



**2022/0396(COD)**

5.6.2023

# **AMENDMENTS**

## **107 - 332**

**Draft opinion**

**Virginie Joron**

(PE746.894v01-00)

Packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC

Proposal for a regulation

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



**Amendment 107**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Title 1**

*Text proposed by the Commission*

Proposal for a  
**REGULATION** OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

on packaging and packaging waste,  
amending Regulation (EU) 2019/1020 and  
Directive (EU) 2019/904, and repealing  
Directive 94/62/EC

(Text with EEA relevance)

*Amendment*

Proposal for a  
Proposal for a **DIRECTIVE** OF THE  
EUROPEAN PARLIAMENT AND OF  
THE COUNCIL on packaging and  
packaging waste, amending Regulation  
(EU) 2019/1020 and Directive (EU)  
2019/904, and repealing Directive  
94/62/EC (Text with EEA relevance)

Or. it

**Amendment 108**  
**Karen Melchior**

**Proposal for a regulation**  
**Citation 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***having regard for the European  
Commission DG Environment project  
"Relevance of Biodegradable and  
Compostable Consumer Plastic Products  
and Packaging in a Circular Economy"  
(Framework Contract No.  
ENV.B.37FRA/2017/005).***

Or. en

**Amendment 109**  
**Kateřina Konečná**

## Proposal for a regulation

### Recital 2

#### *Text proposed by the Commission*

(2) In addition, packaging uses high amounts of virgin materials (40 % of plastics and 50 % of paper use in the Union is for packaging) and represents 36 % of municipal solid waste<sup>30</sup>. High and constantly growing levels of packaging generated as well as low levels of re-use and poor recycling, present significant barriers to achieving a low-carbon circular economy. For these reasons, this Regulation should establish rules over the entire life-cycle of packaging contributing to the efficient functioning of the internal market by harmonising national measures, while preventing and reducing the adverse impacts of packaging and packaging waste on the environment and human health. By laying measures in line with the hierarchy of waste, it should contribute to the transition to a circular economy.

---

<sup>30</sup> Eurostat, Packaging waste statistics: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Packaging\\_waste\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Packaging_waste_statistics)

#### *Amendment*

(2) In addition, packaging uses high amounts of virgin materials (40 % of plastics and 50 % of paper use in the Union is for packaging) and represents 36 % of municipal solid waste<sup>30</sup>. High and constantly growing levels of packaging generated as well as low levels of re-use and poor recycling, present significant barriers to achieving a low-carbon circular economy. For these reasons, this Regulation should establish rules over the entire life-cycle of packaging contributing to the efficient functioning of the internal market by harmonising national measures, while preventing and reducing the adverse impacts of packaging and packaging waste on the environment and human ***and animal*** health. By laying measures in line with the hierarchy of waste, it should contribute to the transition to a circular economy.

---

<sup>30</sup> Eurostat, Packaging waste statistics: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Packaging\\_waste\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Packaging_waste_statistics)

Or. en

## Amendment 110

### Antonius Manders

## Proposal for a regulation

### Recital 5

#### *Text proposed by the Commission*

(5) In line with the Green Deal<sup>33</sup>, the new Circular Economy Action Plan (CEAP)<sup>34</sup> commits to reinforcing the essential requirements for packaging in

#### *Amendment*

(5) In line with the Green Deal<sup>33</sup>, the new Circular Economy Action Plan (CEAP)<sup>34</sup> commits to reinforcing the essential requirements for packaging in

view of making all packaging reusable or recyclable by 2030, and to consider other measures to reduce (over)packaging and packaging waste, drive design for re-use and recyclability of packaging, reduce the complexity of packaging materials and introduce requirements for recycled content in plastic packaging. It commits the Commission to assess the feasibility of Union-wide labelling that facilitates the correct separation of packaging waste at source.

---

<sup>33</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2019%3A640%3AFIN>

<sup>34</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc\\_id=Twitter](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter)

view of making all packaging reusable or recyclable by 2030, and to consider other measures to reduce (over)packaging and packaging waste, drive design for re-use and recyclability of packaging, reduce the complexity of packaging materials and introduce requirements for recycled content in plastic packaging. It commits the Commission to assess the feasibility of Union-wide **colour** labelling that facilitates the correct separation of packaging waste at source.

---

<sup>33</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2019%3A640%3AFIN>

<sup>34</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc\\_id=Twitter](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter)

Or. en

## **Amendment 111**

### **Brando Benifei**

#### **Proposal for a regulation**

##### **Recital 7**

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

(7) The Council underlined in its Conclusions of December 2020<sup>38</sup>, that the revision of Directive 94/62/EC should update and establish more concrete, effective and easy to implement provisions to facilitate sustainable packaging in the internal market and minimise the complexity of packaging in order to foster economically feasible solutions, to improve the reusability and recyclability as well as minimise substances of concern in packaging materials, especially concerning food packaging materials, and to provide for labelling packaging in an easily understandable way to inform consumers

###### *Amendment*

(7) The Council underlined in its Conclusions of December 2020<sup>38</sup>, that the revision of Directive 94/62/EC should update and establish more concrete, effective and easy to implement provisions to facilitate sustainable packaging in the internal market and minimise the complexity of packaging in order to foster economically feasible solutions, to improve the reusability and recyclability as well as minimise substances of concern in packaging materials, especially concerning food packaging materials, and to provide for labelling packaging in an easily understandable way to inform consumers

about its recyclability and where its waste should be discarded to facilitate sorting and recycling.

---

38

<https://data.consilium.europa.eu/doc/document/ST-13852-2020-INIT/en/pdf>

about its recyclability and where its waste should be discarded to facilitate sorting and recycling, ***while also respecting hygiene and food safety standards.***

---

38

<https://data.consilium.europa.eu/doc/document/ST-13852-2020-INIT/en/pdf>

Or. en

## **Amendment 112**

### **Antonius Manders**

#### **Proposal for a regulation**

##### **Recital 7**

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

(7) The Council underlined in its Conclusions of December 2020<sup>38</sup>, that the revision of Directive 94/62/EC should update and establish more concrete, effective and easy to implement provisions to facilitate sustainable packaging in the internal market and minimise the complexity of packaging in order to foster economically feasible solutions, to improve the reusability and recyclability as well as minimise substances of concern in packaging materials, especially concerning food packaging materials, and to provide for labelling packaging in an easily understandable way to inform consumers about its recyclability and where its waste should be discarded to facilitate sorting and recycling.

---

38

<https://data.consilium.europa.eu/doc/document/ST-13852-2020-INIT/en/pdf>

###### *Amendment*

(7) The Council underlined in its Conclusions of December 2020<sup>38</sup>, that the revision of Directive 94/62/EC should update and establish more concrete, effective and easy to implement provisions to facilitate sustainable packaging in the internal market and minimise the complexity of packaging in order to foster economically feasible solutions, to improve the reusability and recyclability as well as minimise substances of concern in packaging materials, especially concerning food packaging materials, and to provide for ***colour*** labelling packaging in an easily understandable way to inform consumers about its recyclability and where its waste should be discarded to facilitate sorting and recycling.

---

38

<https://data.consilium.europa.eu/doc/document/ST-13852-2020-INIT/en/pdf>

Or. en

**Amendment 113**  
**Brando Benifei**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan<sup>39</sup> reiterated the objective of making all packaging reusable or recyclable in an economically viable way by 2030 and called on the Commission to present a legislative proposal including waste reduction measures and targets and ambitious essential requirements in the Packaging and Packaging Waste Directive to reduce excessive packaging, including in e-commerce, improve recyclability and minimise the complexity of packaging, increase recycled content, phase out hazardous and harmful substances, and promote re-use.

---

39

[https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html)

*Amendment*

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan<sup>39</sup> reiterated the objective of making all packaging reusable or recyclable in an economically viable way by 2030 and called on the Commission to present a legislative proposal including waste reduction measures and targets and ambitious essential requirements in the Packaging and Packaging Waste Directive to reduce excessive packaging, including in e-commerce, improve recyclability and minimise the complexity of packaging, increase recycled content, phase out hazardous and harmful substances, and promote re-use. ***It also stressed that food safety or hygiene standards should not be compromised.***

---

39

[https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html)

Or. en

**Amendment 114**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan<sup>39</sup> reiterated the objective of making all

*Amendment*

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan<sup>39</sup> reiterated the objective of making all

packaging reusable or recyclable in an economically viable way by 2030 and called on the Commission to present a legislative proposal including waste reduction measures and targets and ambitious essential requirements in the Packaging and Packaging Waste Directive to reduce excessive packaging, including in e-commerce, improve recyclability and minimise the complexity of packaging, increase recycled content, phase out hazardous and harmful substances, and promote re-use.

---

39

[https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html)

packaging reusable or recyclable in an economically viable way by 2030 and called on the Commission to present a legislative proposal including waste reduction measures and targets and ambitious essential requirements in the Packaging and Packaging Waste Directive to reduce excessive packaging, including in e-commerce, improve recyclability and minimise the complexity of packaging, increase recycled content, phase out hazardous and harmful substances, and promote re-use. ***It also stressed that food safety and hygiene standards must not be compromised.***

---

39

[https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html)

Or. en

## **Amendment 115**

### **Carlo Fidanza**

#### **Proposal for a regulation**

#### **Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) Measures for transition to a more sustainable way of serving food and drinks in the Union (including use of single serve portion packs) must take into account the complexity and heterogeneity of the foodservice sector in the EU (e.g., diversity of offer, variety of contexts and scale of operations) and the varying needs, behaviour and habits of different categories of consumer. In particular, measures should address the need to: maintain high levels of environmental protection and not require use of packaging solutions that, in fact, have a higher environmental impact than existing or other alternative solutions;***



*maintain high levels of food hygiene where food and drinks are served to prevent the avoidable spread of pathogens and protect public health; take account of the use of safe food contact materials; promote positive consumer behaviour change; and ensure the special separate collection, sorting, sanitisation and recycling needs of this sector. To this end, it is necessary to: clarify and categorise the different foodservice settings and applications; establish the specific challenges and needs related to the packaging used to serve food and drinks to consumers, often related to the different foodservice settings and applications (indoor and outdoor); fill the data and scientific evidence gaps; and, identify optimum sustainable packaging approaches and, where relevant, specific solutions in foodservice. Thorough research and expert assessment of environmental, food hygiene and public health, operational, economic and consumer behaviour implications are needed.*

Or. en

**Amendment 116**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging given that its functionality is intrinsically linked to it being part of the product. However, in light of the *disposal behaviour of consumers regarding* tea and

*Amendment*

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging. given that its functionality is intrinsically linked to it being part of the product. However, in light of the *efforts to establish appropriate*

coffee bags as well as *coffee or tea* system *single-serve* units, which in practice are disposed of together with the product residue *leading to the contamination of compostable and recycling streams, those specific items* should be treated as packaging. *This is in line with the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council<sup>41</sup>. Furthermore, to ensure coherence regarding end-of-life financial and operational obligations, also all coffee or tea system single-serve units necessary to contain coffee or tea should be treated as packaging.*

*recycling and composting streams*, tea and coffee bags as well as *beverage* system *single serve* units, which in practice are disposed of together with the product residue should be treated as packaging

---

<sup>41</sup> *Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).*

Or. en

## Amendment 117

Lara Comi, Geoffroy Didier, Romana Tomc, Pablo Arias Echeverría

### Proposal for a regulation

#### Recital 11

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

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging given that its functionality is intrinsically linked to it being part of the product. However, in light of the *disposal behaviour of consumers regarding* tea and coffee bags as well as *coffee or tea* system single-serve units, which in practice are

##### *Amendment*

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging given that its functionality is intrinsically linked to it being part of the product. However, in light of the *efforts to establish appropriate recycling and composing streams*, tea and coffee bags as well as system single-serve units, which in

disposed of together with the product residue ***leading to the contamination of compostable and recycling streams, those specific items*** should be treated as packaging. This is in line with the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council<sup>41</sup> .

