment 7

Proposal for a directive Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) *The collection and recycling of waste oils would have considerable economic and ecological benefits from the standpoint of ensuring supplies of raw materials, moving towards a circular economy and helping to reduce dependency on crude oil supplies.*

Amendment 8

Proposal for a directive Recital 7

Text proposed by the Commission

Amendment

(7) With the combination of recycling targets and landfill restrictions laid down in Directives 2008/98/EC and 1999/31/EC, the Union targets for energy recovery and the recycling targets for packaging waste laid down in Directive 94/62/EC are no longer necessary.

(7) With the combination of recycling targets and landfill restrictions laid down in Directives 2008/98/EC and 1999/31/EC, the Union targets for energy recovery and the recycling targets for packaging waste laid down in Directive 94/62/EC are no longer necessary. ***Energy recovery could, however, still be an option for the management of packaging and packaging waste only when it is technically, economically and environmentally justified, which will require a careful environmental impact assessment that will have studied the environmental impact of the packaging at all stages.***

Amendment 9

Proposal for a directive Recital 7 a (new)

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Text proposed by the Commission

Amendment

(7a) Member States' national strategies should include public awareness-raising, in the form of the various incentives and benefits deriving from products made from recycled waste, which will encourage investment in the recycled products sector.

Amendment 10

Proposal for a directive

Recital 8

Text proposed by the Commission

Amendment

(8) This Directive sets long-term objectives for the Union's waste management and gives the economic operators and the Member States a clear direction for the necessary investments to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure, Member States should make a sound use of the European Structural and Investment Funds in line with the waste hierarchy by promoting prevention, ***re-use and recycling***.

(8) This Directive sets long-term objectives for the Union's waste management and gives the economic operators and the Member States a clear direction for the necessary investments to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure, Member States should make a sound use of the European Structural and Investment Funds in line with the waste hierarchy by promoting, ***as a priority, prevention and re-use, followed by recycling. European Structural and Investment Funds should not be used for financing incinerators or landfills.***

Amendment 11

Proposal for a directive

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Separate collection should also be further strengthened in terms of packaging and packaging waste. However when life cycle analysis shows

environmental gains, exceptions could be made.

Amendment 12

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components that are prepared for re-use by recognised preparation for re-use operators and deposit-refund schemes. 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.

Amendment

(11) Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components that are prepared for re-use by recognised preparation for re-use operators and deposit-refund schemes, ***and recycling operators***. 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.

Amendment 13

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) In order to ensure the reliability of the data gathered on preparation for re-use it is essential to establish common rules for reporting. Similarly, it is important to lay 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. To that effect, as a general rule, the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. In order to limit administrative burdens, Member States should be allowed, under strict conditions,

Amendment

(12) In order to ensure the reliability of the data gathered on preparation for re-use it is essential to establish common rules for reporting. ***That data should be collected in line with standards and specifications that support open data objectives and should be made available as open data.*** Similarly, it is important to lay 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. To that effect, as a general rule, the reporting on the attainment of the recycling targets must

to report recycling rates on the basis of the output of sorting facilities. Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

be based on the input to the final recycling process. In order to limit administrative burdens, Member States should be allowed, under strict conditions, to report recycling rates on the basis of the output of sorting facilities. Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

Amendment 14

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) Statistical data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of statistics should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report.

Amendment

(14) Statistical data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of statistics should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. ***The quality check report should be drawn up in accordance with a harmonised format.***

Amendment 15

Proposal for a directive

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Where possible, Member States should incentivise the use of materials such as permanent materials that have a superior value for the circular economy as they can be classified as materials that can be recycled without loss of quality, regardless of how often the material is

recycled.

Amendment 16

Proposal for a directive Recital 15 b (new)

Text proposed by the Commission

Amendment

(15b) An important objective of this Directive is to improve conditions on the internal market. Therefore, reporting by the Commission on the effects of this Directive on the functioning of the internal market is considered as an important measure.

