



2015/0276(COD)

02.8.2016

AMENDMENTS

262 - 390

Draft report

Simona Bonafè

(PE582.447v01-00)

on the 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

(COM2015(0596) – C8-0385/2015 – 2015/0276(COD))

Amendment 262
Josu Juaristi Abaunz

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 1a is inserted:

'1a. The European Commission shall propose eco-design requirements aiming at fostering the reusability, recyclability of packaging products and recycled content in packaging products placed on the market.'

Or. en

Amendment 263
Mark Demesmaeker

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 1a (new)

Text proposed by the Commission

Amendment

(ba) In Article 6, the following paragraph 1a is inserted:

'1a. In their reporting on recycling to the Commission, Member States shall make a distinction between household packaging waste and commercial and industrial packaging waste.

By 2025 the Commission will examine the possibility of setting separate recycling targets for household packaging waste and commercial and industrial packaging waste and bring forward a legislative proposal, if appropriate.'

Justification

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

Amendment 264

Clara Eugenia Aguilera García

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 1a is inserted:

'1a. In derogation of Article 10(2) and 11(1) of 2008/98/EC, in order to meet the targets set out in paragraph 1(g) of Article 6, Member States shall ensure that, by 2025, all packaging is collected separately or through co-mingled collection, the latter where this does not jeopardise the aim of high-quality recycling.'

Or. en

Justification

The mandatory separate collection of all packaging will prevent cherry picking and ensure equal treatment and non-discrimination between packaging materials.

Amendment 265

Inés Ayala Sender

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 can prove, ***by means of the corresponding final recycling certificate***, 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.

Or. es

Amendment 266

Mark Demesmaeker

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 94/62/EC

Article 6 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Justification

In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 267
Inés Ayala Sender

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

Text proposed by the Commission

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

Amendment

3. Packaging waste sent to another Member State for the 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 **and previously documented by means of the corresponding final recycling certificate.**

Or. es

Amendment 268
Henna Virkkunen

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point c a (new)
 Directive 94/62/EC
 Article 6 – paragraph 3 a (new)

*Text proposed by the Commission**Amendment*

(ca) the following paragraph 3a is

inserted:

'3a. For the purpose of calculating the targets laid down in article 6, 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 269

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 4

Present text

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

(a) improving market conditions for such materials;

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

Amendment

(ca) paragraph 4 is replaced by the following:

'4. Member States shall, where appropriate **and environmentally beneficial from a lifecycle perspective and in line with the waste hierarchy**, encourage the use of **sustainable bio-based materials from renewable sources and** materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

(a) improving market conditions for such materials;

(b) **review** existing **legislation hampering** the use of those materials;

(ba) making use of adequate economic instruments in order to incentivise the uptake of secondary raw material.'

Amendment 270
Mark Demesmaeker

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point c a (new)
 Directive 94/62/EC
 Article 6 – paragraph 4

Present text

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

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations preventing the use of those materials.

Amendment

(ca) paragraph 4 is replaced by the following:

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

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations preventing the use of those materials;

(ba) making use of adequate economic instruments in order to incentivise the uptake of secondary raw materials including requiring a minimum recycled content where appropriate and green public procurement criteria;

(bb) stimulating the development of smart business models.'

Or. en

Justification

It is essential to define some pull measures in order to incentivise demand for the uptake of secondary raw materials.

Amendment 271
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 4

Present text

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

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations preventing the use of those materials."

Amendment

(ca) paragraph 4 is replaced by the following:

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

- (a) improving market conditions for such materials;
- (b) reviewing existing regulations preventing the use of those materials.'

Or. en

Amendment 272

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d

Directive 94/62/EC

Article 6

Text proposed by the Commission

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

Amendment

(d) *paragraph 9 is* deleted;

Or. de

Amendment 273

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point d

Directive 94/62/EC

Article 6

Text proposed by the Commission

Amendment

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

(d) paragraphs 5 and 9 are deleted;

Or. en

Amendment 274

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 5

Present text

Amendment

(5) Not later than 31 December **2007**, the **European Parliament and the Council** shall, **acting by qualified majority and on a proposal from the Commission**, fix targets for the **third** five-year phase **2009** until **2014**, based on the practical experience gained in the Member States in pursuit of the targets laid down in paragraph 1 and the findings of scientific research and evaluation techniques such as life-cycle assessments and cost-benefit analysis.

(da) Paragraph 5 is replaced by the following:

5. Not later than 31 December **2028**, the **Commission** shall fix targets for the five-year phase **2030** until **2035**, based on the practical experience gained in the Member States in pursuit of the targets laid down in paragraph 1 and the findings of scientific research and evaluation techniques such as life-cycle assessments and cost-benefit analysis.

Or. de

Amendment 275

Ivan Jakovčić

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 5 a (new)

(da) the following paragraph 5a is inserted:

5a. Member States shall each adopt a strategy for meeting the target referred to in Article 6 by [insert date 18 months after the laws and other provisions necessary to comply with this Directive have been brought into force] at the latest. They shall forthwith communicate to the Commission the text of those strategies.