***Furthermore, to ensure coherence regarding end-of-life financial and operational obligations, also all coffee or tea system single-serve units necessary to contain coffee or tea should be treated as packaging.***

---

<sup>41</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

practice are disposed of together with the product residue should be treated as packaging. This is in line with the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council<sup>41</sup> .

---

<sup>41</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

## **Amendment 118**

### **Carlo Fidanza**

#### **Proposal for a regulation**

##### **Recital 11**

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

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging given that its functionality is intrinsically linked to it being part of the product. However, in light of the disposal behaviour of consumers regarding tea and coffee bags ***as well as coffee or tea system single-serve units***, which in practice are disposed of together with the product residue leading to the contamination of

###### *Amendment*

(11) An item, which is an integral part of a product and is necessary to contain, support or preserve that product throughout its lifetime and where all elements are intended to be used, consumed or disposed of together, should not be considered as being packaging given that its functionality is intrinsically linked to it being part of the product. However, in light of the disposal behaviour of consumers regarding tea and coffee bags, which in practice are disposed of together with the product residue leading to the contamination of compostable and recycling streams, those

compostable and recycling streams, those specific items should be treated as packaging. This is in line with the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council<sup>41</sup>. Furthermore, to ensure coherence regarding end-of-life financial and operational obligations, also all coffee or tea system single-serve units necessary to contain coffee or tea should be treated as packaging.

---

<sup>41</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

specific items should be treated as packaging. This is in line with the objective to increase the separate collection of bio-waste, as required by Article 22 of Directive 2008/98/EC of the European Parliament and of the Council<sup>41</sup>. Furthermore, to ensure coherence regarding end-of-life financial and operational obligations, also all coffee or tea system single-serve units necessary to contain coffee or tea should be treated as packaging, ***assuring that the bio-contamination of those products do not affect the existing collection and sorting system and the quality of the total recycled material.***

---

<sup>41</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Or. en

## **Amendment 119**

**Ivan Štefanec**

### **Proposal for a regulation**

#### **Recital 12**

#### *Text proposed by the Commission*

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, ***and*** increased re-use of packaging. In addition,

#### *Amendment*

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, increased re-use ***of packaging and increased***

the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and *final disposal*.

*recyclability* of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and *reduce landfill of packaging*. ***In order to increase the availability and quality of recyclates, the focus should be on the raw materials ability to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications.***

Or. en

#### *Justification*

*The European Parliament's resolution of 10 February 2021 on the New Circular Economy Action Plan (2020/2077(INI) "stresses the need to increase the availability and quality of recyclates, focusing on the ability of a material to retain its main material properties after recycling, and its ability to replace primary raw materials in future applications". As all packaging needs to be reusable or recyclable by 2030 (EGD and CEAP), landfilling packaging waste should be avoided.*

#### **Amendment 120** **Carlo Fidanza**

#### **Proposal for a regulation** **Recital 12**

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

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, and

##### *Amendment*

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, and

increased re-use of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and final disposal.

increased re-use of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and final disposal. ***In order to increase the availability and quality of recyclates, the focus should be on the raw materials ability to retain its inherent material properties after recycling, and its ability to replace primary raw materials in future applications.***

Or. en

## **Amendment 121** **Brando Benifei**

### **Proposal for a regulation** **Recital 12**

#### *Text proposed by the Commission*

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, and increased re-use of packaging. In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all packaging and high quality of the resulting secondary raw materials while reducing other forms of

#### *Amendment*

(12) In line with the waste hierarchy set out in Article 4(2) of Directive 2008/98/EC, and in line with life-cycle thinking to deliver the best overall environmental outcome, the measures provided for under this Regulation aim at reducing the amount of packaging placed on the market in terms of its volume and weight, and preventing the generation of packaging waste, especially through packaging minimisation, avoiding packaging where it is not needed, and increased re-use of packaging, ***when it can be demonstrated that re-usable packaging achieves higher environmental benefits compared to single-use packaging.*** In addition, the measures aim at increasing the use of recycled content in packaging, especially in plastic packaging where the uptake of recycled content is very low, as well as higher recycling rates for all

recovery and final disposal.

packaging and high quality of the resulting secondary raw materials while reducing other forms of recovery and final disposal.

Or. en

**Amendment 122**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12a) Packaging plays an important role in reducing food waste. According to the European Food Safety Agency (EFSA), food packaging protects food from microorganisms and makes it easier to store and to prolong the shelf life of food. Packaging helps preserving food, ensures its composition and organoleptic properties are not compromised, protects it from mechanical damage and physical shocks, and represents an effective barrier against microbiological degradation, oxygen or loss of aromas, therefore increasing the shelf life of food products. Packaging for fresh fruit and vegetables can ensure that consumers have access to fresh, healthy products that last longer therefore encouraging their consumption and healthy eating habits. Any initiative aiming to reduce the amount of packaging placed on the market should not impair packaging functionalities and jeopardise the EU food waste reduction ambitions.***

Or. en

**Amendment 123**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) In line with the objectives of the Circular Economy Action Plan<sup>42</sup> and the Chemicals Strategy for Sustainability<sup>43</sup>, and to ensure the sound management of chemicals throughout their life cycle and the transition to a toxic-free and circular economy, and considering the relevance of packaging in everyday life, it is necessary that this Regulation addresses impacts on human health and on the environment and on broader sustainability performance, including circularity, resulting from impacts of substances of concern on the whole life cycle of packaging, from manufacture to use and end-of life, including, waste management.

---

<sup>42</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions A new Circular Economy Action Plan For a cleaner and more competitive Europe COM(2020)98 final.

<sup>43</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Chemicals Strategy for Sustainability Towards a Toxic-Free Environment, COM/2020/667 final.

*Amendment*

(14) In line with the objectives of the Circular Economy Action Plan<sup>42</sup> and the Chemicals Strategy for Sustainability<sup>43</sup>, and to ensure the sound management of chemicals throughout their life cycle and the transition to a toxic-free and circular economy, and considering the relevance of packaging in everyday life, it is necessary that this Regulation addresses impacts on human **and animal** health and on the environment and on broader sustainability performance, including circularity, resulting from impacts of substances of concern on the whole life cycle of packaging, from manufacture to use and end-of life, including, waste management.

---

<sup>42</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions A new Circular Economy Action Plan For a cleaner and more competitive Europe COM(2020)98 final.

<sup>43</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Chemicals Strategy for Sustainability Towards a Toxic-Free Environment, COM/2020/667 final.

Or. en

**Amendment 124**  
**Kateřina Konečn**

**Proposal for a regulation**  
**Recital 15**



*Text proposed by the Commission*

(15) Taking into consideration the scientific and technological progress, packaging should be designed and manufactured in a way as to limit the presence of certain heavy metals and other substances of concern in its composition. As stated in the Chemicals Strategy for Sustainability, substances of concern are to be minimised and substituted as far as possible, phasing out the most harmful ones for non-essential societal use, in particular in consumer products. Accordingly, substances of concern as constituents of packaging material or of any of the packaging components should be minimised with the objective to ensure that packaging, as well as materials recycled from packaging, do not have an adverse effect on human health or the environment, throughout their life-cycle.

*Amendment*

(15) Taking into consideration the scientific and technological progress, packaging should be designed and manufactured in a way as to limit the presence of certain heavy metals and other substances of concern in its composition. As stated in the Chemicals Strategy for Sustainability, substances of concern are to be minimised and substituted as far as possible, phasing out the most harmful ones for non-essential societal use, in particular in consumer products. Accordingly, substances of concern as constituents of packaging material or of any of the packaging components should be minimised with the objective to ensure that packaging, as well as materials recycled from packaging, do not have an adverse effect on human *or animal* health or the environment, throughout their life-cycle.

Or. en

**Amendment 125**  
**Kateřina Konečn**

**Proposal for a regulation**  
**Recital 16**

*Text proposed by the Commission*

(16) In line with the Zero Pollution Action Plan<sup>44</sup>, Union policies should be based on the principle that preventive action should be taken at source. The Commission underlines in the Chemicals Strategy for Sustainability that Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>45</sup> and Regulation (EC) No 1272/2008 of the European Parliament and of the Council<sup>46</sup> should be reinforced as the cornerstones for regulating chemicals in the Union and

*Amendment*

(16) In line with the Zero Pollution Action Plan<sup>44</sup>, Union policies should be based on the principle that preventive action should be taken at source. The Commission underlines in the Chemicals Strategy for Sustainability that Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>45</sup> and Regulation (EC) No 1272/2008 of the European Parliament and of the Council<sup>46</sup> should be reinforced as the cornerstones for regulating chemicals in the Union and

that they should be complemented by coherent approaches to assess and manage chemicals in existing sectorial legislation. Substances in packaging and packaging components are therefore restricted at source and primarily addressed under Regulation (EC) No 1907/2006 in accordance with the rules and procedures laid out under its Title VIII, in order to protect human health and the environment, along all stages of the life cycle of the substance, including the waste stage. Hence, it should be recalled that the provisions of that Regulation apply for adopting or amending restrictions on substances manufactured for use or used in the production of packaging or packaging components as well as on the placing on the market of substances present in packaging or packaging components. Concerning packaging falling within the scope of Regulation (EC) No 1935/2004 of the European Parliament and of the Council<sup>47</sup>, it should be recalled that that Regulation applies to ensure a high level of protection of the consumers of packaged food.

---

<sup>44</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions Pathway to a Healthy Planet for All EU Action Plan: ‘Towards Zero Pollution for Air, Water and Soil’ COM(2021) 400 final.

<sup>45</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission

that they should be complemented by coherent approaches to assess and manage chemicals in existing sectorial legislation. Substances in packaging and packaging components are therefore restricted at source and primarily addressed under Regulation (EC) No 1907/2006 in accordance with the rules and procedures laid out under its Title VIII, in order to protect human **and animal** health and the environment, along all stages of the life cycle of the substance, including the waste stage. Hence, it should be recalled that the provisions of that Regulation apply for adopting or amending restrictions on substances manufactured for use or used in the production of packaging or packaging components as well as on the placing on the market of substances present in packaging or packaging components. Concerning packaging falling within the scope of Regulation (EC) No 1935/2004 of the European Parliament and of the Council<sup>47</sup>, it should be recalled that that Regulation applies to ensure a high level of protection of the consumers of packaged food.

---

<sup>44</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions Pathway to a Healthy Planet for All EU Action Plan: ‘Towards Zero Pollution for Air, Water and Soil’ COM(2021) 400 final.