Amendment 17

Proposal for a directive Recital 16

Text proposed by the Commission

Amendment

(16) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 94/62/EC, Member States should be required to use ***the most recent*** methodology developed by the Commission ***and*** the national statistical offices of the Member States.

(16) Reliable reporting of statistical data concerning waste management is paramount to efficient implementation and to ensuring comparability of data among Member States. Therefore, when preparing the reports on compliance with the targets set out in Directive 94/62/EC, Member States should be required to use ***a common methodology for data collection and processing*** developed by the Commission ***in cooperation with*** the national statistical offices of the Member States ***and the national authorities responsible for waste management.***

Amendment 18

Proposal for a directive Recital 21

Text proposed by the Commission

(21) Since the objectives of this Directive, namely ***on the one hand***, to prevent any impact from packaging and packaging waste on the environment or to reduce such impact, thus providing a high level of environmental protection, ***and, on the other hand, to ensure*** the functioning of the internal market ***and to avoid obstacles to trade and distortion and restriction of competition within the Union***, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

Amendment 19

Proposal for a directive
Recital 21 a (new)

Text proposed by the Commission

Amendment

(21) Since the objectives of this Directive, namely to prevent any impact from packaging and packaging waste on the environment or to reduce such impact, thus providing a high level of environmental protection, ***taking into account*** the functioning of the internal market, cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

Amendment 20

Proposal for a directive
Recital 21 b (new)

Amendment

(21a) Member States should ensure that high levels of occupational health and safety requirements are put in place for all Union workers, in line with existing Union law, and in accordance with the specific risks faced by workers in some production, recycling and waste sectors.

(21b) In the vast majority of cases, the provision of packaging does not depend on and is not chosen by the final consumer but rather by the producer. Extended producer responsibility schemes are a suitable means of both preventing the formation of packaging waste and creating systems that will guarantee the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream, and the reuse or recovery including recycling of the packaging and/or packaging waste that is collected.

Amendment 21

Proposal for a directive

Article 1 – paragraph 1 – point - 1 (new)

Directive 94/62/EC

Article 1 – paragraph 1

Present text

1. This Directive aims to harmonize national measures concerning the management of packaging and packaging waste in order, ***on the one hand***, to prevent any impact thereof on the environment of all Member States as well as of third countries or to reduce such impact, thus providing a high level of environmental protection, ***and, on the other hand, to ensure*** the functioning of the internal market ***and to avoid obstacles to trade and distortion and restriction of competition within the Community.***

Amendment

(-1) Article 1(1) is replaced by the following:

‘1. This Directive aims to harmonize national measures concerning the management of packaging and packaging waste in order to prevent any impact thereof on the environment of all Member States as well as of third countries or to reduce such impact, thus providing a high level of environmental protection, ***taking into account*** the functioning of the internal market.’;

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point b a (new)

Directive 94/62/EC

Article 3 – point 2 a (new)

Text proposed by the Commission

Amendment

(ba) the following point is added:

"2a. 'Bio-based packaging' shall mean any packaging derived from materials of biological origin excluding material embedded in geological formations and/or fossilised;"

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c a (new)

Directive 94/62/EC

Article 3 – point 12 a (new)

Text proposed by the Commission

Amendment

(ca) in Article 3 the following point is added:

(12a) 'Multi-layered packaging' shall mean packaging composed of more than one layer of material.

Amendment 24

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Such other measures *may consist of national programmes, incentives through extended producer responsibility schemes to minimise* the environmental impact of packaging *or similar actions adopted, if appropriate, in consultation with*

Such other measures *shall comply with the objectives of this Directive set out in Article 1(1) and Directive 2008/98/EC, namely through contributing to achieving a sustained reduction in the amount of packaging waste generated, preventing*

economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention. They shall comply with the objectives of this Directive as defined in Article 1(1).

the use of packaging and minimising the environmental impact of packaging. Such measures shall consist of extended producer responsibility schemes as defined in Directive 2008/98/EC and other national programmes as determined by the Member States. Those actions may be adopted, if appropriate, in consultation with economic operators and NGOs. They shall be designed to bring together and as regards prevention, take advantage of the initiatives taken within Member States.