Or. hr

Amendment 276
Fredrick Federley

Proposal for a directive
Article 1 – paragraph 1 – point 3 – point d a (new)
Directive 94/62/EC
Article 6 – paragraph 8

Present text

Amendment

8. The Commission shall, ***as soon as possible and no later than 30 June 2005, present a report to the European Parliament and the Council on*** the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market. ***The report shall take*** into account individual circumstances in each Member State. ***It shall cover the following:***

(da) Paragraph 8 is replaced by the following:

'8. The Commission shall ***assess*** the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market, ***taking*** into account individual circumstances in each Member State. ***A report on the on-going assessment should be submitted to the European Parliament and the Council at a minimum every three years. To this end, the Commission shall, by 31 December 2024 at the latest, examine the targets laid down in Article 6 and the progress towards achieving them, and considering setting targets for other waste streams. The Commission shall consider the best practices and measures used by Member States to reach the targets. To this end, a***

report of the Commission, accompanied by a proposal, if appropriate, shall be sent to the European Parliament and the Council.'

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

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

Or. en

Justification

The Commission's assessment on the progress and implementation on the environment and the internal market should be regularly reported to the European Parliament and the Council. This amendment should be seen as an addition to Mr Nils Torvalds' amendment on article 6, paragraph 8. Where the additional text is the following: A report on the on-going assessment should be submitted to the European Parliament and the Council at a minimum every three years.

Amendment 277

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 8

Present text

Amendment

8. The Commission shall, *as soon as possible and no later than 30 June 2005, present a report to the European Parliament and the Council on the* progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market. *The report shall take* into account individual circumstances in each Member State. *It shall cover the following:*

- (a) an evaluation of the effectiveness, implementation and enforcement of the essential requirements;*
- (b) additional prevention measures to reduce the environmental impact of packaging as far as possible without compromising its essential functions;*
- (c) the possible development of a packaging environment indicator to render packaging waste prevention simpler and more effective;*
- (d) packaging waste prevention plans;*
- (e) encouragement of reuse and, in particular, comparison of the costs and benefits of reuse and those of recycling;*

(da) Paragraph 8 is replaced by the following:

'8. The Commission shall *assess* the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market, *taking* into account individual circumstances in each Member State. *To this end, the Commission shall, by 31 December 2024 at the latest, examine the targets laid down in Article 6 and the progress towards achieving them, and considering setting targets for other waste streams. The Commission shall consider the best practices and measures used by Member States to reach the targets. To this end, a report of the Commission, accompanied by a proposal, if appropriate, shall be sent to the European Parliament and the Council.'*

(f) *producer responsibility including its financial aspects;*

(g) *efforts to reduce further and, if appropriate, ultimately phase out heavy metals and other hazardous substances in packaging by 2010.*

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

Or. en

Amendment 278

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 8 – introductory part

Present text

(8) The Commission shall, as soon as possible **and no later than 30 June 2005**, present a report to the European Parliament and the Council on the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market. The report shall take into account individual circumstances in each Member State. It shall cover the following:

Amendment

(db) *The introductory part in paragraph 8 is replaced by the following:*

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

Or. de

Amendment 279

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

Proposal for a directive

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

Present text

(g) efforts to reduce further and, if appropriate, ultimately phase out heavy metals and other hazardous substances in packaging **by 2010**.

Amendment

(db) In paragraph 8, point g is replaced by the following:

(g) efforts to reduce further and, if appropriate, ultimately phase out heavy metals and other hazardous substances in packaging.

Or. de

Amendment 280

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke, Norbert Lins

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

(dd) The following paragraph 11a is added:

'11a. Member States shall take appropriate measures to encourage the design of packaging in order to reduce its environmental impact and the generation of waste in the course of the production and subsequent use, provided that such measures avoid distortions of the internal market and do not hinder compliance with this Directive by other Member States.

Those measures shall include measures to encourage the development, production and marketing of packaging that is suitable for multiple use, that is technically durable and that is, after having become waste, suitable for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures shall take into account the

full life cycle impacts of packaging.'

Or. de

Amendment 281
Mark Demesmaeker

Proposal for a directive
Article 1 – paragraph 1 – point 3 a (new)
Directive 94/62/EC
Article -6 a (new)

Text proposed by the Commission

Amendment

(3a) The following Article -6a) is inserted:

'Article -6a

Extended Producer Responsibility

Without prejudice to the specificity of packaging and packaging waste, the provisions on Extended Producer Responsibility (Article 8 of the Waste Framework Directive) and the general minimum requirements for Extended Producer Responsibility schemes (Article 8a of the Waste Framework Directive) shall also apply for packaging and packaging waste.'

Or. en

Justification

For the purpose of legal clarity, it is important to explicitly mention that the provisions on EPR and the general minimum requirements also apply for packaging and packaging waste.

Amendment 282
Josu Juaristi Abaunz

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

Amendment

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

(a) the weight of the packaging waste **prepared for reuse** shall be understood as the weight of **packaging products initially placed on the market which have been recovered or collected by a recognised preparating and are demonstrated to have been re-used at least once following all necessary checking, cleaning and repairing operations**.

The packaging product will only be counted once towards the statistics and not at every re-use cycle.

Or. en

Amendment 283
Julie Girling

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

Amendment

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

(a) the weight of the packaging waste recycled shall be understood as the weight **which, having undergone all preliminary sorting operations, enters the operation where waste materials are actually reprocessed into products, materials or substances**;

Or. en

Justification

Products, materials and substances are difficult to define and their definitions can be subject to legal challenges; legal clarity could be ensured by specifying that the final recycling process is non-waste materials.