<sup>45</sup> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission

Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

<sup>46</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

<sup>47</sup> Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13.11.2004, p. 4–17).

Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

<sup>46</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

<sup>47</sup> Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13.11.2004, p. 4–17).

Or. en

## **Amendment 126**

**Carlo Fidanza**

### **Proposal for a regulation**

#### **Recital 20**

*Text proposed by the Commission*

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the sustainability of packaging, it is important to set mandatory requirements

*Amendment*

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging, ***while assuring marketing and consumer acceptance***. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the

regarding the recyclability of packaging, by harmonising the criteria and the methodology for assessing packaging recyclability based on a design for recycling methodology at the Union level. In order to meet the objective set out in the CEAP that, by 2030, all packaging should be recyclable or reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However, packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

sustainability of packaging **assuring marketing and consumer acceptance**, it is important to set mandatory requirements regarding the recyclability of packaging, by harmonising the criteria and the methodology for assessing packaging recyclability based on a design for recycling methodology at the Union level. In order to meet the objective, set out in the CEAP that, by 2030, all packaging should be recyclable or reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

Or. en

## **Amendment 127**

**Carlo Fidanza**

### **Proposal for a regulation**

#### **Recital 20**

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

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the sustainability of packaging, it is important to set mandatory requirements

##### *Amendment*

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging, **while assuring marketing and consumer acceptance**. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the

regarding the recyclability of packaging, by *harmonising* the criteria and the methodology for assessing packaging recyclability based on a design for recycling methodology at the Union level. In order to meet the objective set out in the CEAP that, by 2030, all packaging should be recyclable or reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However, packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

sustainability of packaging *assuring marketing and consumer acceptance*, it is important to set mandatory requirements regarding the recyclability of packaging, by *harmonizing* the criteria and the methodology for assessing packaging recyclability based on a design for recycling methodology at the Union level. In order to meet the objective, set out in the CEAP that, by 2030, all packaging should be recyclable or reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However, packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

Or. en

## **Amendment 128**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 20**

*Text proposed by the Commission*

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the sustainability of packaging, it

*Amendment*

(20) Designing packaging with the objective of its recycling, once it becomes packaging waste, is one the most efficient measures to improve the packaging circularity and raise packaging recycling rates and the use of recycled content in packaging. Packaging design for recycling criteria have been established for a number of packaging formats under voluntary industry schemes or by some Member States for the purpose of the modulation of extended producer responsibility fees. In order to prevent barriers to the internal market and provide industry with a level playing field, and with the objective to promote the sustainability of packaging, it

is important to set mandatory requirements regarding the recyclability of packaging, by harmonising the criteria and the methodology for assessing packaging recyclability based on a design for recycling methodology at the Union level. In order to meet the objective set out in the CEAP that, by 2030, all packaging should be recyclable *or* reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However, packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

is important to set mandatory requirements regarding the recyclability *and reusability* of packaging, by harmonising the criteria and the methodology for assessing packaging recyclability *and reusability* based on a design for recycling methodology at the Union level. In order to meet the objective set out in the CEAP that, by 2030, all packaging should be recyclable *and* reusable, in an economically viable manner, packaging recyclability performance grades should be established based on design for recycling criteria for packaging categories as listed in Annex II. However, packaging should comply with them only as of 1 January 2030 in order to give sufficient time to the economic operators to adapt.

Or. en

#### *Justification*

*In order to strengthen eco-design actions, reusability and reduction of material use must be reduced.*

### **Amendment 129**

**Carlo Fidanza**

#### **Proposal for a regulation**

##### **Recital 21**

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

(21) As design for recycling assessment in itself does not ensure that packaging is recycled in practice, it is necessary to establish a uniform methodology and criteria for assessing the recyclability of packaging in practice based on the state-of-the-art separate collection, sorting and recycling processes and infrastructure actually available in the Union. Related reporting from Member States and, where relevant, economic operators should support establishing the recyclability “at scale” thresholds and update, on this basis,

###### *Amendment*

(21) As design for recycling assessment in itself does not ensure that packaging is recycled in practice, it is necessary to establish a uniform methodology and criteria for assessing the recyclability of packaging in practice based on the state-of-the-art separate collection, sorting and recycling processes and infrastructure actually available in the Union. Related reporting from Member States and, where relevant, economic operators should support establishing the recyclability “at scale” thresholds and update, on this basis,

the recyclability performance grades with respect to the specific packaging materials and categories.

the recyclability performance grades with respect to the specific packaging materials and categories, ***preserving the added value conveyed to the final consumer with the packaging.***

Or. en

**Amendment 130**  
**Brando Benifei**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

*Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, ***without compromising its functionality***, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. ***The Commission should ensure the consultation and involvement of all relevant stakeholders in the preparation of the delegated acts.*** In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

Or. en

**Amendment 131**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the *state of the art* processes for separate collection, sorting and recycling.

*Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability ***while ensuring packaging performs all its functions and assuring marketing and consumer acceptance***, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria and is also recycled in practice on the basis of the *state-of-the-art* processes for separate collection, sorting and recycling.

Or. en

**Amendment 132**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the

*Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability ***while ensuring packaging performs its functions as listed in art. 3.1,***



Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the *state of the art* processes for separate collection, sorting and recycling.

the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of 2035. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the *state-of-the-art* processes for separate collection, sorting and recycling.

Or. en

### **Amendment 133** **Karen Melchior**

#### **Proposal for a regulation** **Recital 22**

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

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. ***In order to give*** economic operators and Member States ***sufficient time to*** collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of **2035**. That should ensure that

##### *Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. Economic operators and Member States ***should*** collect and report the necessary data to establish the “at scale” recycling methodology, ***and*** the manufacturers should ensure that packaging is recycled at scale as of **2030**. That should ensure that packaging

packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling *as laid down in the new Circular Economy Action Plan (COM/2020/98)*.

Or. en

### *Justification*

*In line with European Green Deal, it's the Circular Economy Action Plan, and the Commission's ambition to require that all packaging should be reusable or recyclable in an economically viable way in 2030.*

## **Amendment 134** **Kateřina Konečná**

### **Proposal for a regulation** **Recital 22**

#### *Text proposed by the Commission*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of **2035**. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

#### *Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of **2030**. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

Or. en

**Amendment 135**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of **2035**. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

*Amendment*

(22) In order to establish harmonised rules on packaging design to ensure its recyclability, the power to adopt delegated acts should be delegated to the Commission to set out detailed criteria for packaging design for recycling per packaging materials and categories, as well as for the assessment of the packaging recyclability at scale including for categories of packaging not listed in this Regulation. In order to give economic operators and Member States sufficient time to collect and report the necessary data to establish the “at scale” recycling methodology, the manufacturers should ensure that packaging is recycled at scale as of **2030**. That should ensure that packaging complies with the design for recycling criteria, and is also recycled in practice on the basis of the state of the art processes for separate collection, sorting and recycling.

Or. en

**Amendment 136**  
**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 22 a (new)**

*Text proposed by the Commission*

*Amendment*

***(22a) An expert group should be set up with a balanced participation of representatives from Member States and***

*all interested parties involved in packaging value chain, such as waste treatment operators, manufacturers, suppliers, distributors, retailers, importers, SMEs, environmental protection groups and consumer organisations. This group should contribute in particular to prepare, develop and further detail the sustainability requirements, examining the effectiveness of the established market surveillance mechanisms and assessing any further measure to guarantee environmental sustainability of packaging and contribute to the transition to a circular economy.*

Or. en

**Amendment 137**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) In order to stimulate innovation in packaging, it is appropriate to allow that packaging, which presents innovative features resulting in significant improvement in the core function of packaging and has demonstrable environmental benefits, is given limited additional time of **five** years to comply with the recyclability requirements. The innovative features should be explained in the technical documentation accompanying the packaging.

*Amendment*

(23) In order to stimulate innovation in packaging, it is appropriate to allow that packaging, which presents innovative features resulting in significant improvement in the core function of packaging and has demonstrable environmental benefits, is given limited additional time of **two** years to comply with the recyclability requirements. The innovative features should be explained in the technical documentation accompanying the packaging.

Or. en

**Amendment 138**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

*(25) Some Member States are taking action to encourage recyclability of packaging through modulation of extended producer responsibility fees; such initiatives taken at the national level may create regulatory uncertainty for the economic operators, in particular where they supply packaging in several Member States. At the same time, modulation of extended producer responsibility fees is an effective economic instrument to incentivise more sustainable packaging design leading to better recyclable packaging while improving the functioning of the internal market. It is therefore necessary to harmonise criteria for the modulation of extended producer responsibility fees based on the recyclability performance grade obtained through recyclability assessment, while not setting the actual amounts of such fees. As the criteria should be related to the criteria on packaging recyclability, it is appropriate to empower the Commission to adopt such harmonised criteria at the same time as establishing the detailed design for recycling criteria per packaging categories.*

*deleted*

Or. en

**Amendment 139**  
**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 25**

*Text proposed by the Commission*

*Amendment*

(25) Some Member States are taking action to encourage recyclability of

(25) Some Member States are taking action to encourage recyclability of

packaging through modulation of extended producer responsibility fees; such initiatives taken at the national level may create regulatory uncertainty for the economic operators, in particular where they supply packaging in several Member States. At the same time, modulation of extended producer responsibility fees is an effective economic instrument to incentivise more sustainable packaging design leading to better recyclable packaging while improving the functioning of the internal market. It is therefore necessary to harmonise criteria for the modulation of extended producer responsibility fees based on the **recyclability** performance grade obtained through recyclability assessment, while not setting the actual amounts of such fees. As the criteria should be related to the criteria on packaging recyclability, it is appropriate to empower the Commission to adopt such harmonised criteria at the same time as establishing the detailed design for recycling criteria per packaging categories.

packaging through modulation of extended producer responsibility fees; such initiatives taken at the national level may create regulatory uncertainty for the economic operators, in particular where they supply packaging in several Member States. At the same time, modulation of extended producer responsibility fees is an effective economic instrument to incentivise more sustainable packaging design leading to better recyclable **and reusable** packaging while improving the functioning of the internal market. It is therefore necessary to harmonise criteria for the modulation of extended producer responsibility fees based on the **environmental** performance grade obtained through recyclability **and reusability** assessment, while not setting the actual amounts of such fees. As the criteria should be related to the criteria on packaging recyclability, **the reduction of material use and the switch to reusable packaging**, it is appropriate to empower the Commission to adopt such harmonised criteria at the same time as establishing the detailed design for recycling **and reusability** criteria per packaging categories.

Or. en

### *Justification*

*In order to strengthen eco-design actions, reusability and reduction of material use must be reduced.*

#### **Amendment 140**

**Krzysztof Hetman, Adam Jarubas**

#### **Proposal for a regulation**

#### **Recital 26**

*Text proposed by the Commission*

(26) To ensure packaging circularity, packaging should be designed and

*Amendment*

(26) To ensure packaging circularity, packaging should be designed and

manufactured in such a way as to allow for the increased substitution of virgin materials with recycled materials. The increased use of recycled materials supports the development of the circular economy with well-functioning markets for recycled materials, reduces costs, dependencies and negative environmental impacts related to the use of primary raw materials, and allows for a more resource-efficient use of materials. In relation to the different packaging materials, the lowest input of recycled materials is in plastic packaging. In order to address these concerns in the most appropriate manner, it is necessary to increase the uptake of recycled plastics, by establishing mandatory targets for recycled content in plastic packaging at different levels depending on the contact-sensitivity<sup>54</sup> of different plastic packaging applications, and ensuring that the targets become binding *by* 2030. In order to incrementally ensure packaging circularity, increased targets should apply as of 2040.