Amendment 25

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraph 2 c (new)

Text proposed by the Commission

Amendment

(2a) in Article 4(1), the following subparagraphs are added:

"Economic operators engaged in producing plastic packaging shall benefit from the following financial incentives unless, for any specific type of packaging, competent authorities have determined that it is technically unfeasible or presents an unreasonable risk to public health:

(a) packaging producers that reduce the level of colouring used in their rigid plastic packaging containers which they place on the market shall benefit from a reduced level of financial contribution under extended producer responsibility schemes, graded in accordance with the level of colouring introduced to the virgin rigid plastic packaging;

(b) economic operators that use refillable plastic or glass containers shall benefit from a reduced level of financial contribution under extended producer responsibility schemes, commensurate with the amount of refillables used by the

operator where possible within the business.

The Commission shall adopt implementing acts necessary for the implementation of this paragraph by ... [eighteen months after the date of entry into force of this Directive]. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).";

Amendment 26

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Directive 94/62/EC

Article 4 – paragraph 2

Present text

2. The Commission shall help to promote prevention by encouraging the development of suitable European standards, in accordance with Article 10. The standards shall aim to minimise the environmental impact of packaging in accordance with Articles 9 and 10.

Amendment

(2b) Article 4(2) is replaced by the following:

‘2. The Commission shall help to promote prevention by encouraging the development of suitable European standards, in accordance with Article 10. The standards shall aim to minimise the environmental impact of packaging in accordance with Articles 9 and 10, **reduce the quantity of packaging** and **end excessive packaging.**’

Amendment 27

Proposal for a directive

Article 1 – paragraph 1 – point 2 c (new)

Directive 94/62/EC

Article 4 – paragraph 2 a (new)

Present text

3. The Commission shall, **as appropriate**, present proposals for

Amendment

(2c) Article 4(3) is replaced by the following:

‘3. The Commission shall, **by 31 December 2018**, present proposals for

measures to strengthen and complement the enforcement of the essential requirements and to ensure that new packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging.

measures to strengthen and complement the enforcement of the essential requirements and to ensure that new packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging. *The Commission shall in particular submit a proposal for measures concerning non-recyclable packaging, packaging containing hazardous substances, single-use packaging, disposable and excess packaging and the reduction of packaging, and assess the possibility of market restrictions for those items at Union level.'*

Amendment 28

Proposal for a directive

Article 1 – paragraph 1 – point 2 d (new)

Directive 94/62/EC

Article 5

Present text

Amendment

Reuse

Member States *may* encourage reuse systems of packaging, which can be reused in an environmentally sound manner, in conformity with the Treaty.

(2d) Article 5 is replaced by the following:

“Reutilisation

1. Member States shall encourage reuse systems of packaging, which can be reused in an environmentally sound manner, in conformity with the Treaty.

In particular, Member States may support establishment of deposit-refund systems for reusable packaging, including through extended producer responsibility schemes, and provide adequate incentives to producers of reusable packaging.

2. Reused packaging that is collected by a deposit-refund scheme may be counted towards the attainment of prevention targets established by national prevention programmes which have been adopted in accordance with the criteria

laid down in Article 4.”

Amendment 29

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point f

Text proposed by the Commission

(f) no later than 31 December 2025 a minimum of 65% by weight of all packaging waste will be prepared for reuse **and** recycled;

Amendment

(f) no later than 31 December 2025 a minimum of 65% by weight of all packaging waste will be prepared for reuse **or** recycled;

Amendment 30

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point h

Text proposed by the Commission

(h) no later than 31 December 2030 a minimum of 75% by weight of all packaging waste will be prepared for reuse **and** recycled;

Amendment

(h) no later than 31 December 2030 a minimum of 75% by weight of all packaging waste will be prepared for reuse **or** recycled;

Amendment 31

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b a (new)

Directive 94/62/EC

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(ba) in Article 6 the following paragraph is inserted:

“1a. For the purpose of calculating the targets laid down in paragraph 1, when applicable, the amount of biodegradable waste that enters aerobic or anaerobic

treatment may be counted as recycled where that treatment generates compost, digestate or other material, the main part of which, following any further necessary reprocessing, is used as a recycled product, material or substance.”

