

Amendment 438

Massimiliano Salini, Isabella Adinolfi, Matteo Adinolfi, Pablo Arias Echeverría, Pascal Arimont, Traian Băsescu, Isabel Benjumea Benjumea, Anna Bonfrisco, Marco Campomenosi, Maria da Graça Carvalho, Massimo Casanova, Susanna Ceccardi, Lara Comi, Rosanna Conte, Gianantonio Da Re, Arnaud Danjean, Nicola Danti, Paolo De Castro, Salvatore De Meo, Francesca Donato, Rosa Estaràs Ferragut, Gheorghe Falcă, Giuseppe Ferrandino, Gianna Gancia, Matteo Gazzini, Paola Ghidoni, Valentino Grant, Radan Kanev, Danilo Oscar Lancini, Elena Lizzi, Antonio López-Istúriz White, Marian-Jean Marinescu, Gabriel Mato, Dolors Montserrat, Alessandra Moretti, Alessandra Mussolini, Alessandro Panza, Francesca Peppucci, Pilar del Castillo Vera, Nicola Procaccini, Maria Veronica Rossi, Anne Sander, Silvia Sardone, Christine Schneider, Annalisa Tardino, Patrizia Toia, Eugen Tomac, Edina Tóth, Isabella Tovaglieri, Sabine Verheyen, Lucia Vuolo, Stefania Zambelli, Javier Zarzalejos, Juan Ignacio Zoido Álvarez, Vasile Blaga, Ioan-Rareş Bogdan, Daniel Buda, Cristian-Silviu Buşoi, Mircea-Gheorghe Hava, Dan-Ştefan Motreanu, Siegfried Mureşan, Gheorghe-Vlad Nistor, Loránt Vincze, Iuliu Winkler, Norbert Lins, Fulvio Martusciello, Tomáš Zdechovský, Pietro Fiocchi, Elisabetta De Blasis, Vincenzo Sofo, Carlo Fidanza, Sergio Berlato, Raffaele Stancanelli, Ladislav Ilčić, Denis Nesci, Chiara Gemma, Giuseppe Milazzo, Andrey Slabakov, Angel Dzhambazki, Waldemar Tomaszewski, Margarita de la Pisa Carrión, Ryszard Antoni Legutko, Stelios Kypourouopoulos, Mercedes Bresso, Christian Doleschal, Jean-Paul Garraud, Monika Hohlmeier, Eric Minardi, Aurélia Beigneux, Marie Dauchy

Report

A9-0319/2023

Frédérique Ries

Packaging and packaging waste

(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

Proposal for a regulation**Recital 40***Text proposed by the Commission**Amendment*

(40) Packaging should be designed so as to minimise its volume and weight while maintaining its ability to perform the packaging functions. The manufacturer of packaging should assess the packaging against the performance criteria, as listed in Annex IV of this Regulation. In view of the objective of this Regulation to reduce packaging and packaging waste generation and to improve circularity of packaging across the internal market, it is appropriate to further specify the existing criteria and to make them more stringent. The list of the packaging performance criteria, as listed in the existing harmonised standard

(40) Packaging should be designed so as to minimise its volume and weight while maintaining its ability to perform the packaging functions **and the purpose of the product**. The manufacturer of packaging should assess the packaging against the performance criteria, as listed in Annex IV of this Regulation. In view of the objective of this Regulation to reduce packaging and packaging waste generation and to improve circularity of packaging across the internal market, it is appropriate to further specify the existing criteria and to make them more stringent. The list of the packaging performance criteria, as

EN 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their own additional packaging weight and volume. However, this should not compromise product specifications for craft and industrial products and food and agricultural products that are registered and protected under the EU geographical indication protection scheme, as part of the Union's objective to protect cultural heritage and traditional know-how. On the other hand, recyclability, the use of recycled content, and re-use may justify additional packaging weight or volume, and should be added to the performance criteria. Packaging with double walls, false bottoms and other characteristics only aimed to increase the perceived product volume should not be placed on the market, as it does not meet the requirement for packaging minimisation. The same rule should apply to superfluous packaging not necessary for ensuring packaging functionality.

⁵⁷ Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

listed in the existing harmonised standard EN 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their own additional packaging weight and volume. However, this should not compromise product specifications for craft and industrial products and food and agricultural products that are registered and protected under the EU geographical indication protection scheme, as part of the Union's objective to protect cultural heritage and traditional know-how, ***or packaging design that is subject to legal protection under Council Regulation (EC) No 6/2002 intellectual property rights***. On the other hand, recyclability, the use of recycled content, and re-use may justify additional packaging weight or volume, and should be added to the performance criteria. Packaging with double walls, false bottoms and other characteristics only aimed to increase the perceived product volume should not be placed on the market, as it does not meet the requirement for packaging minimisation. The same rule should apply to superfluous packaging not necessary for ensuring packaging functionality ***or for the purpose of the product***.

⁵⁷ Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

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(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

Proposal for a regulation**Article 21 – paragraph 1***Text proposed by the Commission**Amendment*

1. Economic operators who supply products to a final distributor or an end user in grouped packaging, transport packaging or e-commerce packaging, shall ensure that the empty space ratio is **maximum 40 %**.

1. **By 1 January 2030**, economic operators who supply products to a final distributor or an end user in grouped packaging, transport packaging or e-commerce packaging, shall ensure that the empty space ratio is **minimised in line with the provisions laid down in Part 1 of Annex IV, unless it is required to protect and transport fragile goods or it would lead to an increased amount of packaging material due to the specific shape of the product or sales packaging**.

Or. en

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(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

Proposal for a regulation**Article 22 – paragraph 1 a (new)***Text proposed by the Commission**Amendment*

1 a. The provision laid down in paragraph 1 shall be without prejudice to Article 8(3a);

Or. en

Amendment 441

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Proposal for a regulation**Annex IV – Part I – point 6***Text proposed by the Commission**Amendment*

6. Legal requirements: the packaging design shall ensure that the packaging and packaged product can comply with the applicable legislation.

6. Legal requirements: the packaging design shall ensure that the packaging and packaged product can comply with the applicable legislation ***including the protection of geographical indications under Union legislation or legal protection under intellectual property rights.***

Or. en