---

<sup>54</sup> Contact sensitive packaging refers to plastic packaging of products covered by Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29), Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food (OJ L 338 13.11.2004, p. 4), Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC,

manufactured in such a way as to allow for the increased substitution of virgin materials with recycled materials. The increased use of recycled materials supports the development of the circular economy with well-functioning markets for recycled materials, reduces costs, dependencies and negative environmental impacts related to the use of primary raw materials, and allows for a more resource-efficient use of materials. In relation to the different packaging materials, the lowest input of recycled materials is in plastic packaging. In order to address these concerns in the most appropriate manner, it is necessary to increase the uptake of recycled plastics, by establishing mandatory targets for recycled content in plastic packaging at different levels depending on the contact-sensitivity<sup>54</sup> of different plastic packaging applications, ***the availability, prices and market volumes of recycled plastic*** and ensuring that the targets become binding ***from*** 2030. In order to incrementally ensure packaging circularity, increased targets should apply as of 2040.

---

<sup>54</sup> Contact sensitive packaging refers to plastic packaging of products covered by Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition (OJ L 268, 18.10.2003, p. 29), Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food (OJ L 338 13.11.2004, p. 4), Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed, amending European Parliament and Council Regulation (EC) No 1831/2003 and repealing Council Directive 79/373/EEC, Commission Directive 80/511/EEC, Council Directives 82/471/EEC, 83/228/EEC, 93/74/EEC,

93/113/EC and 96/25/EC and Commission Decision 2004/217/EC (OJ L 229, 1.9.2009, p. 1), Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (recast) (OJ L 342, 22.12.2009, p. 59), Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC (OJ L 117, 5.5.2017, p. 1), Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU (OJ L 117, 5.5.2017, p. 176), Regulation (EU) 2019/4 of the European Parliament and of the Council of 11 December 2018 on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 183/2005 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC (OJ L 4, 7.1.2019, p. 1), Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43), Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67) and Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13–59).

93/113/EC and 96/25/EC and Commission Decision 2004/217/EC (OJ L 229, 1.9.2009, p. 1), Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (recast) (OJ L 342, 22.12.2009, p. 59), Regulation (EU) 2017/745 of the European Parliament and of the Council of 5 April 2017 on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC (OJ L 117, 5.5.2017, p. 1), Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU (OJ L 117, 5.5.2017, p. 176), Regulation (EU) 2019/4 of the European Parliament and of the Council of 11 December 2018 on the manufacture, placing on the market and use of medicated feed, amending Regulation (EC) No 183/2005 of the European Parliament and of the Council and repealing Council Directive 90/167/EEC (OJ L 4, 7.1.2019, p. 1), Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43), Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67) and Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13–59).

Or. en

**Amendment 141**  
**Carlo Fidanza**



**Proposal for a regulation**  
**Recital 27 a (new)**

*Text proposed by the Commission*

*Amendment*

***(27a) It should also be clarified that certain polymeric materials are not capable of functioning as a main structural component of final materials and products, such as polymeric coatings, seam sealants, sealing compounds, paints, inks and adhesives. Those materials should not be addressed by this Regulation and therefore should not be covered by the definition of plastic under point 43 of Article 3.***

Or. en

**Amendment 142**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

*Amendment*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic ***part of each unit of*** packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste ***calculated as an average of the plastic packaging placed by a producer on the Union market.***

Or. en

**Amendment 143**  
**Arba Kokalari**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic ***part of each unit of*** packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

*Amendment*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic packaging ***they placed on the market within the territory of a Member State*** contains ***on average*** a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

Or. en

**Amendment 144**  
**Maria Grapini**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic ***part of each unit of*** packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

*Amendment*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic packaging ***they placed on the market within the territory of a Member State*** contains ***on average*** a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

Or. en

**Amendment 145**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic **part of each unit of** packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

*Amendment*

(29) In order to prevent barriers to the internal market and ensure the efficient implementation of the obligations, economic operators should ensure that the plastic packaging **they placed on the market within the territory of a Member State** contains **on average** a certain minimum percentage of recycled content recovered from post-consumer plastic waste

Or. en

**Amendment 146**

**Carlo Fidanza**

**Proposal for a regulation**

**Recital 30**

*Text proposed by the Commission*

(30) There should be an incentive for economic operators to increase the recycled content in **the plastic part of** packaging. The most appropriate means to achieve this is to ensure the modulation of extended producer responsibility fees based on the percentage of recycled content in packaging. The fee modulation should be based on common rules for the calculation and verification of the recycled content contained in **such** packaging.

*Amendment*

(30) There should be an incentive for economic operators to increase the recycled content in plastic packaging. The most appropriate means to achieve this is to ensure the modulation of extended producer responsibility fees based on the percentage of recycled content in packaging. The fee modulation should be based on common rules for the calculation and verification of the recycled content contained **on average** in packaging **placed on the market within the territory of a Member State by economic operators**.

Or. en

**Amendment 147**

**Arba Kokalari**

**Proposal for a regulation**

**Recital 30**

*Text proposed by the Commission*

(30) There should be an incentive for economic operators to increase the recycled content in *the plastic part of* packaging. The most appropriate means to achieve this is to ensure the modulation of extended producer responsibility fees based on the percentage of recycled content in packaging. The fee modulation should be based on common rules for the calculation and verification of the recycled content contained in such packaging.

*Amendment*

(30) There should be an incentive for economic operators to increase the recycled content in plastic packaging. The most appropriate means to achieve this is to ensure the modulation of extended producer responsibility fees based on the percentage of recycled content in packaging. The fee modulation should be based on common rules for the calculation and verification of the recycled content contained in such packaging.

Or. en

**Amendment 148**

**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**

**Recital 32**

*Text proposed by the Commission*

(32) Regarding plastic packaging, except where made from polyethylene terephthalate (PET), it will be warranted, sufficiently ahead of the date of application of the related recycled content requirements, to re-assess the availability of suitable recycling technologies for such plastic packaging, also with respect to the state of authorisation under relevant Union rules, and the installation in practice of such technology. Based on this assessment, there might be need to provide for derogations from the recycled content requirements for specific contact sensitive plastic packaging concerned, or to revise the derogations. To that end, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission.

*Amendment*

(32) Regarding plastic packaging, except where made from polyethylene terephthalate (PET), it will be warranted, sufficiently ahead of the date of application of the related recycled content requirements, to re-assess *the availability and prices of recycled plastics, and* the availability of suitable recycling technologies for such plastic packaging, also with respect to the state of authorisation under relevant Union rules, and the installation in practice of such technology. Based on this assessment, there might be need to provide for derogations from the recycled content requirements for specific contact sensitive plastic packaging concerned, or to revise the derogations. To that end, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission.

**Amendment 149**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 35**

*Text proposed by the Commission*

(35) The bio-waste waste stream is often contaminated with conventional plastics **and the material recycling streams are often contaminated with compostable plastics. This cross-contamination** leads to waste of resources, **lower quality secondary raw materials** and should be prevented at source. **As the proper disposal route for compostable plastic packaging is becoming increasingly confusing for consumers,** it is justified and necessary to lay down clear and common rules on the use of compostable plastic packaging, **mandating it only when its use brings a clear benefit for the environment or for human health.** This is particularly the case when the use of compostable packaging helps collect or **dispose of** bio-waste.

*Amendment*

(35) The bio-waste waste stream is often contaminated with conventional plastics. **This contamination** leads to **environmental and economic impacts and** waste of resources and should be prevented at source. **Mandating** compostable plastic packaging **for applications strictly linked to food and food waste, may help to reduce this contamination. Therefore,** it is justified and necessary to lay down clear and common rules on the use of compostable plastic packaging. This is particularly the case when the use of compostable packaging helps collect or **recycle** bio-waste.

**Amendment 150**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 35**

*Text proposed by the Commission*

(35) The bio-waste waste stream is often contaminated with conventional plastics and the material recycling streams are often contaminated with compostable plastics. This cross-contamination leads to waste of resources, lower quality

*Amendment*

(35) The bio-waste waste stream is often contaminated with conventional plastics and the material recycling streams are often contaminated with compostable plastics. This cross-contamination leads to waste of resources, lower quality

secondary raw materials and should be prevented at source. As the proper disposal route for compostable plastic packaging is becoming increasingly confusing for consumers, it is justified and necessary to lay down clear and common rules on the use of compostable plastic packaging, mandating it only when its use brings a clear benefit for the environment or for human health. This is particularly the case when the use of compostable packaging helps collect or dispose of bio-waste.

secondary raw materials and should be prevented at source. As the proper disposal route for compostable plastic packaging is becoming increasingly confusing for consumers, it is justified and necessary to lay down clear and common rules on the use of compostable plastic packaging, mandating it only when its use brings a clear benefit for the environment or for human *or animal* health. This is particularly the case when the use of compostable packaging helps collect or dispose of bio-waste.

Or. en

## Amendment 151 Carlo Fidanza

### Proposal for a regulation Recital 35

#### *Text proposed by the Commission*

(35) The bio-waste waste stream *is often* contaminated with conventional plastics and the material recycling streams *are often* contaminated with compostable plastics. This cross-contamination *leads* to waste of resources, lower quality secondary raw materials and should be prevented at source. *As the proper disposal route for compostable plastic packaging is becoming increasingly confusing for consumers, it is justified and* necessary to lay down clear and common rules on the use of *compostable* plastic packaging, mandating *it only when its use brings a clear benefit for the environment or for human health*. This is particularly the case when the use of compostable packaging helps collect or *dispose* of bio-waste.

#### *Amendment*

(35) The bio-waste waste stream *could be* contaminated with conventional plastics and the material recycling streams *could be* contaminated with compostable plastics. This cross-contamination *could lead* to waste of *traditional and compostable* resources, lower quality secondary raw materials and should be prevented at source. *Therefore*, it is necessary to lay down clear and common rules on the use *and disposal* of plastic packaging, *labelled as compostable, including the possibility to* mandating *applications*. This is particularly the case when the use of compostable packaging helps collect or *recycle* of bio-waste. *All plastic packaging labelled as compostable shouldn't go into material recycling*.