Amendment 284
Simona Bonafè

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 96/42/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 ***measured*** as the weight of the input waste entering the final recycling process ***in a given year***;

Or. en

Amendment 285
Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Anneli Jäätteenmäki, Jasenko Selimovic

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 process, ***excluding the combined weight of contaminants in the input waste***;

Or. en

Amendment 286
Merja Kyllönen

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

Text proposed by the Commission

Amendment

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

(a) the weight of the packaging waste recycled shall be understood as the weight of the input waste entering the final recycling process, *the "final recycling" taking place in the production plant, where the waste is used as a raw material for a new product;*

Or. en

Amendment 287

Mark Demesmaeker

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point b

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 288

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

(b) the weight of the packaging *products placed on the market which have been* prepared for reuse shall be understood as the weight of packaging waste that has been recovered or collected by a recognised preparation for re-use operator and *are demonstrated to have been re-used at least once following all necessary checking, cleaning and repairing operations*;

Or. en

Amendment 289

Simona Bonafè

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 96/42/EC

Article 6a – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 290
Clara Eugenia Aguilera García

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 291
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the weight of packaging waste prepared for re-use shall be understood as the weight of packaging products initially placed on the market which have been collected by a recognised preparing for re-use operator and are demonstrated to have been re-used at least once following all necessary checking, cleaning and repairing operations.

Or. en

Amendment 292
Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

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. de

Amendment 293
Josu Juaristi Abaunz

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 294
Mark Demesmaeker

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 295
Soledad Cabezón Ruiz

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* (c) *The Commission shall promote the*

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.

development of European Standards on the quality of materials entering the final recycling process. These standards shall be developed by the European Standardisation Bodies within three years after the entry into force of this Directive.

Or. en

Justification

Producers, importers, EPR organizations and PROs should bear operational and financial responsibilities. Under EU waste legislation recycling targets are binding for PROs and supervised by national authorities. Producers, importers and PROs, need to be able to control processes linked to achieving the targets. Roles and responsibilities for waste management should be defined by legislation. Also, producers and PROs implementing EPR on their behalf have a public mission better addressed through non-profit models that should be recognised within EU legislation.

Amendment 296

Clara Eugenia Aguilera García

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

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

Amendment

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

Amendment 297

Piernicola Pedicini, Marco Affronte, Eleonora Evi

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

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

Amendment

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

Amendment 298

Davor Škrlec

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

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

Text proposed by the Commission

Amendment

(ca) The Commission shall promote the development of European Standards on the quality of materials entering the final recycling process. These standards shall be developed by the European Standardization Bodies within three years

after the entry into force of this Directive.

Or. en

Justification

The quality of materials entering a final recycling process is a complex issue that varies extensively depending on each waste flow. It also evolves according to the state-of-the-art of recycling technology for each material. Therefore, the most appropriate way to approach the issue of quality is through the development of material-specific quality standards at the EU level, as being done for the paper and cardboard waste sector. This would ensure that the waste materials' transferred to the recycle bear an appropriate level of recycling quality, and help create a level-playing field across the board.

Amendment 299

Pilar Ayuso

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

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

Text proposed by the Commission

Amendment

(ca) The Commission shall promote the development of European Standards on the quality of materials entering the final recycling process. These standards shall be developed by the European Standardisation Bodies within three years after the entry into force of this Directive.

Or. en

Amendment 300

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

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

Text proposed by the Commission

Amendment

(ca) Waste materials entering the final recycling process shall uphold quality standards. The Commission shall promote the development of European Standards on the quality of materials entering the final recycling process.

Or. en

Amendment 301
Merja Kyllönen

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

Text proposed by the Commission

Amendment

1a. If packaging waste is composed of different materials, the packaging waste shall be reported under the predominant material by weight for the purpose of calculation of the targets laid down in points (1)(f) to (i) of Article 6(1), in accordance with the provisions of Commission Decision 2005/270/EC.

Or. en

Justification

Including composite packaging (i.e. of different materials) under its predominant material is the approach established since 2005, when reporting on composites was introduced under (Article 3.3) EU Commission Decision on 22 March 2005. This measure should now be reflected in the text of the Directive.

Amendment 302
Sirpa Pietikäinen

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

Text proposed by the Commission

Amendment

1a. If packaging waste is composed of different materials, the packaging waste shall be reported under the predominant material by weight for the purpose of calculation of the targets laid down in points (1)(f) to (i) of Article 6(1), in accordance with the provisions of Commission Decision 2005/270/EC.

Or. en

Justification

Including composite packaging (i.e. of different materials) under its predominant material is the approach established since 2005, when reporting on composites was introduced under (Article 3.3) EU Commission Decision on 22 March 2005.

Amendment 303

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 2

Text proposed by the Commission

Amendment

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.

2. In order to ensure the application of paragraph 1(b) and (c) and of Annex IV, ***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 304
Mark Demesmaeker

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 2

Text proposed by the Commission

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

Amendment

2. In order to ensure harmonised conditions for the application of paragraph 1(a) and of Annex IV, the Commission shall adopt delegated acts in accordance with Article 21a establishing **specific rules on the exact point of "input to the final recycling process" per material stream,** data collection, verification and reporting.

