



**2015/0276(COD)**

20.6.2016

# **AMENDMENTS**

## **16 - 199**

**Draft opinion**

**João Ferreira**

(PE582.211v01-00)

Proposal for a directive of the European Parliament and of the Council  
amending Directive 94/62/EC on packaging and packaging waste

Proposal for a directive  
(COM(2015)0596 – C8-0384/2015 – 2015/0276(COD))



## **Amendment 16**

**José Blanco López, Soledad Cabezón Ruiz, Inmaculada Rodríguez-Piñero Fernández**

### **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 rational utilisation of natural resources, promoting a more circular economy, ***increasing energy efficiency and reducing the EU's level of dependence.***

Or. es

## **Amendment 17**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **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 rational utilisation of natural resources and promoting a more circular economy, ***reducing resource dependency and increasing resource efficiency.***

Or. en

## **Amendment 18**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) 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 affects 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.***

Or. en

**Amendment 19**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**  
**Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***(1b) Member States should take measures to prevent unnecessary packaging, reduce manufacture and consumption of single-use packaging and provide incentives for the collection, reuse and recycling of waste.***

Or. en

**Amendment 20**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

**Recital 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***(1c) In order to support recycling targets and promote demand for recycled materials, Member States should require all rigid plastic packaging to contain a minimum level of post-consumer recycled material content unless it can be demonstrated that the use of recycled material presents an unreasonable risk to the public health or is otherwise not technically feasible.***

Or. en

**Amendment 21**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

**Recital 1 d (new)**

*Text proposed by the Commission*

*Amendment*

***(1d) In order to support recycling targets and achieve a sustained reduction in single-use packaging, Member States should require all packaging placed on the market to comply with minimum requirements that promote the design of circular packaging that minimises resource use, incorporates recycled content, can be reused and is recyclable. The Commission should promote, as appropriate, the preparation of Union standards and guidelines relating to the essential requirements referred to in Annex II.***

**Amendment 22****Benedek Jávor**

on behalf of the Verts/ALE Group

**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<sup>13</sup> 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.

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<sup>13</sup> 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 of the European Parliament and of the Council<sup>13</sup> 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. ***Separate quantitative targets for re-use are needed to ensure access to re-usable products and create job opportunities.***

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<sup>13</sup> 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 23****Benedek Jávor**

on behalf of the Verts/ALE Group

**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-

*Amendment*

(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.

use and recycling of packaging waste. *For these reasons the targets for preparation for re-use and recycling of packaging waste should be increased to at least 70% by 2025 and to at least 80% by 2030.*

Or. en

#### **Amendment 24**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **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, to reduce the environmental impact of waste and to promote recycling materials of high quality. For those reasons, Member States should achieve a significant and sustained reduction in the use of single-use packaging and of excess packaging items and phase out non-recyclable packaging when that packaging is not re-usable. Member States should be able to include market restrictions of superfluous packaging, single-serving packaging and excess packaging.*

Or. en

#### **Amendment 25**

**José Blanco López, Soledad Cabezón Ruiz, Inmaculada Rodríguez-Piñero Fernández**

#### **Proposal for a directive**

##### **Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4a) Fostering a sustainable bioeconomy can help reduce dependence*

*on imported raw materials and replace raw materials based on fossil fuels with renewable sources by improving market conditions for bio-based packaging and reviewing existing legislation hampering the use of such materials.*

Or. es

**Amendment 26**  
**Barbara Kappel**

**Proposal for a directive**  
**Recital 5**

*Text proposed by the Commission*

(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 Initiative<sup>15</sup> and the creation of a circular economy.

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<sup>15</sup> COM(2013) 442.

*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 Initiative<sup>15</sup> 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.*

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<sup>15</sup> COM(2013) 442.

Or. en

**Amendment 27**  
**Herbert Reul, Francesc Gambús, Anna Záborská, Henna Virkkunen**

**Proposal for a directive**  
**Recital 6**



*Text proposed by the Commission*

(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.

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

Or. en

**Amendment 28**  
**Nikolay Barekov**

**Proposal for a directive**  
**Recital 6**

*Text proposed by the Commission*

(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.

*Amendment*

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

Or. bg

**Amendment 29**  
**Nikolay Barekov**

**Proposal for a directive**  
**Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6a) The long-term objective should be to achieve a ‘recycling society’ which strives to eliminate waste and, for newly-created***

*and discarded waste, to use waste as a resource.*

Or. bg

**Amendment 30**  
**Nikolay Barekov**

**Proposal for a directive**  
**Recital 6 b (new)**

*Text proposed by the Commission*

*Amendment*

*(6b) It is necessary to encourage the use of packaging suited to separate collection and multi-purpose use, and of resealable packaging, so as to reduce waste volumes.*

Or. bg

**Amendment 31**  
**Nikolay Barekov**

**Proposal for a directive**  
**Recital 6 c (new)**

*Text proposed by the Commission*

*Amendment*

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

Or. bg

**Amendment 32**  
**Herbert Reul, Anna Záborská, Francesc Gambús, Henna Virkkunen**

**Proposal for a directive**  
**Recital 7**

*Text proposed by the Commission*

(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.

*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. ***Nevertheless, energy recovery is allowed provided that it is technically, economically and environmentally justified, which needs to be carefully assessed on a case-by-case basis.***

Or. en

**Amendment 33**

**Fredrick Federley, Carolina Punset, Pavel Telička**

**Proposal for a directive**

**Recital 7**

*Text proposed by the Commission*

(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.

*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. ***However, energy recovery should still be an option when appropriate based on a life cycle analysis (LCA).***

Or. en

*Justification*

*Energy recovery should still be a valid option after having considered a life cycle approach.*

**Amendment 34**  
**Nikolay Barekov**

**Proposal for a directive**  
**Recital 7 a (new)**

*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.***

Or. bg

**Amendment 35**  
**Nikolay Barekov**

**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 sound use of the European Structural and Investment Funds in line with the waste hierarchy by promoting **waste generation** prevention, re-use, recycling, **and the recovery and safe disposal of waste**.

Or. bg

**Amendment 36**  
**Benedek Jávor**

on behalf of the Verts/ALE Group

## **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, 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 shall not be used for financing incinerators or landfills.***

Or. en

#### *Justification*

*It is important that national strategies and investment plans support primarily waste prevention and re-use.*

## **Amendment 37**

**Fredrick Federley, Carolina Punset**

## **Proposal for a directive**

### **Recital 8 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***(8a) For the ambition of lowering greenhouse gas emissions it is also important in a long term perspective to review regulations and market conditions which might pose as obstacles for the use of materials for packaging with low***

*greenhouse gas emissions including bio-based materials;*

Or. en

#### **Amendment 38**

**Herbert Reul, Francesc Gambús, Anna Záborská**

#### **Proposal for a directive**

##### **Recital 9**

##### *Text proposed by the Commission*

(9) Targets for the recycling of plastic packaging waste for 2025 have been set taking into account what was technically feasible at the time of the revision of the Directive; the Commission may propose revised levels of the targets for plastics for 2030 based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics.

##### *Amendment*

(9) Targets for the recycling of plastic packaging waste for 2025 have been set taking into account what was technically feasible at the time of the revision of the Directive; the Commission may propose revised levels of the targets for plastics for 2030 based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics. ***Additionally, the Commission will assess, one year after the date for transposition of this Directive, whether the targets will still be reachable for Member States with the revised definitions and calculation methods in place. If the assessment shows that this is no longer the case, the Commission will come up with a proposal on revised targets.***

Or. en

#### **Amendment 39**

**Lorenzo Fontana, Nicolas Bay**

#### **Proposal for a directive**

##### **Recital 9**

*Text proposed by the Commission*

(9) Targets for the recycling of plastic packaging waste for **2025** have been set taking into account what was technically feasible at the time of the revision of the Directive; the Commission may propose revised levels of the targets for plastics **for 2030** based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics.

*Amendment*

(9) Targets for the recycling of plastic packaging waste for **2030** have been set taking into account what was technically feasible at the time of the revision of the Directive; the Commission may propose revised levels of the targets for plastics based on a review of progress made by Member States towards reaching those targets, taking into account the evolution of the types of plastics placed on the market and the development of new recycling technologies and the demand for recycled plastics.