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 94/62/EC

Article 6 – paragraph 2

Text proposed by the Commission

2. Packaging waste exported from the Union shall only be counted towards the attainment of the targets laid down in paragraph 1 by the Member State in which the packaging waste was collected if the requirements of Article 6a (4) 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.

Amendment

2. Packaging waste exported from the Union shall only be counted towards the attainment of the targets laid down in paragraph 1 by the Member State in which the packaging waste was collected if the requirements of Article 6a (4) are met and if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council(*), the exporter **proves** that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union **is in line with the requirements of this Directive and all relevant environmental, health and safety at work** legislation.

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c a (new)

Directive 94/62/EC

Article 6 – paragraph 3a (new)

Text proposed by the Commission

Amendment

(ca) in Article 6 the following paragraph is inserted:

“3a. Member States may opt for energy recovery where it is preferable to material-recycling for environmental,

technical and economic reasons.”

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c b (new)

Directive 94/62/EC

Article 6 – paragraph 4

Present text

4. Member States shall, *where appropriate*, encourage the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

(a) improving market conditions for such materials;

(b) reviewing existing regulations preventing the use of those materials.

Amendment

(cb) in Article 6, paragraph 4 is replaced by the following:

“4. Member States shall encourage the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

(a) improving market conditions *and reviewing legislation that might pose as obstacle for the use of* such materials;

(b) reviewing existing regulations preventing the use of those materials, *ensuring a high level of environmental and human health protection;*

(ba) introducing fiscal and economic incentives for the uptake of the use of recycled packaging materials as well as green public procurement criteria;

(bb) promoting materials which, when recycled, do not endanger human health when they are recycled into food contact materials;

(bc) promoting the use of materials that can be reused or recycled without loss of quality, regardless of how often the material is reused or recycled.”

Amendment 35

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d

Directive 94/62/EC

Article 6 – paragraph 8

Text proposed by the Commission

Amendment

(d) paragraphs 5, 8, and 9 are deleted;

(d) paragraphs 5 and 9 are deleted **and paragraph 8 is replaced by the following:**

"The Commission shall, taking into account individual circumstances in each Member State, assess the implementation of this Directive with regard to the functioning of the internal market. This assessment shall be conducted at a minimum every three years and a report on that assessment shall be submitted to the European Parliament and to the Council."

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d a (new)

Directive 94/62/EC

Article 6 – paragraph 11a (new)

Text proposed by the Commission

Amendment

(da) the following paragraph 11a is added:

'11a. Without prejudice to Article 6b, Member States may, depending on their specific situation, obtain derogations as regards the time schedule for attaining the targets set in paragraph 1(f) to (i), provided that a gradual alignment with those targets is ensured, and after taking into account the recommendations referred to in point (b) of Article 6b(2).';

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) Member States may include products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes. For the calculation of the adjusted rate of packaging waste prepared for re-use and recycled taking into account the weight of the products and components prepared for re-use, Member States shall use verified data from the operators and apply the formula set out in Annex IV.

deleted

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Directive 94/62/EC

Article 7 – paragraph 1 – subparagraph 1

Present text

Amendment

1. Member States shall take the necessary measures to ensure that systems are set up to provide for:

(5a) In Article 7(1), the first subparagraph is replaced by the following:

"1. Member States shall take the necessary measures to ensure that systems, **for example extended producer responsibility schemes**, are set up to provide for: "

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 5 b (new)

Directive 94/62/EC

Article 7 a (new)

Text proposed by the Commission

Amendment

(5b) the following article is inserted:

"Article 7a

Reduction of Packaging and Packaging

Waste in the Marine Environment

1. Member States shall take all necessary measures to reduce packaging waste in their territory from entering the marine environment. Those measures shall include all of the following:

(a) the adoption of a binding 50% reduction target for packaging waste by 2025 compared to 2015 levels;

(b) the establishment and operation of programmes for measuring and monitoring packaging waste entering the marine environment;

(c) the adoption of specific measures to reduce the main sources of packaging waste found in the marine environment and on beaches by region, including programmes to raise public awareness, economic instruments and incentives, and marketing restrictions.