Or. en

Justification

There is a clear need for a single calculation method. As the exact point where materials enter the final recycling process may differ between material streams, the Commission should adopt common rules per waste stream in order to strengthen the calculation method and ensure its diligent application. Part of the original text is inserted in the amendment on Article 5.

Amendment 305
Josu Juaristi Abaunz

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**

Amendment

2. In order to ensure **harmonized**

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.

conditions for the application of paragraph 1(b) and (c) and of Annex IV, the Commission shall adopt delegated acts *for* establishing *guidance on* preparation for re-use operators and deposit-refund schemes, including specific rules on data collection, verification and reporting.

Or. en

Amendment 306
Clara Eugenia Aguilera García

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 2

Text proposed by the Commission

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

Amendment

2. In order to ensure harmonised conditions for the application of paragraph 1(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 *or entities operating in-house reusable packaging schemes* and deposit-refund schemes, including specific rules on data collection, verification and reporting.

Or. en

Justification

The Delegated Acts which will be adopted by the Commission, in particular with regards to data collection, verification and reporting, should cover all entities which will be helping towards the achievement of the EU preparing for re-use and recycling targets.

Amendment 307

Merja Kyllönen

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 2

Text proposed by the Commission

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

Amendment

2. In order to ensure harmonised conditions for the application of paragraph 1(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 ***or entities operating in-house reusable packaging schemes*** and deposit-refund schemes, including specific rules on data collection, verification and reporting.

Or. en

Amendment 308

Marijana Petir

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6 a – paragraph 2

Text proposed by the Commission

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

Amendment

2. In order to ensure harmonised conditions for the application of paragraph 1(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, ***traceability***, verification and reporting.

Amendment 309

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 310

Mark Demesmaeker

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3

Text proposed by the Commission

Amendment

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

deleted

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

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

Justification

A clear choice should be made for a single calculation method, notably the "input to the final recycling process".

Amendment 311

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3

Text proposed by the Commission

Amendment

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

Amendment 312

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – 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 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.

Amendment

3. *To monitor recycling collection efficiency in line with the provisions of paragraph 1, Member States shall report on the levels of contaminants to recycling rates. The Commission shall develop a guidance document for the reporting on contaminants in recycling.*

Or. en

Amendment 313

Pilar Ayuso

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3 – introductory words

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 recycled provided that:

Amendment

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

Or. en

Amendment 314

Josu Juaristi Abaunz

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

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 recycled provided that:

Amendment

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

Or. en

Amendment 315
Julie Girling

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

Text proposed by the Commission

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

Amendment

(a) such output ***is subject to an operation where waste materials are actually reprocessed into products, materials or substances***;

Or. en

Justification

Products, materials and substances are difficult to define and their definitions can be subject to legal challenges; legal clarity could be ensured by specifying that the final recycling process is non-waste materials.

Amendment 316
Julie Girling

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

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

deleted

Or. en

Justification

This Commission proposal sets a limit of 10% for contamination of loads that are destined for export. However, this would be contrary to the provisions of the Waste Shipments Regulation, which does not permit waste to be exported for the purposes of disposal. It should therefore be deleted to ensure coherence with existing EU law and avoid legal uncertainty.

Amendment 317

Pilar Ayuso

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

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

(b) *such output waste meets the quality standards set out in new Article 6a, paragraph 1, point ca.*

Or. en

Amendment 318

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 319
Ivo Belet

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 threshold established in point (ba).**

Or. en

Justification

The 10% threshold should be adapted to the specific waste stream. For some waste streams, current best practice is already much better. Therefore, different threshold should apply. These are to be established in the quality standards as defined in point (ba)

Amendment 320

Ivo Belet

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) The Commission shall be empowered to adopt delegated acts in accordance with Article 21a in order to establish detailed quality standards for packaging waste materials entering a recycling plant as referred to in point b. Existing national quality standards shall apply until the adoption of those quality standards.

Or. en

Justification

The quality standards for waste materials entering a recycling plant ensure that waste entering the recycling process can be effectively recycled without significant losses. By adapting the standards to the specific waste streams instead of applying a general 10% criteria, the recycling process is optimised. The standards can be set based on the work of standardisation bodies such as CEN.

Amendment 321

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 4

Text proposed by the Commission

Amendment

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

4. Member States shall ***name or*** establish an effective system of quality control and traceability of the packaging waste to ensure that ***the obligations*** laid down in ***this Directive are met. The***

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

sharing of best practices shall be encouraged in developing measures and systems to trace packaging waste streams from sorting to final recycling process, which is of key importance in controlling quality of waste and measure the losses in waste streams and recycling processes.

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

Or. en

Amendment 322
Mark Demesmaeker

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

Text proposed by the Commission

4. Member States shall establish an effective system of quality control and traceability of the packaging waste to ensure that conditions laid down in paragraph 3(a) and (b) are met. The system may consist of either electronic registries set up pursuant to Article 35(4) of Directive 2008/98/EC, technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste.

Amendment

4. Member States shall establish an effective system of quality control and traceability of the packaging waste to ensure that conditions laid down in paragraph 1 are met. The system may consist of either electronic registries set up pursuant to Article 35(4) of Directive 2008/98/EC, technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste.