Or. en

**Amendment 40**  
**Miapetra Kumpula-Natri**

**Proposal for a directive**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) Research in bio-based materials has progressed over the last years, but progress could be much faster if there were more market penetration of these materials. The use of sustainable biodegradable and bio-based packaging should therefore be encouraged, including by appropriate labelling of packaging, as already provided by article 8a of the consolidated version of Directive 94/62/EC in respect to plastic carrier bags.***

Or. en

**Amendment 41**  
**Fredrick Federley, Carolina Punset**

**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 (LCA) show environmental gains exceptions could be made;*

Or. en

**Amendment 42**  
**Herbert Reul**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

*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. 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.*

*deleted*

Or. en

**Amendment 43**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group



**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.

Or. en

**Amendment 44**  
**Lorenzo Fontana, Nicolas Bay**

**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. For those calculations, **Member States** 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.

Or. en

## Amendment 45

Kaja Kallas

### 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*

(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 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.

Or. en

## Amendment 46

Benedek Jávor

on behalf of the Verts/ALE Group

### 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*

(12) In order to ensure the reliability of the data gathered on ***recycling and*** preparation for re-use it is essential to establish common rules ***on data collection, traceability, verification and*** 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. ***The calculation of the attainment of the targets should be based on one solid and 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.

Or. en

**Amendment 47**

**Fredrick Federley, Carolina Punset, Pavel Telička**

**Proposal for a directive**

**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) The calculation method should further strengthen the functioning of the internal market, hence flexibility for Member States in using this method should be limited, therefore the Commission should propose adjustments of the method including adjustments of the targets;***

Or. en

## *Justification*

*The proposed calculation method by the Commission is too generous in its flexibility connected to the possibility to include re-use of packaging. This should be encouraged in other ways. However a new calculation method needs adjusted targets.*

### **Amendment 48** **Lorenzo Fontana**

#### **Proposal for a directive** **Recital 13**

##### *Text proposed by the Commission*

(13) In order to ensure better, ***timelier and more uniform*** implementation of this Directive and anticipate implementation weaknesses, ***an early warning system*** should be established to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets.

##### *Amendment*

(13) In order to ensure better ***and timelier*** implementation of this Directive and anticipate implementation weaknesses, ***a progress estimation report*** should be established to detect shortcomings and allow taking action ahead of the deadlines for meeting the targets.

Or. en

### **Amendment 49** **Benedek Jávor** on behalf of the Verts/ALE Group

#### **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) 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 ***data reported*** should be improved by introducing ***a common methodology for data collection and processing based on reliable sources as well as*** a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national

reporting methodologies and introducing a data quality check report.

Or. en

## **Amendment 50**

**Pavel Telička**

### **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 shall be drawn up in accordance with a harmonised format.***

Or. en

## **Amendment 51**

**Lorenzo Fontana, Nicolas Bay**

### **Proposal for a directive**

#### **Recital 15**

##### *Text proposed by the Commission*

(15) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring good implementation, and are generating unnecessary administrative burden. It is therefore appropriate to repeal provisions obliging Member States to produce such

##### *Amendment*

(15) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring good implementation, and are generating unnecessary administrative burden. It is therefore appropriate to repeal provisions obliging Member States to produce such

reports and for compliance monitoring purposes use exclusively the statistical data which Member States report every **year** to the Commission.

reports and for compliance monitoring purposes use exclusively the statistical data which Member States report every **three years** to the Commission.

Or. en

**Amendment 52**  
**Barbara Kappel**

**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.***

Or. en

**Amendment 53**  
**Fredrick Federley, Carolina Punset**

**Proposal for a directive**  
**Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) An important objective in this directive is to improve the conditions on the internal market. Therefore reporting by the Commission on the effects by this directive on the functioning of the internal market is an important measure;***

Or. en

## Amendment 54

Benedek Jávor

on behalf of the Verts/ALE Group

### 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 authorities responsible for waste management***.

Or. en

## Amendment 55

Lorenzo Fontana, Nicolas Bay

### 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

##### *Amendment*

(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 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

documents to the European Parliament and the Council.

European Parliament and the Council.

Or. en

#### **Amendment 56**

**Herbert Reul, Francesc Gambús, Anna Záborská**

#### **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*

(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, ***and equally important***, 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,

Or. en

#### **Amendment 57**

**Jude Kirton-Darling**

#### **Proposal for a directive**

##### **Recital 21 a (new)**



***(21a) Member States must ensure that high levels of occupational Health and Safety regulation are put in place for all EU workers, in line with existing EU regulations, and in accordance with the specific risks faced by workers in some production, recycling and waste sectors.***

Or. en

**Amendment 58**

**Herbert Reul, Francesc Gambús**

**Proposal for a directive**

**Article 1 – paragraph -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) in Article 1, paragraph 1 is replaced by the following:***

"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 ***and equally important***, to ensure the functioning of the internal market and to avoid obstacles to trade and distortion and restriction of competition within the Community."

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:01994L0062-20150526>)*

## **Amendment 59**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

### **Proposal for a directive**

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

Directive 94/62/EC

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

*Text proposed by the Commission*

*Amendment*

*(aa) the following point is inserted:*

*'1 ea. 'rigid plastic packaging' shall mean packaging made of plastic that is relatively inflexible such that it is capable of maintaining its shape or form when full or empty.';*

Or. en

## **Amendment 60**

**Miapetra Kumpula-Natri**

### **Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point b**

Directive 94/62/EC

Article 3 – paragraph 1 – point 2

*Text proposed by the Commission*

*Amendment*

2. 'packaging waste' shall mean any packaging or packaging material covered by the definition of waste laid down in Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council(\*);

2. 'packaging waste' shall mean any packaging or packaging material covered by the definition of waste laid down in Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council(\*), ***excluding production residues***;

Or. en

### *Justification*

*The packaging wastes cannot take the position of packaging material, but are sidestreams.*

**Amendment 61**  
**Marian-Jean Marinescu**

**Proposal for a directive**

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

Directive 94/62/EC

Article 3 – paragraph 1 – point 2 a (new)

*Text proposed by the Commission*

*Amendment*

*(ba) the following point is added:*

*"2a. 'bio-based packaging' means bio-based materials derived from biomass as material of biological origin excluding material embedded in geological formations and/or fossilized;"*

Or. en

**Amendment 62**  
**Fredrick Federley, Carolina Punset**

**Proposal for a directive**

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

Directive 94/62/EC

Article 3 – paragraph 1 – point 2 a (new)

*Text proposed by the Commission*

*Amendment*

*(ba) the following point is added:*

*"2a. 'bio-based' shall be understood as derived from biomass.;"*

Or. en

*Justification*

*The definition of biomass is collected from directive 2009/28/EC*

**Amendment 63**  
**Fredrick Federley, Carolina Punset**

**Proposal for a directive**

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

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**EN**

Directive 94/62/EC  
Article 3 – paragraph 1 – point 2 b (new)

*Text proposed by the Commission*

*Amendment*

**(bb) the following point is added:**

**"2b. 'biomass' shall mean the biodegradable fraction of products, waste and residues from biological origin from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste;"**

Or. en

*Justification*

*The definition of biomass is collected from directive 2009/28/EC*

#### **Amendment 64**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point c**

Directive 94/62/EC

Article 3 – paragraph 1 – points 3, 4, 6 to 10

*Text proposed by the Commission*

*Amendment*

(c) points 3 to 10 are deleted;

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

Or. en

*Justification*

*The definition of re-use (point 5) specifically formulated for the context of packaging should be kept.*

**Amendment 65**  
**Barbara Kappel**

**Proposal for a directive**

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

Directive 94/62/EC

Article 3 – paragraph 1 – point 11 a (new)

*Text proposed by the Commission*

*Amendment*

*(da) the following point is inserted:*

*11a. "permanent materials" can be classified as materials that once produced can be recycled without loss of quality, regardless of how often the material is recycled.*

Or. en

*Justification*

*Permanent materials that can effectively replace virgin raw materials in production processes and ensure that the same resources remain productive over and over again, offering a stable, long-term perspective for resource-efficient manufacturing and employment in recycling should be recognised and their use encouraged, where possible. Increasing the use of permanent materials would also increase the potential for reduction of energy consumption and greenhouse gas emissions. The definition of “permanent materials” should therefore be introduced.*