Or. en

**Amendment 152**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 36**

*Text proposed by the Commission*

(36) ***For limited packaging applications made of biodegradable plastic polymers,*** there is a demonstrable environmental benefit of using compostable packaging, which enters composting plants, including anaerobic digestion facilities under controlled conditions. Furthermore, where appropriate waste collection schemes and waste treatment infrastructures are available in a Member State, there should be ***a limited*** flexibility in deciding whether to mandate the use of compostable plastics for lightweight plastic carrier bags on its territory. In order to avoid consumer confusion about the correct disposal and considering the environmental benefit of circularity of the carbon, all other plastic packaging should go into material recycling ***and the design of such packaging should ensure that it does not affect the recyclability of other waste streams.***

*Amendment*

(36) there is a demonstrable environmental benefit of using compostable packaging ***for specific packaging applications (e.g., those strictly linked to food and food waste)***, which enters composting plants, including anaerobic digestion facilities under controlled conditions. Furthermore, where appropriate waste collection schemes and waste treatment infrastructures are available in a Member State ***as required by art. 22 of Directive 2008/98,*** there should be flexibility in deciding whether to mandate the use of compostable plastics for lightweight plastic carrier bags on its territory. In order to avoid consumer confusion about the correct disposal and considering the environmental benefit of circularity of the carbon, all other plastic packaging ***not labelled as compostable*** should go into material recycling

Or. en

**Amendment 153**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 37**

*Text proposed by the Commission*

(37) ***Where justified and appropriate due to technological and regulatory developments impacting the disposal of compostable plastics and under the specific conditions ensuring that the use of such materials is beneficial for the***

*Amendment*

***deleted***

*environmental and human health, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend or extend the list of compostable packaging.*

Or. en

## **Amendment 154**

**Carlo Fidanza**

### **Proposal for a regulation**

#### **Recital 38**

*Text proposed by the Commission*

(38) In order to facilitate conformity assessment with requirements on compostable packaging, it is necessary to provide for presumption of conformity for compostable packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council<sup>56</sup> for the purpose of expressing detailed technical specifications of those requirements and take into account, in line with the latest scientific and technological developments, the parameters, including *composting* times and admissible levels of contamination, *which reflect the actual conditions in bio-waste treatment facilities, including anaerobic digestion processes.*

---

<sup>56</sup> Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision

*Amendment*

(38) In order to facilitate conformity assessment with requirements on compostable packaging, it is necessary to provide for presumption of conformity for compostable packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012<sup>56</sup> of the European Parliament and of the Council for the purpose of expressing detailed technical specifications of those requirements and take into account, in line with the latest scientific and technological developments, the parameters, including *quality of the output proper processing* times and admissible levels of contamination.

---

<sup>56</sup> Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision



87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council Text with EEA relevance (OJ L 316, 14.11.2012, p. 12).

87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council Text with EEA relevance (OJ L 316, 14.11.2012, p. 12).

Or. en

## Amendment 155

Lara Comi, Geoffroy Didier, Romana Tomc

### Proposal for a regulation

#### Recital 38

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

(38) In order to facilitate conformity assessment with requirements on compostable packaging, it is necessary to provide for presumption of conformity for compostable packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council<sup>56</sup> for the purpose of expressing detailed technical specifications of those requirements and take into account, in line with the latest scientific and technological developments, the parameters, including composting times and admissible levels of contamination, ***which reflect the actual conditions in bio-waste treatment facilities, including anaerobic digestion processes.***

---

<sup>56</sup> Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament

##### *Amendment*

(38) In order to facilitate conformity assessment with requirements on compostable packaging, it is necessary to provide for presumption of conformity for compostable packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council<sup>56</sup> for the purpose of expressing detailed technical specifications of those requirements and take into account, in line with the latest scientific and technological developments, the parameters, including ***quality of the output, composting proper processing*** times and admissible levels of contamination.

---

<sup>56</sup> Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament

and of the Council Text with EEA  
relevance (OJ L 316, 14.11.2012, p. 12).

and of the Council Text with EEA  
relevance (OJ L 316, 14.11.2012, p. 12).

Or. en

**Amendment 156**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 39**

*Text proposed by the Commission*

**(39) It should be recalled that all compostable packaging constituting a food contact material is to meet the requirements set out in the Regulation (EC) No 1935/2004.**

*Amendment*

**deleted**

Or. en

**Amendment 157**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 40**

*Text proposed by the Commission*

(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 EN 13428:2000<sup>57</sup>, should therefore be

*Amendment*

(40) Packaging should be designed, **where relevant for a given shape**, so as to **minimize** its volume and weight while maintaining its ability to perform the packaging functions, **including those referred to in Article 3 (1)**. 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

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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

performance criteria, as listed in the existing harmonised standard EN 13428:2000<sup>57</sup>, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging *presentation, design and differentiation functionality*, they should not be *the main* performance criteria. However, this should not compromise product *or packaging* specifications for craft and industrial products and food, *beverages* and agricultural products that are registered *under or otherwise* protected *by Union intellectual property law or* EU geographical indication protection *schemes, including third country geographical indication /products that have been given distinctive recognition by the Union*, as part of the Union's objective to protect *intellectual property*, cultural heritage and traditional know-how. *Traditional packaging associated with products that have been given distinctive recognition or are subject to geographical indications of origin protection shall nevertheless look to reduce packaging weight to the lowest weight possible whilst protecting the shape of the packaging in line with the overall ambitions of this proposal*. 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 *minimization*. The same rule should apply to superfluous packaging not necessary for ensuring packaging functionality.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

## Amendment 158

Lara Comi, Geoffroy Didier, Romana Tomc, Pablo Arias Echeverría

### Proposal for a regulation

#### Recital 40

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

(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 EN 13428:2000<sup>57</sup>, 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

##### *Amendment*

(40) Packaging should be designed, *where relevant for a given shape*, 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 EN 13428:2000<sup>57</sup>, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging *presentation, design and differentiation functionality*, they should not be *the main* performance criteria. However, this should not compromise product *or packaging* specifications for craft and industrial products and food, *beverages* and agricultural products that are registered *under or otherwise* protected *by the Union intellectual property law or* EU geographical indication protection *schemes, including third country geographical indication that have been given distinctive recognition by the Union*, as part of the Union's objective to protect *Intellectual property rights*, cultural heritage and traditional know-how. *Traditional packaging associated with products that have been granted distinctive recognition or that are subject to geographical indication of origin*

should apply to superfluous packaging not necessary for ensuring packaging functionality.

*protection shall, however, seek to reduce packaging weight to the smallest amount possible while protecting the shape of the packaging in accordance with the overall ambitions of this proposal.* 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

**Amendment 159**  
**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 40**

*Text proposed by the Commission*

(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

*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 EN 13428:2000<sup>57</sup>, 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

to make them more stringent. The list of the packaging performance criteria, as listed in the existing harmonised standard EN 13428:2000<sup>57</sup>, 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. 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

**Amendment 160**  
**Brando Benifei**

**Proposal for a regulation**  
**Recital 40**

(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 EN 13428:2000<sup>57</sup>, 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.

(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 EN 13428:2000<sup>57</sup>, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design **and presentation functionality**, they should not be part of performance criteria justifying on their own additional packaging weight and volume. However, this should not compromise product **and packaging** specifications for craft and industrial products and food and agricultural products that are registered **EU geographical indications, and or otherwise** protected **by** under the **Union intellectual property law or agreements between the EU and third countries which recognise** EU geographical indication protection **schemes**, as part of the Union's objective to protect **intellectual property**, 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

## **Amendment 161** **Stéphanie Yon-Courtin**

### **Proposal for a regulation** **Recital 40**

#### *Text proposed by the Commission*

(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 EN 13428:2000<sup>57</sup>, 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

#### *Amendment*

(40) Packaging should be designed so as to minimise its volume and weight while maintaining its ability to perform the packaging functions, ***as listed in Article 3(1) of this Regulation, and without compromising respect of registered intellectual property rights***. 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 EN 13428:2000<sup>57</sup>, should therefore be modified. This should not compromise product specifications for craft and industrial products and food and agricultural products that are registered and protected ***by intellectual property rights, including*** EU geographical indication protection scheme, as part of the Union's objective to protect cultural heritage and traditional know-how. ***These products shall nevertheless aim to optimise***



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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

***packaging weight in line with the overall ambitions of this proposal.*** 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

## **Amendment 162**

### **Karen Melchior**

#### **Proposal for a regulation**

#### **Recital 40**

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

(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 EN 13428:2000<sup>57</sup>, should therefore be

##### *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 EN 13428:2000<sup>57</sup>, 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

modified. This should not compromise product specifications for craft and industrial products and food, ***beverages*** and agricultural products that are registered and protected under the EU ***intellectual property rights, including*** geographical indication protection scheme, as part of the Union's objective to protect cultural heritage and traditional know-how. ***These products shall nevertheless aim to optimise packaging weight in line with the overall ambitions of this proposal.*** 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.

---

<sup>57</sup> Packaging – Requirements specific to manufacturing and composition – Prevention by source reduction.

Or. en

#### *Justification*

*Limiting on marketing criteria is likely to disproportionately affect products by artificially limiting flexibility criteria on materials with good reuse quality. Instead we need to ask to optimize weight in line with the overall ambition of the proposal, in order to make them more interesting at vessels for reuse or refill solutions. Design of products covered by Intellectual Property rights, such as Geographical Indication, should be protected as they often reflect the reputation and quality of European products over less sustainable alternatives.*

#### **Amendment 163**

**Lara Comi, Geoffroy Didier, Romana Tomc, Pablo Arias Echeverría**

**Proposal for a regulation**  
**Recital 42**

*Text proposed by the Commission*

(42) In order to facilitate conformity assessment with requirements on packaging minimisation, it is necessary to provide presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements and specify measurable design criteria, including where appropriate, maximum weight or empty space limits for specific packaging formats as well as by-default, standardised packaging designs that comply with the packaging minimisation requirement.

*Amendment*

(42) In order to facilitate conformity assessment with requirements on packaging minimisation, it is necessary to provide presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements and specify measurable design criteria, including where appropriate, maximum weight or empty space limits for specific packaging formats as well as by-default, standardised packaging designs that comply with the packaging minimisation requirement.  
***Packaging design and minimisation should not compromise the requirements specified under EU rules on food contact materials and they should not affect the food safety of the products.***

Or. en

**Amendment 164**

**Lara Comi, Geoffroy Didier, Romana Tomc, Pablo Arias Echeverría**

**Proposal for a regulation**  
**Recital 43**

*Text proposed by the Commission*

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be incentivised. For that purpose, it is necessary to clarify the notion of reusable packaging and to ensure that it is linked not only to the packaging design, which should enable a maximum number of trips or rotations and maintaining the safety, quality and hygiene requirements when

*Amendment*

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be incentivised ***without prejudice to Article 4(2) of Directive 2008/98/EC and where re-use does not pose risks to the quality of food and/or compromises food safety of the products.*** For that purpose, it is necessary to clarify the notion of reusable packaging and to ensure that it is linked not

being emptied, unloaded, refilled or reloaded, but also to the setting up of systems for re-use respecting minimum requirements as set out in this Regulation. In order to facilitate conformity assessment with requirements on reusable packaging, it is necessary to provide for presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements and define reusable packaging criteria and formats, including minimum number of trips or rotations, standardised designs, as well as requirements for systems for re-use, including hygiene requirements.