Or. en

Justification

Alignment with proposal to delete §3 (a) and (b).

Amendment 323
Kateřina Konečná

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 5

Text proposed by the Commission

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

Amendment

5. For the purposes of calculating whether the targets laid down in 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 **energy recovery and** 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.

Or. en

Amendment 324
Julie Girling

Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 94/62/EC
Article 6a – paragraph 5

Text proposed by the Commission

5. For the purposes of calculating whether the targets laid down in Article 6(1)(f) to (i) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration in proportion to the share of the packaging waste incinerated provided that the recycled **metals** meet certain quality requirements. Member

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 **materials** 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 common methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.

Or. en

Justification

Limiting the application of this provision to metals is inconsistent with the waste hierarchy. Where other materials are recovered after waste incineration, the possibility of recycling these into products or materials should also be explored (e.g. incinerator bottom ash (IBA) can be recycled into construction materials such as lightweight construction blocks). This would be consistent with the principles of the circular economy as the incineration residue replaces virgin materials.

Amendment 325

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 5

Text proposed by the Commission

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

Amendment

5. For the purposes of calculating whether the targets laid down in 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 methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.

Or. en

Amendment 326

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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

Text proposed by the Commission

Amendment

Early warning report

Progress estimation report

Or. en

Amendment 327
Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 94/62/EC
Article 6b – 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 328
Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 94/62/EC
Article 6b – 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 329

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki, Jasenko Selimovic

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 94/62/EC

Article 6b – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) examples of best practices that are used throughout the Union and that could provide guidance for progressing towards achieving the targets laid down in Article 6.

Or. en

Amendment 330

Josu Juaristi Abaunz

Proposal for a directive

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

Directive 94/62/EC

Article 7 – paragraph 1

Present text

Amendment

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

(5a) In Article 7, paragraph 1 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*:"

Or. en

Amendment 331

Josu Juaristi Abaunz

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

Text proposed by the Commission

Amendment

(5b) In Article 7 (1), the following point ba is inserted:

(ba) by 2020, the establishment of deposit-refund or re-use schemes for beverage packaging and, where appropriate, other packaging types.

Or. en

Amendment 332
Josu Juaristi Abaunz

Proposal for a directive
Article 1 – paragraph 1 – point 5 c (new)
Directive 94/62/EC
Article 7 – paragraph 1 – subparagraph 2

Present text

Amendment

(5c) In Article 7 (1), the following words are deleted: “in order to meet the objectives laid down in this Directive”.

Or. en

Amendment 333
Henna Virkkunen

Proposal for a directive
Article 1 – paragraph 1 – point 5 a (new)
Directive 94/62/EC
Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(5a) In Article 7, the following paragraph 2a is inserted:

'2a. Member States shall take measures to achieve sustained reduction of the buildup 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 334
Merja Kyllönen

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 7a is inserted:

'Article 7a

Specific measures for return and collection systems

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

- a) the separate collection of at least packaging or packaging waste made up of paper, metal, plastic or glass – or any combination thereof – from residual waste**
- b) composite packaging as defined under Commission Decision 2005/270/EC shall be collected in existing collection schemes meeting the quality standards required for final recycling. '**

Or. en

Justification

In order to increase recycling, more must be collected and governments need to ensure that everything that can be recycled is recycled, in particular for packaging. Requiring Member States to set up systems to collect all packaging and packaging wastes will secure feedstock,

thus generating investment and driving innovation in collection and sorting infrastructure and, in turn, 'creating the recycling pipeline'. To leverage existing collection infrastructure, composite material should be collected in existing collection systems. Requiring separate collection of packaging waste would align the Packaging and Packaging Waste Directive with the Waste Framework Directive which proposes under Article 11 that Member States must set up separate collection for at least the following: paper, metal, plastic and glass.

Amendment 335
Sirpa Pietikäinen

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 7a is inserted:

'Article 7a

Specific measures for return and collection systems

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

a) the separate collection of at least packaging or packaging waste made up of paper, metal, plastic or glass –or any combination thereof –from residual waste

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

Or. en

Justification

New article on Specific measures for return and collection systems is proposed, as in order to increase recycling, more must be collected and member states need to ensure that everything that can be recycled is recycled, in particular for packaging.

Amendment 336
Jo Leinen, Susanne Melior, Renata Briano

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 7a is inserted:

'Article 7a

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

- a) the separate collection of at least packaging or packaging waste made up of paper, metal, plastic or glass –or any combination thereof –from residual waste**
- b) composite packaging as defined under Commission Decision 2005/270/EC shall be collected in existing collection schemes meeting the quality standards required for final recycling. '**

Or. en

Amendment 337
Josu Juaristi Abaunz, Kateřina Konečná

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

Present text

Amendment

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

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

"2. To facilitate collection, reuse and recovery including recycling, **packaging shall contain information useful for that purpose. In particular**, packaging shall indicate for the purposes of its identification and classification by the

Commission Decision 97/129/EC[1].

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

industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC[1].