**Amendment 66**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

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

Directive 94/62/EC

Article 3 – paragraph 1 – point 12 a (new)

*Text proposed by the Commission*

*Amendment*

*(da) in Article 3 the following point is added:*

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

**Amendment 67**  
**Miroslav Poche**

**Proposal for a directive**

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

Directive 94/62/EC

Article 3 – paragraph 1 – point 12 a (new)

*Text proposed by the Commission*

*Amendment*

*(da) in Article 3 the following point is added:*

*“(12a) 'bio-based' shall mean derived from biomass.”*

Or. en

*Justification*

*Encouraging the use of materials from bio-based sources in packaging will help address resource scarcity, reduce the packaging industry’s environmental footprint while contributing to EU environmental ambitions and support a key European industry sector positioned for growth and innovation.*

**Amendment 68**  
**Miroslav Poche**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point d b (new)**

Directive 94/62/EC

Article 3 – paragraph 1 – point 12 b (new)

*Text proposed by the Commission*

*Amendment*

*(db) in Article 3 the following point is added:*

*“(12b) 'biomass' shall mean material of biological origin excluding material embedded in geological formations and/or fossilized.”*

Or. en

### *Justification*

*Encouraging the use of materials from bio-based sources in packaging will help address resource scarcity, reduce the packaging industry's environmental footprint while contributing to EU environmental ambitions and support a key European industry sector positioned for growth and innovation.*

#### **Amendment 69**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 1 – point d**

Directive 94/62/EC

Article 3 – paragraph 1 a (new)

#### *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’, ‘treatment’, ‘recovery’, ‘preparing for re-use’, ‘recycling’, ‘final recycling process’ and ‘disposal’ laid down in Article 3 of Directive 2008/98/EC shall apply.

Or. en

### *Justification*

*The definition of re-use, specific to the context of packaging, should be reinstated as in Directive 94/62/EC.*

#### **Amendment 70**

**Dario Tamburrano, David Borrelli**

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 2 – introductory part**

#### *Text proposed by the Commission*

(2) *in the second subparagraph of Article 4(1), the first sentence is replaced by the following:*

#### *Amendment*

(2) *Article 4 is amended as follows:*

**Amendment 71**

**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – introductory part**

Directive 94/62/EC

Article 4 – paragraph 1

*Text proposed by the Commission*

(2) in the second subparagraph of **Article 4(1)**, the first sentence is replaced by the following:

*Amendment*

(2) **Article 4(1) is amended as follows:**

**(a) the first subparagraph is replaced by the following:**

**"Member States may, in addition to the measures to prevent the formation of packaging waste taken in accordance with Article 9, implement other preventive measures."**

**(b) in the second subparagraph, the first sentence is replaced by the following:**

Or. en

**Amendment 72**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 1

*Present text*

"Member States shall ensure that, in addition to the measures to prevent the formation of packaging waste taken in

*Amendment*

**(2a) In Article 4(1), the first subparagraph is replaced by the following:**

"Member States shall ensure that, in addition to the measures to prevent the formation of packaging waste taken in



accordance with Article 9, other preventive measures are implemented."

accordance with Article 9, other preventive measures are implemented. *These measures shall include the adoption of a packaging waste reduction target of 1% per year until 2030.*"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

## **Amendment 73**

**Dario Tamburrano, David Borrelli**

### **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 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).'*

*(a) In Article 4(1), the second subparagraph is replaced by the following:*

*'Those measures shall contribute to achieving a reduction in packaging waste generation and hence to attainment of the objectives of the waste prevention programmes set out in Article 29 of Directive 2008/98/EC. They shall include incentives to minimise the environmental impact of packaging through extended producer responsibility schemes and incentives for the take-up of re-usable packaging and deposit schemes set out in Article 5 of this Directive. Member States shall take measures to achieve a sustained reduction in the consumption of single-use, non-recyclable packaging that is excessive in relation to intended use, or engage in similar actions in consultation with economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention. By way of derogation from Article 18 of this Directive, those measures may include the use of national reduction targets and*

*market restrictions*. They shall comply with the objectives of this Directive as defined in Article 1(1). The *measures may also involve raising public awareness of environmental issues and inclusion in school curricula of environmental education initiatives with that specific objective*'.

Or. it

#### **Amendment 74**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

#### **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*

Such other measures *shall, in accordance with the objectives referred to in Article 1(1)*, consist of national programmes, incentives through extended producer responsibility schemes to *prevent unnecessary packaging and* minimise the environmental impact of packaging, *economic incentives to reduce single-use packaging and encourage the uptake of reusable packaging, deposit-refund schemes and market restrictions on single-use, non-recyclable and superfluous packaging in derogation of Article 18* or similar actions adopted, if appropriate, in consultation with economic operators *and environmental organisations. They shall also include specific prevention measures for the top ten packaging items found on beaches by region and shall be* designed to bring together and take advantage of the initiatives taken within Member States as regards prevention. *Through such measures, Member States shall achieve a significant and sustained reduction in single-use and non-recyclable packaging.*

## **Amendment 75**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **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*

Such other measures *shall* consist of national programmes *and* incentives *to achieve a sustained reduction in the amount of packaging waste generated and minimize the environmental impact of packaging* through: extended producer responsibility schemes, *incentives for the uptake of reusable packaging and deposit schemes, actions aimed at reducing the consumption of single-use, non-recyclable packaging and over packaging, or similar actions* 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).

Or. en

## **Amendment 76**

**Fredrick Federley, Carolina Punset, Pavel Telička**

### **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

#### *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 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).

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. ***These measures may also involve environmental information aimed at the general public through educational or awareness raising activities, including digital solutions.*** They shall comply with the objectives of this Directive as defined in Article 1(1).

Or. en

**Amendment 77**  
**Marian-Jean Marinescu**

**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*

Such other measures may consist of national programmes, incentives through extended producer responsibility schemes to minimise ***or eliminate through bio-based packaging and packaging-free*** 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).

Or. en

**Amendment 78**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraphs 2 a and 2 b (new)

*Text proposed by the Commission*

*Amendment*

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

***"Member States shall adopt extended producer responsibility schemes to minimise the environmental impact of packaging, in accordance with the requirements of Article 8 a of Directive 2008/98/EC, by ... [eighteen months after the date of entry into force of this Directive]. Such schemes shall be complemented by national programmes to prevent packaging waste and measures to reduce packaging that is non-reusable and non-recyclable.***

***The Commission shall adopt guidelines setting out a harmonised Union approach to fee modulation under extended producer responsibility schemes, taking into account prevention of unnecessary packaging, reusability, recyclability and recycled material content."***

Or. en

**Amendment 79**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraphs 2 c and 2 d (new)

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

***"In addition to the framework for extended producer responsibility schemes established in the second subparagraph, 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 who reduce the level of colouring used in their rigid plastic packaging containers placed on the market shall benefit from a reduced level of financial contribution under extended producer responsibility, graded on the level of colouring introducing to the virgin rigid plastic packaging;***

***(b) economic operators who use refillable plastic or glass containers shall benefit from a reduced level of financial contribution under extended producer responsibility, commensurate with the level 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)."***

Or. en

**Amendment 80**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

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

*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*

**(b) paragraph 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.**’

Or. it

**Amendment 81**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 2

*Present text*

**"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) In Article 4, paragraph 2 is replaced by the following:**

"The Commission shall **ensure** 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. **For this purpose standards shall be drawn so as to ensure that packaging are designed in such a way to as to be reduced, re-usable, easily dismantled, sortable and treatable, prepared for re-use and recycled in the most sustainable way. In particular the Commission shall develop a coherent EU-wide waste labelling of products and packaging in order to facilitate high levels**

*and high quality of recycling."*

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

## **Amendment 82**

**Dario Tamburrano, David Borrelli**

### **Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 2 a (new)

*Text proposed by the Commission*

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) paragraph 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. ***The Commission shall in particular present 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.***’