2. By [x] each year, Member States shall submit reports to the Commission setting out their progress toward reducing packaging waste originating within their territory from entering the marine environment, including descriptions of the measures adopted under paragraph 1 and the expected outcomes.

3. The Commission shall adopt implementing acts necessary for the implementation of this Article by ... [eighteen months after the date of entry into force of this Directive]. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).";

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 5 c (new)

Directive 94/62/ CE

Article 8 – paragraph 2

Present text

Amendment

2. To facilitate collection, reuse and recovery including recycling, packaging shall indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC(9).

(5c) Article 8(2) is replaced by the following:

‘2. To facilitate collection, reuse and recovery including recycling, packaging shall ***contain information useful for that purpose. In particular, packaging shall*** indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC(9).’;

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 92/64/EC

Article 12 – paragraph 3 b

Text proposed by the Commission

Amendment

3b. The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report and a report on the implementation of Article 6a(4).

3b. The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report and a report on the implementation of Article 6a(4). ***The quality check report shall be drawn up in accordance with a harmonised format.***

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3 c

Text proposed by the Commission

Amendment

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data

collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data **and the availability of open data**. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3d

Text proposed by the Commission

3d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 3a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).

Amendment

3d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 3a **and for the quality check report referred to in paragraph 3b, which support the re-use of data and open data objectives**. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 94/62/EC

Article 15 – paragraph 1

Present text

‘Acting on the basis of the relevant provisions of the Treaty, the Council adopts economic instruments to promote the implementation of the objectives set by this Directive. In the absence of such measures, the Member States may, in accordance with the principles governing

Amendment

(7a) in Article 15, paragraph 1 is replaced by the following:

‘Acting on the basis of the relevant provisions of the Treaty, the Council adopts economic instruments to promote the implementation of the objectives set by this Directive. In the absence of such measures, the Member States may, in accordance with the principles governing

Community environmental policy, inter alia, the polluter-pays principle, and the obligations arising out of the Treaty, adopt measures to implement those objectives.’

Community environmental policy, inter alia, the polluter-pays principle, and the obligations arising out of the Treaty, adopt measures to implement those objectives.

Such measures may form part of extended producer responsibility schemes, differentiated fees on single use packaging, pay-as-you-throw systems and deposit-refund schemes.’

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 7 b (new)

Directive 94/62/EC

Article 15a (new)

Text proposed by the Commission

Amendment

(7b) The following Article is inserted:

"Article 15a

General requirements for extended producer responsibility schemes

Member States shall ensure that extended producer responsibility schemes established in accordance with Article 8 and Article 8a of Directive 2008/98/EC* also apply to packaging and packaging waste.

**** Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 21.11.2008, p. 3)."***

Amendment 46

Proposal for a directive

Annex – paragraph - 1 (new)

Directive 94/62/EC

Annex II – point 1 – indent 1

Present text

- Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling, and to minimize its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.

Amendment 47

Proposal for a directive

Annex – paragraph -1 a(new)

Directive 94/62/EC

Annex II – point 3 – point a

Present text

"(a) Packaging recoverable in the form of material recycling

Packaging must be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in the Community. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed."

Amendment

In Annex II, point 1, the first indent is replaced by the following:

‘- Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling - ***in accordance with the principle of the hierarchy of waste management*** - and to minimize its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.’