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

Or. en

Amendment 338

Damiano Zoffoli, Nicola Caputo, Massimo Paolucci, Renata Briano, Elena Gentile

Proposal for a directive

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

Directive 94/62/EC

Article 8 – paragraph 2 a (new)

Present text

Amendment

(5a) In Article 8, the following paragraph 2a 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

Amendment 339

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 1

Present text

Amendment

The Commission shall ***promote***, as appropriate, the ***preparation of*** European standards relating to the essential

(5a) In Article 10, paragraph 1 is replaced by the following:

1. The Commission shall ***revise***, as appropriate, the European standards relating to the essential requirements

requirements referred to in Annex II.

referred to in Annex II *to better measure and enforce them.*

Or. en

Amendment 340

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent -1

Present text

Amendment

(5b) In Article 10, the following indent is inserted:

– criteria for phasing out hazardous substances in packaging,

Or. en

Amendment 341

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent -1 a

Present text

Amendment

(5c) In Article 10, the following indent is inserted:

– criteria to incentivise the production of reusable and recyclable packaging,

Or. en

Amendment 342

Damiano Zoffoli, Nicola Caputo, Massimo Paolucci, Renata Briano, Elena Gentile

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent 1

Present text

– criteria and methodologies for life-cycle analysis of packaging,

Amendment

(5b) In Article 10, first indent is replaced by the following:

– criteria and methodologies for life-cycle analysis of packaging, ***including on its carbon footprint;***

Or. en

Amendment 343

Damiano Zoffoli, Nicola Caputo, Massimo Paolucci, Renata Briano, Elena Gentile

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent 3 a (new)

Present text

Amendment

(5b) In Article 10, the following indent is inserted:

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

Or. en

Amendment 344

Frédérique Ries, Anneli Jäätteenmäki, Ulrike Müller

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent 6

Present text

Amendment

"– criteria for the marking of packaging."

(5a) In Article 10, sixth indent is replaced by the following:

"– criteria for the marking of packaging, ***including the voluntary labelling of the presence and amount of biodegradable and bio-based content in the packaging.***"

Or. en

Justification

Research in bio-based materials has progressed over the last years, and could be encouraged by a deeper market penetration of these materials. The standardisation of the voluntary marking of the presence and amount of such materials in the packaging of products would help consumers make an informed choice and strengthen the European single market.

Amendment 345

Damiano Zoffoli, Nicola Caputo, Massimo Paolucci, Renata Briano, Elena Gentile

Proposal for a directive

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

Directive 94/62/EC

Article 10 – paragraph 2 – indent 6

Present text

Amendment

– criteria for the marking of packaging

(5b) In Article 10, the sixth indent is replaced by the following:

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

Or. en

Amendment 346

Birgit Collin-Langen, Sabine Verheyen, Jens Gieseke

Proposal for a directive

Article 1 – paragraph 1 – point 6

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. en

Amendment 347
Jytte Guteland, Pavel Poc

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b
Directive 94/62/EC
Article 12 – paragraph 2

Text proposed by the Commission

Amendment

2. The databases provided for in paragraph 1 shall include the data listed in Annex III and shall provide in particular information on the magnitude, characteristics and evolution of the packaging and packaging waste flows, including information on the toxicity or danger of packaging materials and components *used for their manufacture at the level of individual* Member States.

2. The databases provided for in paragraph 1 shall include the data listed in Annex III and shall provide in particular information on the magnitude, characteristics and evolution of the packaging and packaging waste flows, including information on the toxicity or danger of packaging materials and components. ***In order to facilitate the preparation for reuse and the correct and environmentally sound treatment of packaging waste*** Member States ***shall take the necessary measures to ensure that economic operators provide the information in article 33 of Regulation (EC) No 1907/2006 of the European***

Justification

Information required under REACH Article 33 should be added as information in the database. It is essential that those who handle the waste have information about the content of substances of very high concern (SVHC) in the packaging in order to be able to manage the waste with high environmental performance and avoid the recirculation of such substances. Article 12(2) requires already information about toxicity, but it is unclear what is meant by the term “toxicity”.

Amendment 348

Pavel Poc, Karin Kadenbach

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point b

Directive 94/62/EC

Article 12 – paragraph 2

Text proposed by the Commission

2. The databases provided for in paragraph 1 shall include the data listed in Annex III and shall provide in particular information on the magnitude, characteristics **and evolution** of the packaging and packaging waste flows, including information on the toxicity or danger of packaging materials and components used for their manufacture at the level of individual Member States.

Amendment

2. The databases provided for in paragraph 1 shall include the data listed in Annex III and shall provide in particular information on the magnitude, characteristics, **evolution and hazardous content** of the packaging and packaging waste flows, including information on the toxicity or danger of packaging materials and components used for their manufacture at the level of individual Member States.

Justification

Concerning hazardous chemicals, the database shall provide in particular information on their exact location, and safe extraction procedures for repair and re-use centres and recycling operators.

Amendment 349

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 350

Davor Škrlec

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) for each calendar year to the Commission. They shall report this data electronically within **12** months of the end of the reporting year for which the data are collected.

Or. en

Justification

There is no need to grant 18 months to Member States for the annual reporting. This should be reduced to 12 months - in line with the previous Commission proposal.

Amendment 351
Marijana Petir

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 a – paragraph 3 a – 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) for each calendar year to the Commission. They shall **collect and process the data in accordance with a common methodology and report them** electronically within 18 months of the end of the reporting year for which the data are collected.

Or. hr

Amendment 352
Karl-Heinz Florenz

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 **with respect to the targets in Article 6(f) to (i)** 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].