Or. it

## **Amendment 83**

**Henna Virkkunen**

### **Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 2 a



**(2a) in Article 4, the following paragraph is added:**

**"2a. Member States shall take measures to achieve sustained reduction of the build up of land-based litter in the marine environment, with an aspirational reduction target of 30 % by 2020 for the ten most common types of litter found on beaches."**

Or. en

## **Amendment 84**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 3

#### *Present text*

"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*

**(2c) in Article 4, paragraph 3 is replaced by the following:**

**"No later than 31 December 2018 the Commission shall 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. *The Commission shall in particular present a proposal for measures concerning non-recyclable packaging, packaging containing hazardous substances, single use packaging, disposable and excess packaging, and assess the possibility of market restrictions for those items at Union level.*"**

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

**Amendment 85**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

**(2d) in Article 4, the following paragraph is inserted:**

**"3a. In addition, the Commission shall propose by December 2018, further measure to ensure that recyclable packaging is treated across the EU according to the same standards and with the highest level of environmental and health and safety protection."**

Or. en

**Amendment 86**

**Dario Tamburrano, David Borrelli**

**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) the following paragraph is added:**  
**'3a. Member States shall, where appropriate, encourage the use of bio-based packaging by taking measures such as:**

**(a) improving market conditions for such products;**

**(b) reviewing existing legislation hampering the use of those products.**

*In addition, the Commission shall, by 31 December 2018, assess the use of environmentally friendly food packaging, including an assessment of the feasibility of gradually replacing food packaging with bio-based and/or biodegradable and compostable products in accordance with European standards.'*

Or. it

**Amendment 87**

**Fredrick Federley, Carolina Punset, Pavel Telička**

**Proposal for a directive**

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

Directive 94/62/EC

Article 4 a (new)

*Text proposed by the Commission*

*Amendment*

**(2a) Article 4 a is added:**

***"When appropriate, member States shall encourage the use of materials causing low greenhouse gas emissions including bio-based materials for manufacturing of packaging through incentives and measures including improving market conditions for these materials and review existing regulations preventing the use of such materials.";***

Or. en

**Amendment 88**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

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

Directive 94/62/EC

Article 5 – title

**(2e) in Article 5, the title is replaced by the following:**

**"Re-Use";**

Or. en

**Amendment 89**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

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

Directive 94/62/EC

Article 5

*Present text*

*Amendment*

**2a. Article 5 is replaced by the following:**

Article 5

‘Article 5

***Reuse***

***Reutilisation***

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

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

**2. Member States shall attain the following targets for reused packaging and a deposit-refund scheme covering the whole of their territory.**

3. *Reused package and packaging which is collected by a deposit-refund scheme may be counted towards the attainment of prevention targets established by national prevention programmes adopted in accordance with the criteria laid down in Article 4. The Commission shall present a proposal for the implementation of a Union-wide deposit scheme for reusable packaging within [18months from the date of entry into force of this Directive].'*

Or. it

**Amendment 90**  
**Henna Virkkunen**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 a (new)**  
Directive 94/62/EC  
Article 5

*Present text*

"Article 5  
Member States *may encourage reuse systems of* packaging, *which can be* reused *in an environmentally sound manner, in conformity with the Treaty.*"

*Amendment*

*(2a) Article 5 is replaced by the following:*

"Article 5  
"Member States *shall attain the following targets for re-used packaging and a deposit-refund scheme covering the whole of their territory:*

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

*b) no later than 31 December 2030 a minimum of 10 % by weight of all packaging waste will be re-used.*

*The Member States are allowed to deduct the recycling target defined in Article 6 based on the amount of reused packaging above the targets based on 1a (a) and (b) of this Article in accordance with paragraph 1c.*

*The Commission shall adopt*

*implementing acts to establish the deduction mechanism in accordance with 1b, which shall not exceed 25 % of the recycling target. "*

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

## **Amendment 91**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Proposal for a directive**

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

Directive 94/62/EC

Article 5

#### *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*

*(2f) Article 5 is replaced by the following*

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

*In particular Member States shall ensure the rate of reusable packaging to be placed on the market is increased by 2% per year until 2030 per packaging stream;*

*To attain this target the Member States shall take at least the following measures:*

- *support establishment of deposit-refund systems for reusable packaging, including through extended producer's responsibility schemes;*
- *providing adequate incentives to producers of re-usable packaging;"*

Or. en

(<http://www.at4am.ep.parl.union.eu/at4am/ameditor.html?documentID=16933&locale=en#stv!Cnt=1&langISO0=en&crCnt=1&crID0=33703>)

*Justification*

*To reduce the generation of packaging waste, it is necessary to set specific targets for the re-use of packaging.*

**Amendment 92**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point a**

Directive 94/62/EC

Article 6 – title

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

*Justification*

*Re-use is covered in Article 5*

**Amendment 93**

**Dario Tamburrano, David Borrelli**

**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 is inserted:**

**‘-1. Member States shall take measures to promote sorting systems for all packaging materials.’**

Or. it

**Amendment 94**

**Lorenzo Fontana, Nicolas Bay**

**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;**

**deleted**

*(The references to this point are deleted throughout the text.)*

Or. en

**Amendment 95**

**Dario Tamburrano, David Borrelli**

**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 **75%** by weight of all packaging waste will be prepared for reuse and recycled;

Or. it

**Amendment 96**

**Herbert Reul, Francesc Gambús, Anna Záborská**

**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

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



*and* recycled;

*or* recycled;

Or. en

#### **Amendment 97**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **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 **70%** by weight of all packaging waste will be recycled;

Or. en

#### *Justification*

*In line with the European Parliament position on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.*

#### **Amendment 98**

**Lorenzo Fontana, Nicolas Bay**

#### **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*

(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;***

#### *Amendment*

***deleted***

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

*(The references to point (i) are deleted throughout the text.)*

Or. en

## **Amendment 99**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **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*

(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:

*Amendment*

(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:

Or. en

## **Amendment 100**

**Dario Tamburrano, David Borrelli**

### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point i

*Text proposed by the Commission*

(i) 55 % of plastic;

*Amendment*

(i) 65% of plastic;

Or. it

#### **Amendment 101**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point i

*Text proposed by the Commission*

*Amendment*

(i) **55** % of plastic;

(i) **60** % of plastic;

Or. en

#### **Amendment 102**

**Dario Tamburrano, David Borrelli**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point ii

*Text proposed by the Commission*

*Amendment*

(ii) **60%** of wood;

(ii) **65%** of wood;

Or. it

#### **Amendment 103**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point ii

*Text proposed by the Commission*

*Amendment*

(ii) **60%** of wood;

(ii) **65%** of wood;

Or. en

#### **Amendment 104**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iii

*Text proposed by the Commission*

*Amendment*

(iii) 75% of ferrous metal;

(iii) 80% of ferrous metal;

Or. it

**Amendment 105**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iii

*Text proposed by the Commission*

*Amendment*

(iii) 75% of ferrous metal;

(iii) 80% of ferrous metal;

Or. en

**Amendment 106**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iv

*Text proposed by the Commission*

*Amendment*

(iv) 75% of aluminium;

(iv) 80% of aluminium;

Or. it

**Amendment 107**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iv

*Text proposed by the Commission*

*Amendment*

(iv) 75% of aluminium;

(iv) 80% of aluminium;

Or. en

**Amendment 108**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point v

*Text proposed by the Commission*

*Amendment*

(v) 75% of glass;

(v) 80 % of glass;

Or. it

**Amendment 109**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point v

*Text proposed by the Commission*

*Amendment*

(v) 75% % of glass;

(v) 80 % of glass;

Or. en

**Amendment 110**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point vi

*Text proposed by the Commission*

*Amendment*

(vi) **75%** of paper and cardboard;

(vi) **90%** of paper and cardboard;

Or. en

**Amendment 111**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point vi

*Text proposed by the Commission*

*Amendment*

(vi) **75%** of paper and cardboard;

(vi) **90%** of paper and cardboard;

Or. it

**Amendment 112**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/CE

Article 6 – paragraph 1 – point g – point vi a (new)

*Text proposed by the Commission*

*Amendment*

**(vi a) 55% of multi-layer packaging;**

Or. it

**Amendment 113**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point vi a (new)

*Text proposed by the Commission*

*Amendment*

**(vi a) 55% of multi-layered packaging**

Or. en

**Amendment 114**

**Dario Tamburrano, David Borrelli**

**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 **95%** by weight of all packaging waste will be prepared for reuse and recycled;