only to the packaging design, which should enable a maximum number of trips or rotations and maintaining the safety, quality and hygiene requirements when being emptied, unloaded, refilled or reloaded, but also to the setting up of systems for re-use respecting minimum requirements as set out in this Regulation. In order to facilitate conformity assessment with requirements on reusable packaging, it is necessary to provide for presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements and define reusable packaging criteria and formats, including minimum number of trips or rotations, standardised designs, as well as requirements for systems for re-use, including hygiene requirements. ***In light of the significant amount of water needed to implement a re-use system, especially for food and beverages and at industrial level, Member States should maintain a level of flexibility in adopting such provision. The Commission should produce a risk assessment of the implementation of reusable packaging vis-à-vis EU water management strategy and European water waste reduction targets.***

Or. en

## **Amendment 165**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 43**

*Text proposed by the Commission*

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be

*Amendment*

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be

incentivised. For that purpose, it is necessary to clarify the notion of reusable packaging and to ensure that it is linked not only to the packaging design, which should enable a maximum number of trips or rotations and maintaining the safety, quality and hygiene requirements when being emptied, unloaded, refilled or reloaded, but also to the setting up of systems for re-use respecting minimum requirements as set out in this Regulation. In order to facilitate conformity assessment with requirements on reusable packaging, it is necessary to provide for presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements and define reusable packaging criteria and formats, including minimum number of trips or rotations, standardised designs, as well as requirements for systems for re-use, including hygiene requirements.

incentivised. For that purpose, it is necessary to clarify the notion of reusable packaging and to ensure that it is linked not only to the packaging design, which should enable a maximum number of trips or rotations and maintaining the safety, quality and hygiene requirements when being emptied, unloaded, refilled or reloaded, but also to the setting up of systems for re-use respecting minimum requirements as set out in this Regulation. In order to facilitate conformity assessment with requirements on reusable packaging, it is necessary to provide for presumption of conformity for packaging which is in conformity with harmonised standards adopted in accordance with Regulation (EU) No 1025/2012 for the purpose of expressing detailed technical specifications of those requirements ***with design for reusable packaging guidelines*** and define reusable packaging criteria and formats, including minimum number of trips or rotations, standardised designs, as well as requirements for systems for re-use, including hygiene requirements. ***The Commission should evaluate capacities and trajectories of urban and industrial waste water re-use in light of the need to balance ambitious and much needed targets for reduced resource consumption, targets for waste reduction, GHG emissions, and prioritisation of water use.***

Or. en

## **Amendment 166**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

### **Proposal for a regulation**

#### **Recital 44**

*Text proposed by the Commission*

(44) It is necessary to inform consumers and to enable them to appropriately dispose

*Amendment*

(44) It is necessary to inform consumers and to enable them to appropriately dispose

of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles.

of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles. ***The need for such a harmonised labelling system to be recognized by all citizens irrespective of their circumstances should be a guiding factor in their design. This can be achieved through the use of pictograms without the need for national text. This would also serve to minimize the costs for translation of language otherwise required.***

Or. en

#### **Amendment 167**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Recital 44**

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

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles.

##### *Amendment*

(44) It is necessary to inform consumers ***in a clear and intelligible manner, which is fully accessible by persons with disabilities***, and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles. ***The labelling system should also inform consumers about substances in packaging that may be hazardous, in line with relevant CLP labelling requirements.***

## **Amendment 168**

**Lara Comi, Geoffroy Didier, Romana Tomc, Tom Vandenkendelaere, Pablo Arias Echeverría**

### **Proposal for a regulation**

#### **Recital 44**

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

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles.

##### *Amendment*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles. ***To this end, the European Commission and Member States shall provide the necessary tools and incentives, including economic ones, with special attention to micro and small enterprises***

## **Amendment 169**

**Carlo Fidanza**

### **Proposal for a regulation**

#### **Recital 44**

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

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of

##### *Amendment*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of

waste, and to pair it with corresponding labels on waste receptacles.

waste, and to pair it with corresponding labels on waste receptacles. ***To this end, the European Commission and the Member States should provide incentives, including economic ones, especially to micro-enterprises and SMEs.***

Or. en

**Amendment 170**  
**Tom Vandenkendelaere, Andreas Schwab**

**Proposal for a regulation**  
**Recital 44**

*Text proposed by the Commission*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles.

*Amendment*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles. ***The first and foremost aim of these labels is to facilitate sorting for citizens.***

Or. en

**Amendment 171**  
**Antonius Manders**

**Proposal for a regulation**  
**Recital 44**

*Text proposed by the Commission*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner

*Amendment*

(44) It is necessary to inform consumers and to enable them to appropriately dispose of packaging waste, including compostable lightweight and very lightweight plastic carrier bags. The most appropriate manner



to do this is to establish a harmonised labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding labels on waste receptacles.

to do this is to establish a harmonised *colour* labelling system based on the material composition of packaging for sorting of waste, and to pair it with corresponding *colour* labels on waste receptacles.

Or. en

**Amendment 172**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Recital 44 a (new)**

*Text proposed by the Commission*

*Amendment*

***(44a) Sorting is an essential step to ensure greater packaging circularity. The improvement of sorting capacities, notably through technological innovations, should be encouraged in order to allow a better quality of sorting, and thus a better quality of feedstock for recycling.***

Or. en

**Amendment 173**  
**Tom Vandenkendelaere, Andreas Schwab**

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

*Amendment*

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the

composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. This approach should improve the separate collection of packaging waste, leading to higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. It is also necessary to harmonise symbols associated with the mandatory deposit and return systems. Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging.

composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. ***The label on the packaging shall be easily understood and without the need for a national text.*** This approach should improve the separate collection of packaging waste, leading to higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. It is also necessary to harmonise symbols associated with the mandatory deposit and return systems. Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging.

Or. en

**Amendment 174**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. This approach should improve the separate collection of packaging waste, leading to

*Amendment*

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. This approach should improve the separate collection of packaging waste, leading to

higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. ***It is also necessary to harmonise symbols associated with the mandatory deposit and return systems.*** Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging.

higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging, ***and for reusable packaging. Similarly, packaging subject to deposit and return systems should be identified by means denoting participation in the system without the need to indicate material composition.***

Or. en

#### **Amendment 175**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques**

#### **Proposal for a regulation**

#### **Recital 45**

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

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. This approach should improve the separate collection of packaging waste, leading to higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. It is also necessary to harmonise symbols

##### *Amendment*

(45) To facilitate consumers in the sorting and disposing of packaging waste, a system of harmonised symbols should be introduced and required to be placed both on packaging and on waste receptacles, thus allowing consumers to match the symbols for the purposes of disposal. The symbols should enable appropriate waste management as it should provide consumers with information about the composting properties of such packaging, in particular to avoid consumer confusion that compostable packaging is not as such suitable for home-composting. This approach should improve the separate collection of packaging waste, leading to higher quality recycling of packaging waste, and introduce a level of harmonisation of the packaging waste collection systems on the internal market. It is also necessary to ***assess the***

associated with the mandatory deposit and return systems. Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging.

**possibilities to** harmonise symbols associated with the mandatory deposit and return systems. Considering that it is not collected through municipal waste collection systems, the use of those symbols should not be mandatory for transport packaging with the exception of the e-commerce packaging.

Or. en

#### **Amendment 176**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 46**

*Text proposed by the Commission*

(46) Labelling of recycled content in packaging should **not** be mandatory as this information **is not critical to ensure the proper end-of-life treatment of packaging**. **However**, manufacturers will be required to meet recycled content targets under this Regulation and they **may wish** to display that information on their packaging to inform consumers thereof. To ensure that this information is communicated in a harmonised manner across the Union, a label to indicate the recycled content should be harmonised.

*Amendment*

(46) Labelling of recycled content in packaging should be mandatory as this information **could have an impact on the purchase decisions of consumers**. Manufacturers will be required to meet recycled content targets under this Regulation and they **have** to display that information on their packaging to inform consumers thereof. To ensure that this information is communicated in a harmonised manner across the Union, a label to indicate the recycled content should be harmonised.

Or. en

#### **Amendment 177**

**Carlo Fidanza**

#### **Proposal for a regulation**

##### **Recital 47**

*Text proposed by the Commission*

(47) In order to inform end-users about

*Amendment*

(47) In order to inform end-users about

reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a QR code or other data carrier that provides such information. The QR code should also facilitate tracking and the calculation of trips and rotations. In addition, reusable sales packaging should be clearly identified at the point of sale.

reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a QR code or other data carrier that provides such information. The QR code should also facilitate tracking and the calculation of trips and rotations. In addition, reusable sales packaging should be clearly identified at the point of sale. ***To this end, the European Commission and the Member States should provide incentives, including economic ones, especially to micro-enterprises and SMEs.***

Or. en

#### **Amendment 178**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

#### **Proposal for a regulation**

#### **Recital 47**

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

(47) In order to inform end-users about reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a **QR** code or other data carrier that provides such information. The **QR code** should also facilitate tracking and the calculation of trips and rotations. In addition, reusable sales packaging should be clearly identified at the point of sale.

##### *Amendment*

(47) In order to inform end-users about reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a **electronically readable** code or other data carrier that provides such information. The **electronically readable code or other data carrier** should also facilitate tracking and the calculation of trips and rotations. In addition, reusable sales packaging should be clearly identified at the point of sale.

Or. en

##### *Justification*

*In order to ensure technology neutrality*

## Amendment 179

Lara Comi, Geoffroy Didier, Romana Tomc

### Proposal for a regulation

#### Recital 47

*Text proposed by the Commission*

(47) In order to inform end-users about reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a QR code or other data carrier that provides such information. ***The QR code should also facilitate tracking and the calculation of trips and rotations.*** In addition, reusable sales packaging should be clearly identified at the point of sale.

*Amendment*

(47) In order to inform end-users about reusability, availability of systems for re-use and location of collection points as regards reusable packaging, such packaging should bear a QR code or other data carrier that provides such information. In addition, reusable sales packaging should be clearly identified at the point of sale.

Or. en

## Amendment 180

Tom Vandenkendelaere, Andreas Schwab

### Proposal for a regulation

#### Recital 49

*Text proposed by the Commission*

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging. ***To this end, it could be considered that the Green Dot symbol, which is used in some Member***

*Amendment*

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging.

***States to signify that a producer has made a financial contribution to a national packaging recovery system<sup>58</sup>, could mislead consumers to believe that packaging bearing such a symbol is always recyclable.***

---

<sup>58</sup> <https://www.pro-e.org/the-green-dot-trademark>

Or. en

## **Amendment 181**

**Andreas Schwab, Tom Vandenkendelaere**

### **Proposal for a regulation**

#### **Recital 49**

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

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging. ***To this end, it could be considered that the Green Dot symbol, which is used in some Member States to signify that a producer has made a financial contribution to a national packaging recovery system<sup>58</sup>, could mislead consumers to believe that packaging bearing such a symbol is always recyclable.***

---

<sup>58</sup> <https://www.pro-e.org/the-green-dot-trademark>

##### *Amendment*

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging.

*Justification*

*The Unfair Commercial Practices Directive and the recent initiatives on "Empowering Consumers for the Green Transition" set out the applicable rules for misleading environmental claims or other misleading commercial practices more generally. Moreover, it is not up to the legislator to brandish a private enterprise as "misleading consumers", given the direct commercial impact of such stipulations.*

**Amendment 182**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

**Proposal for a regulation**

**Recital 49**

*Text proposed by the Commission*

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging. To this end, it could be considered that the Green Dot symbol, which is used in some Member States to signify that a producer has made a financial contribution to a national packaging recovery system<sup>58</sup>, could mislead consumers to believe that packaging bearing such a symbol is always recyclable.