Or. en

Justification

The current reporting system should not be paused but instead be continued

Amendment 353

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 354

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

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 **those** data, **and shall compare expected and actual**

recommendations for improvement. The report shall be drawn up every three years.

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 355

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3c

Text proposed by the Commission

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

Amendment

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. 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 356

Pilar Ayuso

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3ca (new)

Text proposed by the Commission

Amendment

3ca. In the report, the Commission

shall include information on the progress of the implementation of the Directive as a whole, taking into account the individual circumstances in each Member States, and evaluate its impact on the environment and the functioning of the Internal Market. If appropriate, a proposal for the revision of this Directive shall accompany the report.

Or. en

Amendment 357

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Article 12 a (new)

Text proposed by the Commission

Amendment

(7a) The following Article 12a is inserted:

"Article 12a

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 358

Damiano Zoffoli, Nicola Caputo, Renata Briano, Massimo Paolucci, Elena Gentile

Proposal for a directive

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

Directive 94/62/EC

Article 13 – paragraph 1 – indent 2 a (new)

Present text

Amendment

(7a) *In Article 13, the following indent 2a is inserted:*

"— the bio-based content of packaging, "

Or. en

Amendment 359

Josu Juaristi Abaunz

Proposal for a directive

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

Directive 94/62/EC

Article 15 – paragraph 1

Present text

Amendment

"1. 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."

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

"1. 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

Amendment 360

Merja Kyllönen

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

Present text

1. 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 following paragraph 1a is replaced by the following:

1. 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 ***in particular to incentivise the use of bio-based packaging and recycled packaging materials.***

Or. en

Justification

To accelerate the transition towards a circular economy, Member States should incentivise the use of secondary raw materials and the use of bio-based materials where possible. Given that there are solutions available, packaging would be a good sector to start.

Amendment 361
Davor Škrlec

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

Text proposed by the Commission

Amendment

(7a) The following Article 15a 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 362

Josu Juaristi Abaunz

Proposal for a directive

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

Directive 94/62/CE

Article 15 a (new)

Text proposed by the Commission

Amendment

(7a) The following Article 15a 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 363

Josu Juaristi Abaunz

Proposal for a directive

Article 1 – paragraph 1 – point 8 a (new)

Directive 94/62/EC

Article 18 – paragraph 1

Present text

"Member States shall not impede the placing on the market of their territory of packaging which satisfies the provisions of this Directive."

Amendment

(8a) In Article 18, paragraph 1 is replaced by the following:

"Member States shall not impede the placing on the market of their territory of packaging which satisfies the provisions of this Directive, ***except for packing recognised by their national law as environmental problematic.***"

Or. en

Amendment 364

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 365

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 366

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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 367

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 94/62/EC

Article 21a – paragraph 5

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 368

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

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

Directive 94/62/EC

Annex II

Text proposed by the Commission

Amendment

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

Or. en

Amendment 369

Frédérique Ries, Anneli Jäätteenmäki, Ulrike Müller, Jasenko Selimovic

Proposal for a directive

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

Directive 94/62/CE

Annex II

Text proposed by the Commission

Amendment

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

Or. en

Amendment 370

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki

Proposal for a directive

Article 1 – paragraph 1 – point 14 a (new)

Directive 94/62/EC

Annex IV a (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 371

Jean-François Jalkh, Mireille D'Ornano, Sylvie Goddyn, Matteo Salvini

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.

Amendment 372

Jadwiga Wiśniewska, Bolesław G. Piecha

Proposal for a directive**Article 2 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

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.

Amendment

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. pl

Justification

Eighteen months is too short a space of time in which to bring such a complicated set of provisions into force. The time limit for the package as a whole should therefore be extended to 36 months.

Amendment 373

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive**Annex – paragraph -1 (new)**

Directive 94/62/EC

Annex II – point 1 – second indent

Present text

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

Amendment

(-1) In Annex II, point 1, indent 2 is replaced by the following:

— Packaging shall be designed, produced and commercialized in such a way as to permit its **re-use** or recovery recycling, and to minimize its impact on the environment when packaging waste or residues from packaging waste

packaging waste management operations
are disposed of.

management operations are disposed of.

Or. en

Amendment 374

Frédérique Ries, Anneli Jäätteenmäki, Ulrike Müller, Jasenko Selimovic

Proposal for a directive

Annex – paragraph -1 (new)

Directive 94/62/EC

Annex II – point 1– indent 1 a (new)

Text proposed by the Commission

Amendment

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

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

Or. en

Amendment 375

Damiano Zoffoli, Nicola Caputo, Renata Briano, Elena Gentile, Massimo Paolucci

Proposal for a directive

Annex – paragraph -1 (new)

Directive 94/62/EC

Annex II – point 1– second indent

Present text

Amendment

***(-1) In Annex II, point 1, the following
indent 2a 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

Amendment 376
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive
Annex – paragraph -1 a (new)
Directive 94/62/EC
Annex II – point 1 – third indent

Present text

Amendment

(-1a) In Annex II, point 1, indent 2a is inserted:

— Packaging shall be manufactured so that it includes a minimum of 40 % recycled content, unless this is impracticable for reasons of safety and hygiene.