Or. it

**Amendment 115**

**Herbert Reul, Francesc Gambús, Anna Záborská**

**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 75% by weight of all packaging waste will be prepared for reuse **or** recycled;

**Amendment 116**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**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 **80%** by weight of all packaging waste will be recycled;

Or. en

*Justification*

*In line with the European Parliament position on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.*

**Amendment 117**

**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point -i (new)

*Text proposed by the Commission*

*Amendment*

**(-i) 55% of plastic;**

Or. en

**Amendment 118**

**Benedek Jávor**

on behalf of the Verts/ALE Group



**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point -i (new)

*Text proposed by the Commission*

*Amendment*

(-i) **65% of plastics;**

Or. en

**Amendment 119**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point -i (new)

*Text proposed by the Commission*

*Amendment*

(-i) **85% of plastic;**

Or. it

**Amendment 120**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point i

*Text proposed by the Commission*

*Amendment*

(i) **75% of wood;**

(i) **80% of wood;**

Or. en

**Amendment 121**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point i

*Text proposed by the Commission*

*Amendment*

(i) 75% of wood;

(i) 80% of wood;

Or. it

**Amendment 122**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point ii

*Text proposed by the Commission*

*Amendment*

(ii) 85% of ferrous metal;

(ii) 95% of ferrous metal;

Or. it

**Amendment 123**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point ii

*Text proposed by the Commission*

*Amendment*

(ii) 85% of ferrous metal;

(ii) 90% of ferrous metal;

Or. en

**Amendment 124**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iii

*Text proposed by the Commission*

*Amendment*

(iii) 85% of aluminium;

(iii) 90% of aluminium;

Or. en

**Amendment 125**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iii

*Text proposed by the Commission*

*Amendment*

(iii) 85% of aluminium;

(iii) 95% of aluminium;

Or. it

**Amendment 126**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iv

*Text proposed by the Commission*

*Amendment*

(iv) 85% of glass;

(iv) 90% of glass;

Or. en

**Amendment 127**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iv

*Text proposed by the Commission*

*Amendment*

(iv) 85% of glass;

(iv) 95% of glass;

Or. it

**Amendment 128**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point v

*Text proposed by the Commission*

*Amendment*

(v) 85% of paper and cardboard.

(v) 95% of paper and cardboard.

Or. en

**Amendment 129**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point v

*Text proposed by the Commission*

*Amendment*

(v) 85% of paper and cardboard.';

(v) 95% of paper and cardboard.';

Or. it

**Amendment 130**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/CE

Article 6 – paragraph 1 – point i – point v a (new)

*Text proposed by the Commission*

*Amendment*

(va) **70% of multi-layer packaging;**

Or. it

**Amendment 131**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point b**

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point v a (new)

*Text proposed by the Commission*

*Amendment*

(va) **60% of multi-layered packaging**

Or. en

**Amendment 132**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho**

**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) **the following paragraph is inserted:**

**'''1a. Member States shall take the necessary measures to ensure that all rigid plastic packaging placed on the market in their territory contains at least 25 % post-consumer recycled material content unless, for any specific type of**

*packaging, competent authorities have determined that it is technically infeasible or presents an unreasonable risk to public health.*

*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).";*

Or. en

**Amendment 133**  
**Henna Virkkunen**

**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 Article 6(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.*

Or. en

**Amendment 134**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**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 prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took ***is in line with the requirements of this Directive and all relevant environmental, health and safety at work*** legislation.

Or. en

**Amendment 135**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**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*

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*

Packaging waste sent to another Member State for the purposes of preparing for reuse ***and 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.

Or. en

## **Amendment 136**

**Dario Tamburrano, David Borrelli**

### **Proposal for a directive**

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

Directive 94/62/EC

Article 6 – paragraph 4

#### *Present text*

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*

*(ca) paragraph 4 is replaced by the following:*

‘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 for such materials;

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

*(ba) employing the economic means necessary to encourage the uptake of secondary raw material, such as tax incentives based on the recycled content of the products and green public procurement criteria;*

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

Or. it

## **Amendment 137**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Proposal for a directive**

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



*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*

***(ca) paragraph 4 is replaced by the following:***

"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, ***ensuring a high level of environmental and human health protection;***

***(ba) introducing fiscal and economic incentives for uptake of the use of recycled packaging materials."***

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

**Amendment 138**  
**Barbara Kappel**

**Proposal for a directive**

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

Directive 94/62/EC

Article 6 – paragraph 4 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) in paragraph 4, the following point is added:***

***“(ba) promoting the use of permanent materials as a means to ensure that materials once produced can be recycled without loss of quality, regardless of how often the material is recycled.”***

Or. en

## *Justification*

*Permanent materials that can effectively replace virgin raw materials in production processes and ensure that the same resources remain productive over and over again, offering a stable, long-term perspective for resource-efficient manufacturing and employment in recycling should be recognised and their use encouraged, where possible. Increasing the use of permanent materials would also increase the potential for reduction of energy consumption and greenhouse gas emissions.*

### **Amendment 139**

**Ivan Jakovčić**

#### **Proposal for a directive**

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

Directive 94/62/EC

Article 6 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) the following paragraph 4a is inserted:***

***‘4a. Member States shall adopt a strategy for meeting the targets referred to in paragraph 1 by [insert date 18 months from the date referred to in Article 2(1) of this amending Directive] at the latest. They shall forthwith communicate to the Commission the text of that strategy.’***

Or. hr

### **Amendment 140**

**Fredrick Federley, Carolina Punset, Pavel Telička**

#### **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) 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 regards to the functioning of the internal market. This assessment should be conducted at a minimum every three years and a report on the assessment should be submitted to the European Parliament and the Council."*

Or. en

*Justification*

*The proposal to include early warning reports from the member states and the obligation for the Commission to submit every three years a report on this should also be accompanied with an assessment on the Directives implications for the internal market.*

**Amendment 141**

**Fredrick Federley, Carolina Punset**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 3 – point d**

Directive 94/62/EC

Article 6 – paragraphs 5 and 9

*Text proposed by the Commission*

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

*Amendment*

(d) paragraphs 5 and 9 are deleted;

Or. en

**Amendment 142**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive**

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

Directive 94/62/EC

Article 6 – paragraph 10

*Text proposed by the Commission*

10. Member States which have, or will, set

*Amendment*

*(da) paragraph 10 is replaced by the following:*

‘10. Member States which have, or will,

programmes going beyond the maximum targets of paragraph 1 and which provide to this effect appropriate capacities for recycling and recovery shall be permitted to pursue those targets in the interest of a high level of environmental protection, *on condition that these measures avoid distortions of the internal market and do not hinder compliance by other Member States with this Directive. The Member States shall inform the Commission of such measures. The Commission shall confirm these measures, after having verified, in cooperation with the Member States, that they are consistent with the abovementioned considerations and do not constitute an arbitrary means of discrimination or a disguised restriction on trade between Member States.*

set programmes going beyond the maximum targets of paragraph 1 and which provide to this effect appropriate capacities for recycling and recovery shall be permitted to pursue those targets in the interest of a high level of environmental protection.’