Amendment

In Annex II, point 3, point a is replaced by the following:

"(a) Packaging recoverable in the form of material recycling

Packaging must be manufactured in such a way ***that it is technically, environmentally and economically practicable to recycle, taking into account the sorting, cleaning and scale of formats and materials used*** so as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in the Community. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed. ***Formats and material designs that impede sorting or reprocessing shall be replaced by known and effective alternatives.***"

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Directive amending Directive 94/62/EC on packaging and packaging waste
References	COM(2015)0596 – C8-0385/2015 – 2015/0276(COD)
Committee responsible Date announced in plenary	ENVI 14.12.2015
Opinion by Date announced in plenary	ITRE 14.12.2015
Rapporteur Date appointed	João Ferreira 25.2.2016
Discussed in committee	14.6.2016
Date adopted	13.10.2016
Result of final vote	+: 47 –: 11 0: 4
Members present for the final vote	Nikolay Barekov, Nicolas Bay, Bendt Bendtsen, Xabier Benito Ziluaga, José Blanco López, David Borrelli, Jerzy Buzek, Angelo Ciocca, Edward Czesak, Jakop Dalunde, Pilar del Castillo Vera, Christian Ehler, Fredrick Federley, Ashley Fox, Adam Gierek, Theresa Griffin, Hans-Olaf Henkel, Eva Kaili, Kaja Kallas, Barbara Kappel, Krišjānis Kariņš, Seán Kelly, Jaromír Kohlíček, Zdzisław Krasnodębski, Miapetra Kumpula-Natri, Janusz Lewandowski, Ernest Maragall, Edouard Martin, Angelika Mlinar, Nadine Morano, Dan Nica, Morten Helveg Petersen, Miroslav Poche, Carolina Punset, Herbert Reul, Paul Rübig, Algirdas Saudargas, Sergei Stanishev, Neoklis Sylikiotis, Antonio Tajani, Dario Tamburrano, Patrizia Toia, Evžen Tošenovský, Claude Turmes, Vladimir Urutchev, Henna Virkkunen, Martina Werner, Lieve Wierinck, Anna Záborská, Flavio Zanonato, Carlos Zorrinho
Substitutes present for the final vote	Michał Boni, Rosa D'Amato, Esther de Lange, Jens Geier, Benedek Jávor, Olle Ludvigsson, Vladimír Maňka, Marian-Jean Marinescu, Clare Moody, Maria Spyrali
Substitutes under Rule 200(2) present for the final vote	Albert Deß

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Directive amending Directive 94/62/EC on packaging and packaging waste		
References	COM(2015)0596 – C8-0385/2015 – 2015/0276(COD)		
Date submitted to Parliament	2.12.2015		
Committee responsible Date announced in plenary	ENVI 14.12.2015		
Committees asked for opinions Date announced in plenary	ECON 14.12.2015	ITRE 14.12.2015	JURI 14.12.2015
Not delivering opinions Date of decision	ECON 17.12.2015	JURI 28.1.2016	
Rapporteurs Date appointed	Simona Bonafè 22.12.2015		
Discussed in committee	15.6.2016	29.9.2016	
Date adopted	24.1.2017		
Result of final vote	+: –: 0:	58 7 1	
Members present for the final vote	Marco Affronte, Margrete Auken, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Simona Bonafè, Biljana Borzan, Paul Brannen, Nessa Childers, Birgit Collin-Langen, Mireille D’Ornano, Miriam Dalli, Seb Dance, Angélique Delahaye, Mark Demesmaeker, Stefan Eck, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, Anneli Jäätteenmäki, Jean-François Jalkh, Benedek Jávor, Josu Juaristi Abaunz, Karin Kadenbach, Kateřina Konečná, Urszula Krupa, Giovanni La Via, Peter Liese, Norbert Lins, Valentinas Mazuronis, Susanne Melior, Massimo Paolucci, Piernicola Pedicini, Julia Reid, Frédérique Ries, Michèle Rivasi, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Davor Škrlec, Claudiu Ciprian Tănăsescu, Ivica Tolić, Estefanía Torres Martínez, Nils Torvalds, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli		
Substitutes present for the final vote	Renata Briano, Herbert Dorfmann, James Nicholson, Stanislav Polčák, Gabriele Preuß, Keith Taylor, Tiemo Wölken, Kosma Złotowski		
Substitutes under Rule 200(2) present for the final vote	Xabier Benito Ziluaga, Richard Corbett, Sander Loones		
Date tabled	7.2.2017		