Or. en

Amendment 377
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive
Annex – paragraph -1 b (new)
Directive 94/62/EC
Annex II – point 3 – point a

Present text

Amendment

(-1b) 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 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.

(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 reuse and recycle, taking into account the sorting, cleaning and scale of formats and materials used** so as to enable the **reuse and** 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 must be replaced with known and effective alternatives.***

Or. en

Amendment 378

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Annex – paragraph -1 d (new)

Directive 94/62/EC

Annex II – point 3 – point d

Present text

Amendment

(-1d) In Annex II, point 3, point b is deleted.

(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.

Or. en

Amendment 379

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Annex – paragraph -1 e (new)

Directive 94/62/EC

Annex II – point 3 – point c

Present text

Amendment

(-1e) In Annex II, point 3, point c is replaced by the following:

(c) Packaging recoverable in the form of composting

(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.

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

Or. en

Amendment 380

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Annex – paragraph -1 f (new)

Directive 94/62/EC

Annex II – point 3 – point d

Present text

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

Amendment

(-1f) In Annex II, point 3, point d is replaced by the following:

(d) Biodegradable packaging
Biodegradable packaging waste shall be of such a nature that it is capable of undergoing *a complete* decomposition *under natural composting conditions* such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water *in less than two months with no harm for the marine environment.*

Or. en

Amendment 381

Davor Škrlec

Proposal for a directive

Annex – paragraph -1 (new)

Directive 94/62/EC

Annex II – point 3 – point d

Present text

Amendment

(-1) In Annex II, point 3, point d is

(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.

replaced by the following:

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

Or. en

Amendment 382
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive
Annex – paragraph -1 g (new)
Directive 94/62/EC
Annex II – point 3 – point d a (new)

Present text

Amendment

(-1g) In Annex II, point 3, the following point da is inserted:

(da) Oxo-degradable packaging
From 2020, the use and distribution of oxo-degradable plastic packaging shall be banned."

Or. en

Amendment 383
Mark Demesmaeker

Proposal for a directive
Annex – paragraph 2
Directive 94/62/EC
Annex IV – title

Text proposed by the Commission

Amendment

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

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 384
Mark Demesmaeker

Proposal for a directive
Annex – paragraph 2
Directive 94/62/EC
Annex IV – paragraph 1 – introductory phrase

Text proposed by the Commission

Amendment

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:

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

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 385
Mark Demesmaeker

Proposal for a directive
Annex – paragraph 2
Directive 94/62/EC
Annex IV – paragraph 1 – point 1

Text proposed by the Commission

Amendment

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

E: adjusted recycling rate in a given
year;

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 386
Mark Demesmaeker

Proposal for a directive
Annex – paragraph 2
Directive 94/62/EC
Annex IV – paragraph 1 – point 2

Text proposed by the Commission

Amendment

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

A: weight of packaging waste recycled
in a given year;

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also

present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 387

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Proposal for a directive

Annex – paragraph 2

Directive 94/62/EC

Annex IV – paragraph 1 – point 2

Text proposed by the Commission

Amendment

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

A: weight of packaging waste recycled
in a given year;

Or. en

Amendment 388

Mark Demesmaeker

Proposal for a directive

Annex – paragraph 2

Directive 94/62/EC

Annex IV – paragraph 1 – point 3

Text proposed by the Commission

Amendment

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

deleted

Or. en

Justification

The target should focus exclusively on recycling. In the area of packaging there is a clear distinction between single use packaging and reusable packaging. This distinction is also present in Decision 2005/270 which is relevant for reporting. Therefore, for the Packaging and Packaging Waste Directive a combined target of "preparation for reuse and recycling" is neither logical nor desirable. A combined target could potentially lead to artificially high

results and divert attention away from recycling. It therefore seems appropriate to consider "preparation for reuse" and "reuse" in Article 5.

Amendment 389
Marijana Petir

Proposal for a directive
Annex – paragraph 2

Directive 94/62/EC

Annex IV – paragraph 1 – point 4

Text proposed by the Commission

Amendment

P: weight of packaging waste **generated** in a given year.'

P: weight of **total** packaging waste **generation** in a given year.'

Or. hr

Justification

It should be made clear that the text refers to packaging waste generation as a whole.

Amendment 390

Nils Torvalds, Fredrick Federley, Gerben-Jan Gerbrandy, Catherine Bearder, Frédérique Ries, Ulrike Müller, Jan Huitema, Anneli Jäätteenmäki

Proposal for a directive
Annex – paragraph 2 a (new)

Directive 94/62/EC

Annex IV a (new)

Text proposed by the Commission

Amendment

The following Annex IVa is inserted:

'Annex IVa

Instruments to promote a shift to a more circular economy.

1. Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees or specific

bans for incineration of recyclable waste;

1.3 progressive extension to the whole territory of Member States of 'pay-as-you-throw' systems incentivising municipal waste producers to reduce, re-use and recycle their waste;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the producer responsibility schemes to new waste streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies not consistent with the waste hierarchy.

2. Further measures:

2.1 public procurement;

2.2 technical and fiscal measures to support the development of markets for re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.4 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and the involvement of other key stakeholders;

2.5 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets;

2.6 creation of communication

platforms to foster exchange of best practices between industries and Member States;

2.7 any relevant alternative or additional measures aiming at meeting the same purpose.'

Or. en