Or. it

**Amendment 143**  
**Miapetra Kumpula-Natri**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 94/62/EC  
Article 6a – paragraph 1 – point a

*Text proposed by the Commission*

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

*Amendment*

(a) the weight of the packaging waste recycled shall be understood as the weight of the input waste entering the final recycling<sup>1a</sup> process;

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*<sup>1a</sup> The term “Final recycling” should be defined. “Final recycling” can for example take place in the same factory or mill, where the waste is used as a raw material for a new product.*

Or. en

**Amendment 144**  
**Herbert Reul, Francesc Gambús**

**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* **deleted**  
*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.*

Or. en

**Amendment 145**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**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* **deleted**  
*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.*

*Justification*

*The re-use of product and components should not count towards the recycling target.*

**Amendment 146**

**Lorenzo Fontana, Nicolas Bay**

**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. ***Member States*** shall ***establish*** 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 147**

**Dario Tamburrano, David Borrelli**

**Proposal for a directive****Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6 a – paragraph 3

*Text proposed by the Commission*

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***

*Amendment*

***deleted***

*recycled provided that:*

- (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.*

Or. it

#### **Amendment 148**

**Benedek Jávor**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6 a – 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.*

Or. en

#### *Justification*

*The EP supports a single harmonised methodology based on input rather than output.*

**Amendment 149**  
**Dario Tamburrano, David Borrelli**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 94/62/EC  
Article 6 a – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

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

Or. it

**Amendment 150**  
**Herbert Reul, Francesc Gambús, Anna Záborská**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 94/62/EC  
Article 6 a – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

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

(a) such output waste is sent into a final recycling process *and is not counted as input there;*

Or. en

**Amendment 151**  
**Dario Tamburrano, David Borrelli**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 94/62/EC  
Article 6 a – paragraph 3 – point b

*Text proposed by the Commission*

*Amendment*

(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* *deleted*



***10% of the total weight to be reported as recycled.***

Or. it

#### **Amendment 152**

**Lorenzo Fontana, Nicolas Bay**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6a – paragraph 3 – point b

#### *Text proposed by the Commission*

(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.***

#### *Amendment*

(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 ***the maximum threshold of impurities acceptable to operators carrying out a final recycling process, as set out in Annex Va of Directive 2008/98/EC.***

Or. en

#### **Amendment 153**

**Herbert Reul, Francesc Gambús, Anna Záborská**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6 a – paragraph 3 – point b

#### *Text proposed by the Commission*

(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.

#### *Amendment*

(b) the weight of ***external*** materials or ***external substances*** that are disposed or subject to energy recovery remains below 10% of the total weight to be reported as recycled.

Or. en

## **Amendment 154**

**Dario Tamburrano, David Borrelli**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6 a – paragraph 5

*Text proposed by the Commission*

*Amendment*

**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.**

**deleted**

Or. it

## **Amendment 155**

**Lorenzo Fontana, Nicolas Bay**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6 a – paragraph 5

*Text proposed by the Commission*

*Amendment*

**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**

**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.

States shall use the methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.

Or. en

## **Amendment 156**

**Fredrick Federley, Carolina Punset**

### **Proposal for a directive**

**Article 1 – paragraph 1 – point 4 a (new)**

Directive 94/62/EC

Article 6 a – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. The Commission shall assess and propose a new calculation method where the inclusion of products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes is not permitted. The proposal shall also include changes of the targets in article 6, adjusting them to the new calculation method.**

**The Commission shall also propose measures when appropriate for re-use of packaging.**

Or. en

### *Justification*

*The calculation method proposed by the Commission with the inclusion of products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes has a risk of being too flexible. It is preferred for packaging to have a more clear method for calculation. However changing the calculation method calls for adjusted targets compared to the Commission's proposals.*

## **Amendment 157**

**Herbert Reul, Francesc Gambús**

### **Proposal for a directive**

**Article 1 – paragraph 1 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**(4a) The following Article is inserted:**

**"Article 6aa**

***Assessment of feasibility of targets***

***1. To assess the effect of the definitions and calculation methods laid down in this Directive on the current recycling and preparation for reuse quotas of each Member States and whether the targets laid down in this Directive remain feasible, the Commission shall, by ... [one year after the date for transposition referred to in Article 2 of the amending directive], draw up a report on the situations in the Member States towards the achievements of the targets laid down in points (f) to (i) of Article 6(1).***

***2. The report referred to in paragraph 1 shall include the following:***

***(a) an overview of the current recycling and preparation for reuse quotas of each Member State;***

***(b) an estimate of the feasibility of achievement of the targets by Member State;***

***(c) an evaluation of the new calculation methods.***

***3. If the targets referred to in paragraph 1 do not appear to be feasible for a majority of Member States, the Commission shall propose revised targets."***

Or. en

**Amendment 158**  
**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 94/62/EC  
Article 6 b – title

*Text proposed by the Commission*

*Amendment*

*Early warning* report

*Progress estimation* report

Or. en

**Amendment 159**  
**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 94/62/EC  
Article 6 b – paragraph 2 – introductory sentence

*Text proposed by the Commission*

*Amendment*

2. The reports referred to in paragraph 1 shall include the following:

2. The reports referred to in paragraph 1 shall ***be made publicly available and shall*** include the following:

Or. en

**Amendment 160**  
**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 94/62/EC  
Article 6 b – paragraph 2 – point b

*Text proposed by the Commission*

*Amendment*

***(b) a list of Member States at risk of not achieving the targets within the respective time limits accompanied by appropriate recommendations for the Member States concerned.***

***deleted***

Or. en

**Amendment 161**  
**Notis Marias**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5**  
Directive 94/62/EC  
Article 6 b – paragraph 2 – point b

*Text proposed by the Commission*

(b) a list of Member States at risk of not achieving the targets within the respective time limits ***accompanied by appropriate recommendations for the Member States concerned.***

*Amendment*

(b) a list of Member States at risk of not achieving the targets within the respective time limits.

Or. el

**Amendment 162**  
**Benedek Jávor**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5 a (new)**  
Directive 94/62/EC  
Article 7 – paragraph 1– subparagraph 1

*Present text*

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

*Amendment*

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

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

***(c) by 2020, the establishment of***

*in this Directive.*

*deposit-refund or re-use schemes for  
beverage packaging and, where  
appropriate, other packaging types.*

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=EN>)

### **Amendment 163**

**Fredrick Federley, Carolina Punset**

#### **Proposal for a directive**

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

Directive 94/62/EC

Article 7 – paragraph 1– subparagraph 1

*Text proposed by the Commission*

*Amendment*

*(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 examples extended producer  
responsibility schemes, are set up to  
provide for: "*

Or. en

### **Amendment 164**

**Fredrick Federley, Carolina Punset, Pavel Telička**

#### **Proposal for a directive**

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

Directive 94/62/EC

Article 7 – paragraph 2a (new)

*Text proposed by the Commission*

*Amendment*

*(5b) In Article 7, the following  
paragraph is added:*

*"2a. Regarding the usage of extended  
producer responsibility schemes the  
member state shall put in place minimum*

*requirements based on Article 8.1 in Directive 2008/98/EC and particular take into account*

*(a) the safeguarding of the internal market*

*(b) life-cycle approach of packaging and packaging products*

*(c) the need to, based on EU-guidelines, to clearly define responsibilities of the actors participating in extended producer responsibility schemes including responsibility for costs*

*(d) that cost paid by producers should take in to account the aggregated revenue from sales of secondary raw materials*

*(e) that administrative reporting requirements for extended producer responsibility schemes should be proportionate.";*

Or. en

#### *Justification*

*For the functioning of the internal market it is important to ensure basic regulation for extended producer responsibility schemes.*

#### **Amendment 165**

**Fredrick Federley, Carolina Punset**

#### **Proposal for a directive**

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

Directive 94/62/EC

Article 7 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

*(5c) In Article 7 the following paragraph is added:*

*"2b. Separate collection of packaging or packaging waste made of paper, metal, plastic, glass or a combination of them should be set up and systems to facilitate such collection should be set up by the*



*Member States. Exceptions from this should be made possible for sparsely populated areas provided that a life cycle analysis (LCA), including the waste-management process, shows environmental gains.";*

Or. en

*Justification*

*I order to ensure that the targets are met and in order to achieve the necessary infrastructure for collection, a Member State obligation should be put in place.*

**Amendment 166**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

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

Directive 94/62/EC

Article 7 a (new)

*Text proposed by the Commission*

*Amendment*

*(5a) 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 detailing 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).";*

Or. en

**Amendment 167**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

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

Directive 94/62/EC

Article 8 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*(5b) in Article 8, the following paragraph is inserted:*

*'1a. Packaging shall bear a 'traffic light' marking indicating the level of its recyclability. Packaging falling into the most recyclable category may also carry a universally recognised 'Seal of Excellence' to indicate its recyclability.*

*The Commission shall adopt delegated acts in accordance with Article 20a in order to supplement this Directive by*

*measures providing for the design and implementation of those 'traffic light' and 'Seal of Excellence' labels by ... [eighteen months after the date of entry into force of this Directive.'];*

Or. en

**Amendment 168**  
**Miapetra Kumpula-Natri**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5 a(new)**  
Directive 94/62/EC  
Article 8 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

*(5a) in Article 8 the following paragraph is inserted:*

*"2a. In order to reduce the carbon footprint of packaging, the use of sustainable biodegradable and bio-based packaging should be encouraged, namely by raising consumers' awareness. To this end, packaging shall clearly indicate its bio-based content."*

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31994L0062>)*

*Justification*

*In line with the European Commission's strategy on circular economy, the whole life-cycle of packaging should be duly taken into account. In this regard, packaging should be designed in a way that reduces its carbon footprint as much as possible, including by promoting the use of sustainable biodegradable and bio-based packaging materials.*

**Amendment 169**  
**Miapetra Kumpula-Natri**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 5 a (new)**

*Present text*

"The Commission shall promote, as appropriate, the preparation of European standards relating to the essential requirements referred to in Annex II.