---

<sup>58</sup> <https://www.pro-e.org/the-green-dot->

*Amendment*

(49) To support the implementation of the objectives of this Regulation, consumers should be protected from misleading and confusing information about packaging characteristics and its appropriate end-of-life treatment, for which harmonised labels have been established under this Regulation. It should be possible to identify packaging included in the extended producer responsibility scheme by means of an accreditation symbol throughout the territory of that system. That *harmonised* symbol should be clear and unambiguous to consumers or users as to the recyclability of packaging. To this end, it could be considered that the Green Dot symbol, which is used in some Member States to signify that a producer has made a financial contribution to a national packaging recovery system<sup>58</sup>, could mislead consumers to believe that packaging bearing such a symbol is always recyclable.

---

<sup>58</sup> <https://www.pro-e.org/the-green-dot->



trademark

trademark

Or. en

### **Amendment 183**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Maria Grapini**

#### **Proposal for a regulation**

##### **Recital 52**

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

(52) The manufacturer, having detailed knowledge of the design and production process, is best placed to carry out the conformity assessment procedure provided for under this Regulation. Such conformity assessment should therefore remain *solely* the obligation of the manufacturer.

###### *Amendment*

(52) The manufacturer, having detailed knowledge of the design and production process, is best placed to carry out the conformity assessment procedure provided for under this Regulation. Such conformity assessment should therefore remain the obligation of the manufacturer. ***Upon request from the relevant national authority, manufactures shall demonstrate compliance with annex VII through an accredited third party certification body.***

Or. en

### **Amendment 184**

**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 52 a (new)**

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

###### *Amendment*

***(52a) Manufacturers should exercise due diligence prior to placing packaging into the Union market or exporting packaging to third countries, in order to ensure environmental impacts of the packaging is minimised. Materials used for packaging should comply with the relevant EU laws governing the***

*production of such materials.*

Or. en

**Amendment 185**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Recital 53**

*Text proposed by the Commission*

(53) It should be ensured that suppliers of packaging or packaging materials provide the manufacturer with all the information and documentation necessary for the manufacturer to demonstrate the conformity of the packaging and the packaging materials. That information and documentation should be provided in *either paper or* electronic form.

*Amendment*

(53) It should be ensured that suppliers of packaging or packaging materials provide the manufacturer with all the information and documentation necessary for the manufacturer to demonstrate the conformity of the packaging and the packaging materials. That information and documentation should be provided in electronic form.

Or. en

**Amendment 186**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

**Proposal for a regulation**

**Recital 53**

*Text proposed by the Commission*

(53) It should be ensured that suppliers of packaging or packaging materials provide the manufacturer with all the information and documentation necessary for the manufacturer to demonstrate the conformity of the packaging and the packaging materials. That information and documentation should be provided in *either paper or* electronic form.

*Amendment*

(53) It should be ensured that suppliers of packaging or packaging materials provide the manufacturer with all the information and documentation necessary for the manufacturer to demonstrate the conformity of the packaging and the packaging materials. That information and documentation should be provided in electronic form.

Or. en

**Amendment 187**  
**Ivan Štefanec**

**Proposal for a regulation**  
**Recital 54**

*Text proposed by the Commission*

(54) In order to safeguard the functioning of the internal market, it is necessary to ensure that packaging from third countries entering the Union market comply with this Regulation, whether imported as self-standing packaging or in a packaged product. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to that packaging. Importers should therefore ensure that the packaging they place on the market comply with those requirements and that documentation drawn up by manufacturers are available for inspection by the competent national authorities.

*Amendment*

(54) In order to safeguard the functioning of the internal market, it is necessary to ensure that packaging from third countries entering the Union market comply with this Regulation, whether imported as self-standing packaging or in a packaged product. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to that packaging. Importers should therefore ensure that the packaging they place on the market comply with those requirements and that documentation drawn up by manufacturers are available for inspection by the competent national authorities. ***To comply with these obligations, adequate support should be provided to non-professional importers, especially to micro and SMEs.***

Or. en

**Amendment 188**  
**Lara Comi, Geoffroy Didier, Romana Tomc, Pablo Arias Echeverría, Tom Vandenkendelaere**

**Proposal for a regulation**  
**Recital 54**

*Text proposed by the Commission*

(54) In order to safeguard the functioning of the internal market, it is necessary to ensure that packaging from third countries entering the Union market comply with this Regulation, whether

*Amendment*

(54) In order to safeguard the functioning of the internal market, it is necessary to ensure that packaging from third countries entering the Union market comply with this Regulation, whether

imported as self-standing packaging or in a packaged product. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to that packaging. Importers should therefore ensure that the packaging they place on the market comply with those requirements and that documentation drawn up by manufacturers are available for inspection by the competent national authorities.

imported as self-standing packaging or in a packaged product. In particular, it is necessary to ensure that appropriate conformity assessment procedures have been carried out by manufacturers with regard to that packaging. Importers should therefore ensure that the packaging they place on the market comply with those requirements and that documentation drawn up by manufacturers are available for inspection by the competent national authorities. ***To comply with these obligations, adequate support should be provided to non-professional importers, especially to micro and SMEs.***

Or. en

#### **Amendment 189**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 55**

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

(55) When placing packaging on the market, every importer should indicate on the packaging their name, registered trade name or registered trade mark as well as their postal address and, where available, electronic means of communication through which it can be contacted. Exceptions should be provided for in cases where the packaging does not allow for such indications.

###### *Amendment*

(55) When placing packaging on the market, every importer should indicate on the packaging their name, registered trade name or registered trade mark as well as their postal address, ***telephone number*** and, where available, electronic means of communication through which it can be contacted. Exceptions should be provided for in cases where the packaging does not allow for such indications.

Or. en

#### **Amendment 190**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 57**

*Text proposed by the Commission*

(57) As distributors and importers are close to the marketplace and have an important role in ensuring packaging compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the **product** concerned.

*Amendment*

(57) As distributors and importers are close to the marketplace and have an important role in ensuring packaging compliance, they should be involved in market surveillance tasks carried out by the competent national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the **packaging** concerned.

Or. en

**Amendment 191**  
**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 58**

*Text proposed by the Commission*

(58) Any importer or distributor that either places on the market packaging under their own name or trademark, or modifies such a **product** in such a way that compliance with this Regulation might be affected, should be considered to be the manufacturer and should assume the manufacturer's obligations.

*Amendment*

(58) Any importer or distributor that either places on the market packaging under their own name or trademark, or modifies such a **packaging** in such a way that compliance with this Regulation might be affected, should be considered to be the manufacturer and should assume the manufacturer's obligations.

Or. en

**Amendment 192**  
**Karen Melchior**

**Proposal for a regulation**  
**Recital 60**

*Text proposed by the Commission*

(60) The problem of excessive packaging waste generation cannot be fully addressed by setting obligations on packaging design. For certain packaging types, obligations to reduce the empty space should be set on economic operators in terms of reducing the empty space when using such packaging. In case of grouped, transport and e-commerce packaging used for supply of products to final distributors or end user, the empty space **ration** should not exceed 40 %. In line with the waste hierarchy, it should be possible for economic operators using sales packaging as e-commerce packaging to be exempted from this obligation.

*Amendment*

(60) The problem of excessive packaging waste generation cannot be fully addressed by setting obligations on packaging design. For certain packaging types, obligations to reduce the empty space should be set on economic operators in terms of reducing the empty space when using such packaging. In case of grouped, transport and e-commerce packaging used for supply of products to final distributors or end user, the empty space **ratio** should not exceed 40 %. In line with the waste hierarchy **and to incentivise packaging waste reduction**, it should be possible for economic operators using sales packaging as e-commerce packaging to be exempted from this obligation.

Or. en

*Justification*

*An effective way of preventing additional packaging is to introduce incentives to ship in the sales packaging available from the producer, thus preventing a layer of packaging from being added.*

**Amendment 193**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 61**

*Text proposed by the Commission*

***(61) In order to ensure a high level of environmental protection in the internal market as well as a high level of food safety and hygiene, and facilitate the achievement of the packaging waste prevention targets, unnecessary or avoidable packaging should not be allowed to be placed on the market. The list of such packaging formats is provided in Annex V of this Regulation. In order to***

*Amendment*

***deleted***

*adapt the list to the technical and scientific progress the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to amend the list.*

Or. en

#### **Amendment 194**

**Lara Comi, Geoffroy Didier, Romana Tomc**

#### **Proposal for a regulation**

##### **Recital 64**

*Text proposed by the Commission*

(64) Reusable packaging becomes waste, in the sense of the Article 3(1) of Directive 2008/98/EC, when its holder discards it, intends to discard it or is obligated to discard it. Reusable packaging in a reconditioning process is *normally* not considered to be waste.

*Amendment*

(64) Reusable packaging becomes waste, in the sense of the Article 3(1) of Directive 2008/98/EC, when its holder discards it, intends to discard it or is obligated to discard it. Reusable packaging in a reconditioning process is not considered to be waste.

Or. en

#### **Amendment 195**

**Karen Melchior**

#### **Proposal for a regulation**

##### **Recital 65**

*Text proposed by the Commission*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting *of the re-use and refill* targets. *However, containers owned by the consumer, performing a packaging function in the context of refill, such as reusable cups, mugs, bottles or boxes are not packaging in the sense of this*

*Amendment*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting *the prevention* targets *set out in* this regulation. *Furthermore, reuse and refill may be promoted by considering secondary packaging functionalities in packaging and product design, allowing end users at scale to deploy packing for*

Regulation.

*other purposes, inter alia as seen in the German user at scale of mustards single-use glass containers as drinking vessels, or plastic and cardboard packaging inserts in LEGO sales packaging replacing sorting bags, with designed to meet end users secondary needs for containers used to conveniently sort and store bricks.*

Or. en

### *Justification*

*Producers should be incentivized to make packaging, which may serve reuse functions other than traditional packaging functions, such as aesthetic use of glass containers, which may be adopted as drinking glasses, or serve functions directly connected to the life-time of the packaged product.*

## **Amendment 196** **Carlo Fidanza**

### **Proposal for a regulation** **Recital 65**

#### *Text proposed by the Commission*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting of the re-use and refill targets. However, containers owned by the consumer, performing a packaging function in the context of refill, such as reusable cups, mugs, bottles or boxes are not packaging in the sense of this Regulation.

#### *Amendment*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting of the re-use and refill targets. However, containers owned by the consumer, performing a packaging function in the context of refill, such as reusable cups, mugs, bottles or boxes are not packaging in the sense of this Regulation. ***In the context of this Regulation, only refill happening via a system for refill counts towards the reuse and refill targets. Such system for refill can be, for example, a refill station found in the premises of an economic operator or a product dispenser for home consumption.***



**Amendment 197****Pablo Arias Echeverría, Lara Comi****Proposal for a regulation****Recital 65***Text proposed by the Commission*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting of the re-use and refill targets. However, containers owned by the consumer, performing a packaging function in the context of refill, such as reusable cups, mugs, bottles or boxes are not packaging in the sense of this Regulation.