The Commission shall promote, in particular, the preparation of European standards relating to: — criteria and methodologies for life-cycle analysis of packaging,

— the methods for measuring and verifying the presence of heavy metals and other dangerous substances in the packaging and their release into the environment from packaging and packaging waste,

— criteria for a minimum content of recycled material in packaging for appropriate types of packaging,

— criteria for recycling methods,

— criteria for composting methods and produced compost,

— criteria for the marking of packaging."

*Amendment*

***(5a) Article 10 is replaced by the following:***

"The Commission shall promote, as appropriate, the preparation of European standards relating to the essential requirements referred to in Annex II.

The Commission shall promote, in particular, the preparation of European standards relating to: — criteria and methodologies for life-cycle analysis of packaging, ***including on its carbon footprint;***

— the methods for measuring and verifying the presence of heavy metals and other dangerous substances in the packaging and their release into the environment from packaging and packaging waste,

— criteria for a minimum content of recycled material in packaging for appropriate types of packaging,

— criteria for ***a minimum biodegradable and bio-based content in packaging materials,***

— ***criteria for*** recycling methods,

— criteria for composting methods and produced compost,

— ***criteria for the marking of packaging, including the labelling of biodegradable and bio-based packaging.***"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31994L0062>)

*Justification*

*Standards are a key driver for innovation and ecological product design. It is therefore very important that standards are consistent with the European Commission's strategy on circular*

*economy, thus reducing as much as possible the carbon footprint of packaging, including by promoting biodegradable and bio-based sustainable packaging.*

## **Amendment 170**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **Proposal for a directive**

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

Directive 94/62/EC

Article 10

#### *Present text*

"The Commission shall ***promote, as appropriate,*** the preparation of European standards relating to the essential requirements referred to in Annex II.

The Commission shall ***promote,*** in particular, the preparation of European standards relating to:

- criteria and methodologies for life-cycle analysis of packaging,
- the methods for measuring and verifying the presence of heavy metals and other dangerous substances in the packaging and their release into the environment from packaging and packaging waste,
- criteria for a minimum content of recycled material in packaging for appropriate types of packaging,
- criteria for recycling methods,
- criteria for composting methods and produced compost,
- criteria for the marking of packaging."

#### *Amendment*

***(5a) Article 10 is replaced by the following:***

"The Commission shall ***ensure*** the preparation of European standards relating to the essential requirements referred to in Annex II.

The Commission shall ***ensure,*** in particular, the preparation of European standards relating to:

- criteria and methodologies for life-cycle analysis of packaging,
- the methods for measuring and verifying the presence of heavy metals and other dangerous substances in the packaging and their release into the environment from packaging and packaging waste,
- criteria for a minimum content of recycled material in packaging for appropriate types of packaging,
- ***minimum*** criteria for ***sorting, separation and*** recycling methods,
- ***minimum*** criteria for composting methods and produced compost,
- criteria for the marking of packaging."

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=en>)

## Amendment 171

Dario Tamburrano, David Borrelli

### Proposal for a directive

#### Article 1 – paragraph 1 – point 6

Directive 94/62/EC

Article 11 – paragraph 3

*Text proposed by the Commission*

*Amendment*

(6) *Article 11(3) is replaced by the following:*

*deleted*

*‘3. The Commission shall be empowered to adopt delegated acts in accordance with Article 21a to determine the conditions under which the concentration levels referred to in paragraph 1 are not to apply to recycled materials and to product loops which are in a closed and controlled chain, as well as to determine the types of packaging which are exempted from the requirement laid down in the third indent of paragraph 1.’*

Or. it

## Amendment 172

Benedek Jávor

on behalf of the Verts/ALE Group

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3a – subparagraph 1

*Text proposed by the Commission*

*Amendment*

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.

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 **collect, process and report data according to a common methodology**, electronically within 18 months of the end of the reporting year for which the data are

collected.

Or. en

### **Amendment 173**

**Lorenzo Fontana, Nicolas Bay**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 7 – point d**

Directive 94/62/EC

Article 12 – paragraph 3a – subparagraph 1

#### *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 Article 6(1)(a) to (i) **every three** calendar **years** to the Commission. They shall report this data electronically within 18 months of the end of the **three years period** for which the data are collected.

Or. en

### **Amendment 174**

**Lorenzo Fontana, Nicolas Bay**

#### **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 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 + **3 years**].

Or. en

## Amendment 175

Pavel Telička

### 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*

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).

#### *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). ***The quality check report shall be drawn up in accordance with a harmonised format.***

Or. en

## Amendment 176

Pavel Telička

### 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*

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. 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 ***nine months after the first reporting of the data by the Member States and*** every three years ***thereafter.***



## **Amendment 177**

**Ivan Jakovčić**

### **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*

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. 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, ***and shall compare expected and actual progress towards meeting the deadline laid down in Article 6.*** The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

Or. hr

## **Amendment 178**

**Kaja Kallas**

### **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*

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

#### *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 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.

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.

Or. en

## **Amendment 179**

**Lorenzo Fontana, Nicolas Bay**

### **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*

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. 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 ***non-binding*** recommendations for improvement. The report shall be drawn up every three years.

Or. en

## **Amendment 180**

**Pavel Telička**

### **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***. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).

Or. en

**Amendment 181**

**Kaja Kallas**

**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 ***that 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).

Or. en

**Amendment 182**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**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 ***common methodology for data collection, processing and*** 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).

Or. en

**Amendment 183**

**Miapetra Kumpula-Natri**

**Proposal for a directive**

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

Directive 94/62/EC

Article 13 – indent 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(7a) in Article 13 a new indent is inserted:***

***— the bio-based content of packaging,***

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31994L0062>)

*Justification*

*Consumers are more and more concerned by the origin of products and materials and are key actors to reach EU's environmental standards. Therefore, a proper information on the bio-based content of packaging would contribute to the development of a market for sustainable bio-based and biodegradable packaging, as proved by the success of the BioPreferred programme in the USA.*

**Amendment 184**

**Benedek Jávor**

on behalf of the Verts/ALE Group

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

*Amendment*

**(7a) In Article 15 the first paragraph 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, ***including through differentiated fees under extended producer responsibility schemes, increased taxation and consumer levies on single-use packaging, pay-as-you-throw systems and deposit-refund schemes.***"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=EN>)

**Amendment 185**  
**Fredrick Federley, Carolina Punset**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 7 a (new)**  
Directive 94/62/EC  
Article 15 – paragraph 1

*Text proposed by the Commission*

"Acting on the basis of the relevant provisions of the Treaty, the Council adopts economic instruments to promote

*Amendment*

**(7a) In Article 15 the first paragraph 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."

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, ***among them extended producers responsibility.*** "

Or. en

### *Justification*

*The last words "among them extended producers responsibility" is added to the article.*

### **Amendment 186**

**Benedek Jávor**

on behalf of the Verts/ALE Group

### **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."***

Or. en

### **Amendment 187**

**Lorenzo Fontana, Nicolas Bay**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 10**

Directive 94/62/EC

Article 20

*Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 21a necessary to deal with any difficulties encountered in applying the provisions of this Directive, *in particular*, to inert packaging materials placed on the market in very small quantities (i.e. approximately 0.1 % by weight) in the Union, primary packaging for medical devices and pharmaceutical products, small packaging and luxury packaging.

*Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 21a necessary to deal with any difficulties encountered in applying the provisions of this Directive to inert packaging materials placed on the market in very small quantities (i.e. approximately 0.1 % by weight) in the Union, primary packaging for medical devices and pharmaceutical products, small packaging and luxury packaging.

Or. en

**Amendment 188**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 10 a (new)**

Directive 94/62/EC

Article 20 - a(new)

*Text proposed by the Commission*

*Amendment*

***(10a) The following Article is inserted:***

***'Article 20-a***

***Exercise of the delegation***

***1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***

***2. The power to adopt delegated acts referred to in Article 8(1a) shall be conferred on the Commission for a period of [x] years from ... [the date of entry into force of this (amending) Directive]. The Commission shall draw up a report in***

*respect of the delegation of power not later than nine months before the end of the x-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

*3. The delegation of power referred to in Article 8(1a) 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 on 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.*

*4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.*

*5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.*

*6. A delegated act adopted pursuant to Article 8(1a) shall enter into force only if no objection has been expressed either by the European Parliament or by 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.';*

Or. en



## Amendment 189

Fredrick Federley, Carolina Punset, Pavel Telička

### Proposal for a directive

#### Article 1 – paragraph 1 – point 11

Directive 94/62/EC

Article 21 – paragraph 1

#### *Text proposed by the Commission*

1. For the purposes of Articles 12(3d) and 19(1), the Commission shall be assisted by the Committee, established by Article 39 of Directive 2008/98/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council(\*).

#### *Amendment*

1. For the purposes of Articles 12(3d) and 19(1), the Commission shall be assisted by the Committee, established by Article 39 of Directive 2008/98/EC. That committee shall ***ensure that opinions of environmental/waste and industry experts from the Member States shall be taken into account. That committee shall*** be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council(\*).

Or. en

## Amendment 190

Lorenzo Fontana, Nicolas Bay

### 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 11(3), Article 19(2) and Article 20 shall be conferred on the Commission for ***a*** period of ***five years*** from [enter date of entry into force of this Directive].

Or. en

**Amendment 191**  
**Lorenzo Fontana, Nicolas Bay**

**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 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.

Or. en

**Amendment 192**  
**Lorenzo Fontana, Nicolas Bay**

**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

*Amendment*

5. A delegated act adopted pursuant to 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

by two months at the initiative of the  
European Parliament or of the Council.

the European Parliament or of the Council.

Or. en

#### **Amendment 193**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho, Miroslav Poche**

#### **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 is amended as set out in the Annex to this Directive.***

Or. en

#### **Amendment 194**

**Lorenzo Fontana, Nicolas Bay**

#### **Proposal for a directive**

**Article 2 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***eighteen*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [insert date ***thirty-six*** months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

#### **Amendment 195**

**Benedek Jávor**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Annex – paragraph -1 (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 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 should be replaced with known, effective alternatives.***"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=EN>)

**Amendment 196**

**Clare Moody, Theresa Griffin, Jude Kirton-Darling, Zigmantas Balčytis, Carlos Zorrinho**

**Proposal for a directive**

**Annex – paragraph -1 (new)**

Directive 94/62/EC

Annex II

*Present text*

*Amendment*

***Annex II is replaced by the following:***

"ESSENTAIL REQUIREMENTS ON  
THE COMPOSITION AND THE  
REUSABLE AND RECOVERABLE,  
INCLUDING RECYCLABLE, NATURE  
OF PACKAGING

1. Requirements specific to the  
manufacturing and composition of  
packaging

— Packaging shall be so manufactured that  
the packaging volume and weight be  
limited to the minimum adequate amount  
to maintain the necessary level of safety,  
hygiene and acceptance for the packed  
product and for the consumer.

— 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.

— Packaging shall be so manufactured that  
the presence of noxious and other  
hazardous substances and materials as  
constituents of the packaging material or of  
any of the packaging components is  
**minimized** with regard to their presence in  
emissions, ash or leachate when packaging  
or residues from management operations or  
packaging waste are incinerated or  
landfilled.

2. Requirements specific to the  
reusable nature of packaging

The following requirements must be  
simultaneously satisfied:

""ESSENTAIL REQUIREMENTS ON  
THE COMPOSITION AND THE  
REUSABLE AND RECOVERABLE,  
INCLUDING RECYCLABLE, NATURE  
OF PACKAGING

1. Requirements specific to the  
manufacturing and composition of  
packaging

— Packaging shall be so manufactured that  
the packaging volume and weight be  
limited to the minimum adequate amount  
to maintain the necessary level of  
**recyclability**, safety, hygiene and  
acceptance for the packed product and for  
the consumer.

— **light-weighted packaging shall be  
designed so that it is compatible with  
current infrastructures.**

— Packaging shall be designed, produced  
and **commercialised** in such a way as to  
**ensure that it is suitable for** reuse or  
recovery, including recycling, and to  
**minimise** its impact on the environment  
when packaging waste or residues from  
packaging waste management operations  
are disposed of.

— **Plastic packaging shall be so  
manufactured that it includes a minimum  
of 25 % recycled content, unless  
impracticable for reasons of safety and  
hygiene.**

— Packaging shall be so manufactured that  
the presence of noxious and other  
hazardous substances and materials as  
constituents of the packaging material or of  
any of the packaging components is  
**minimised** with regard to their presence in  
emissions, ash or leachate when packaging  
or residues from management operations or  
packaging waste are incinerated or  
landfilled.

2. Requirements specific to the  
reusable nature of packaging

The following requirements must be  
simultaneously satisfied:

— the physical properties and characteristics of the packaging shall enable a number of trips or rotations in normally predictable conditions of use,

— possibility of processing the used packaging in order to meet health and safety requirements for the workforce,

— fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.

3. Requirements specific to the recoverable nature of packaging

(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.

(b) Packaging recoverable in the form of energy recovery

Packaging waste processed for the purpose of energy recovery shall have a minimum inferior calorific value to allow **optimization** of energy recovery.

(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

— the physical properties and characteristics of the packaging shall enable a number of trips or rotations in normally predictable conditions of use,

— possibility of processing the used packaging in order to meet health and safety requirements for the workforce,

— fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.

3. Requirements specific to the recoverable nature of packaging

(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 with known, effective alternatives.***

(b) Packaging recoverable in the form of energy recovery

Packaging waste processed for the purpose of energy recovery shall have a minimum inferior calorific value to allow **optimisation** of energy recovery.

(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.

(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."

it is introduced.

(d) Biodegradable packaging

Biodegradable packaging waste shall be ***defined as being*** of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition ***in natural conditions, including in saltwater, such that*** the finished compost ultimately decomposes into carbon dioxide, biomass and water ***in less than two months with no harm for the marine environment.'***

(e) *Oxo-degradable packaging*

***From 2020 the use of oxo-degradable plastic packaging shall be banned.'";***

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01994L0062-20150526&qid=1465899665576&from=EN>)

**Amendment 197**

**Herbert Reul, Francesc Gambús**

**Proposal for a directive**

**Annex – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***The following Annex IV is added:***

***deleted***

Or. en

*Justification*

*Needs to be automatically deleted if Article 6a (new) Paragraph 1– Subparagraph 3 is deleted.*

**Amendment 198**

**Herbert Reul, Francesc Gambús**

**Proposal for a directive**

**Annex – paragraph 2**

**'ANNEX IV**

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

*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:*

*(FORMULA)*

*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 a given year*

Or. en

*Justification*

*Needs to be automatically deleted if Article 6a (new) Paragraph 1– Subparagraph 3 is deleted.*

**Amendment 199**

**Miapetra Kumpula-Natri**

**Proposal for a directive**

**Annex – paragraph -1(new)**

Directive 94/62/EC

Annex II – point 1 – indent 2 a (new)



*Present text*

*Amendment*

***In Annex II, point 1, the following indent is inserted:***

***—Packaging shall be produced in such a way as to minimize its carbon footprint, including by using bio-based and bio-degradable materials.***

Or. en

*(<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31994L0062&from=EN>)*

*Justification*

*Consistent with the amendment on art. 10: bio-based materials are a key factor to reduce the carbon footprint of packaging.*