*Amendment*

(65) To incentivise waste prevention, a new concept of ‘refill’ should be introduced. Refill should be considered as a specific waste prevention measure that counts towards and is necessary for meeting of the re-use and refill targets. However, containers owned by the consumer, performing a packaging, ***kitchenware or tableware*** function in the context of refill, such as reusable cups, mugs, bottles or boxes are not packaging in the sense of this Regulation, ***even if they were originally marketed as food packaging.***

**Amendment 198****Maria Grapini****Proposal for a regulation****Recital 66***Text proposed by the Commission*

(66) Where economic operators offer the possibility to purchase products through refill, they should ensure that their refill stations meet certain requirements in order to ensure the health and safety of consumers. In ***this*** context, where the consumers use their own containers, the economic operators should ***therefore*** inform about the conditions for safe refill and use of those containers. In order to

*Amendment*

(66) Where economic operators offer the possibility to purchase products through refill ***on their premises***, they should ensure that their refill stations meet certain requirements in order to ensure the health and safety of consumers. In ***the*** context, where the consumers use their own containers, the economic operators should inform about the conditions for safe refill and use of those containers. In order to

encourage refill, economic operators should not provide packaging free of charge or not being a part of deposit and return system at the refill stations.

encourage refill, economic operators should not provide packaging free of charge or not being a part of deposit and return system at the refill stations.

Or. en

**Amendment 199**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 66**

*Text proposed by the Commission*

(66) Where economic operators offer the possibility to purchase products through refill, they should ensure that their refill stations meet certain requirements in order to ensure the health and safety of consumers. In *this* context, where the consumers use their own containers, the economic operators should *therefore* inform about the conditions for safe refill and use of those containers. In order to encourage refill, economic operators should not provide packaging free of charge or not being a part of deposit and return system at the refill stations.

*Amendment*

(66) Where economic operators offer the possibility to purchase products through refill, *on their premises* they should ensure that their refill stations meet certain requirements in order to ensure the health and safety of consumers. In *the* context, where the consumers use their own containers, the economic operators should inform about the conditions for safe refill and use of those containers. In order to encourage refill, economic operators should not provide packaging free of charge or not being a part of deposit and return system at the refill stations

Or. en

**Amendment 200**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 67**

*Text proposed by the Commission*

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on

*Amendment*

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on

packaging in sectors, which have been assessed as having the greatest potential for packaging waste reduction, namely **food and beverages for take-away**, large-white goods and transport packaging. This was appraised based on factors such as existing systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of the targets is expected to support the innovation and increase the proportion of re-use and refill solutions. The use of single use packaging for food and beverages filled and consumed within the premises in the HORECA sector should not be allowed.

packaging in sectors, which have been assessed as having the greatest potential for packaging waste reduction, namely, large-white goods and **some** transport packaging. This was appraised based on factors such as existing systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of the targets is expected to support the innovation and increase the proportion of re-use and refill solutions. The use of single use packaging for food and beverages filled and consumed within the premises in the HORECA sector should not be allowed. ***In accordance with Article 4 §2 of Directive 2008/98/EC, restriction shall not apply for single-use packaging delivering a better overall environmental outcome justified by life cycle thinking, as well as a better overall economic and health impact.***

Or. en

## **Amendment 201** **Geoffroy Didier**

### **Proposal for a regulation** **Recital 67**

*Text proposed by the Commission*

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on packaging in sectors, which have been assessed as having the greatest potential for packaging waste reduction, namely food and beverages for take-away, large-white goods and transport packaging. This was appraised based on factors such as existing

*Amendment*

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on packaging in sectors, which have been assessed as having the greatest potential for packaging waste reduction, namely food and beverages for take-away, large-white goods and transport packaging. This was appraised based on factors such as existing

systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of the targets is expected to support the innovation and increase the proportion of re-use and refill solutions. ***The use of single use packaging for food and beverages filled and consumed within the premises in the HORECA sector should not be allowed.***

systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of the targets is expected to support the innovation and increase the proportion of re-use and refill solutions. ***These targets shall not apply for packaging formats which achieve the same or better overall impact as re-usable or refillable packaging when considered on a full life cycle basis.***

Or. en

## Amendment 202

Krzysztof Hetman, Adam Jarubas

### Proposal for a regulation

#### Recital 67

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

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on packaging in sectors, which have ***been assessed as having*** the greatest potential for packaging waste reduction, ***namely food and beverages for take-away, large-white goods and transport packaging. This was appraised*** based on factors such as existing systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of the targets is expected to support the innovation and increase the proportion of re-use and refill

##### *Amendment*

(67) In order to reduce the increasing proportion of packaging that is single use and the growing amounts of packaging waste generated, it is necessary to establish quantitative re-use and refill targets on packaging in sectors, which have the greatest potential for packaging waste reduction, ***The introduction of quantitative re-use and refill targets should be done when they represent the best environmental option considering the whole life cycle of packaging, and should be based on proper impact assessments considering*** factors such as existing systems for re-use, necessity of using packaging and the possibility of fulfilling the functional requirements in terms of containment, tidiness, health, hygiene and safety. Differences of the products and their production and distribution systems, were also taken into account. The setting of

solutions. ***The use of single use packaging for food and beverages filled and consumed within the premises in the HORECA sector should not be allowed.***

the targets is expected to support the innovation and increase the proportion of re-use and refill solutions.

Or. en

**Amendment 203**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 68**

*Text proposed by the Commission*

(68) To increase their effectiveness and ensure the equal treatment of economic operators, the re-use and refill targets should be placed on the economic operators. In cases of targets for beverages, they should be additionally placed also on the manufacturers, as these actors are able to control the packaging formats used for the products they offer. The targets should be calculated as a percentage of sales in reusable packaging within a system for re-use or through refill or, in case of transport packaging, as a percentage of uses. The targets should be material neutral. In order to ensure uniform conditions for the implementation of targets for re-use and refill, the power to adopt an implementing act in accordance with Article 291 of the Treaty on the methodology for their calculation, should be delegated to the Commission.

*Amendment*

(68) To increase their effectiveness and ensure the equal treatment of economic operators, the re-use and refill targets should be placed on the economic operators. In cases of targets for beverages, they should be additionally placed also on the manufacturers, as these actors are able to control the packaging formats used for the products they offer ***and decide based on thorough consideration of logistics, environmental, technical, industrial and consumer criteria.*** The targets should be calculated as a percentage of sales in reusable packaging within a system for re-use or through refill or, in case of transport packaging, as a percentage of uses. The targets should be material neutral. ***A detailed assessment should be carried out to ensure that reuse targets can be implemented in a safe, economically viable and environmentally sustainable way that would bring tangible benefits compared to recyclable alternatives.*** In order to ensure uniform conditions for the implementation of targets for re-use and refill, the power to adopt an implementing act in accordance with Article 291 of the Treaty on the methodology for their calculation, should be delegated to the Commission.

**Amendment 204**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 68**

*Text proposed by the Commission*

(68) To increase their effectiveness and ensure the equal treatment of economic operators, the re-use and refill targets should be placed on the economic operators. ***In cases of targets for beverages, they should be additionally placed also on the manufacturers, as these actors are able to control the packaging formats used for the products they offer.*** The targets should be calculated as a percentage of sales in reusable packaging within a system for re-use or through refill or, in case of transport packaging, as a percentage of uses. ***The targets should be material neutral.*** In order to ensure uniform conditions for the implementation of targets for re-use and refill, the power to adopt an implementing act in accordance with Article 291 of the Treaty on the methodology for their calculation, should be delegated to the Commission.

*Amendment*

(68) To increase their effectiveness and ensure the equal treatment of economic operators, the re-use and refill targets should be placed on the economic operators. The targets should be calculated as a percentage of sales in reusable packaging within a system for re-use or through refill or, in case of transport packaging, as a percentage of uses. In order to ensure uniform conditions for the implementation of targets for re-use and refill, the power to adopt an implementing act in accordance with Article 291 of the Treaty on the methodology for their calculation, should be delegated to the Commission

**Amendment 205**  
**Karen Melchior**

**Proposal for a regulation**  
**Recital 69**

*Text proposed by the Commission*

(69) Certain uses of single use transport packaging formats are not necessary, as

*Amendment*

(69) Certain uses of single use transport packaging formats are not necessary, as

there is a wide range of well-functioning reusable alternatives. In order to ensure that such alternatives are effectively used, it is appropriate to require economic operators, when transporting products between different sites of the same economic operator or between the economic operator and the linked or partner enterprises, to use only reusable transport packaging with respect to packaging formats such as pallets, foldable plastic boxes, plastic crates, intermediate bulk containers, both rigid and flexible, or drums. The same obligation should, for the same reasons, apply to economic operators transporting products within one Member State.

there is a wide range of well-functioning reusable alternatives. In order to ensure that such alternatives are effectively used, it is appropriate to require economic operators, when transporting products between different sites of the same economic operator or between the economic operator and the linked or partner enterprises, to use only reusable transport packaging with respect to packaging formats such as pallets, foldable plastic boxes, plastic crates, intermediate bulk containers, both rigid and flexible, or drums ***with no food contact***. The same obligation should, for the same reasons, apply to economic operators transporting products within one Member State.

Or. en

**Amendment 206**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Recital 69**

*Text proposed by the Commission*

(69) Certain uses of single use transport packaging formats ***are not necessary, as there is a wide range of*** well-functioning reusable alternatives. In order to ensure that such alternatives are effectively used, it is appropriate to require economic operators, when transporting products between different sites of the same economic operator or between the economic operator and the linked or partner enterprises, ***to use only*** reusable transport packaging with respect to packaging formats such as pallets, foldable plastic boxes, plastic crates, intermediate bulk containers, both rigid and flexible, or drums. The same obligation should, for the same reasons, apply to economic operators transporting products within one Member

*Amendment*

(69) Certain uses of single use transport packaging formats ***can be replaced by*** well-functioning reusable alternatives. In order to ensure that such alternatives are effectively used, it is appropriate to require economic operators, when transporting products between different sites of the same economic operator or between the economic operator and the linked or partner enterprises ***within the Union, to predominantly*** use reusable transport packaging with respect to packaging formats such as pallets, foldable plastic boxes, plastic crates, intermediate bulk containers, both rigid and flexible, or drums. The same obligation should, for the same reasons, apply to economic operators transporting products within one Member

State.

State.

Or. en

**Amendment 207**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 90**

*Text proposed by the Commission*

(90) Waste prevention is the most efficient way to improve resource efficiency and to reduce the environmental impact of waste. It is important therefore that economic operators take appropriate measures to reduce the waste generation by eliminating excessive packaging and restrict the uses of certain packaging formats, extending the life span of packaging, re-designing products so that no packaging or less packaging can be used, including bulk sales, and by shifting from single use packaging to reusable packaging.

*Amendment*

(90) Waste prevention is the most efficient way to improve resource efficiency and to reduce the environmental impact of waste. It is important therefore that economic operators take appropriate measures to reduce the waste generation by eliminating excessive packaging and restrict the uses of certain packaging formats, ***unless the packaging is essential in preventing food waste or ensuring consumer safety***, extending the life span of packaging, re-designing products so that no packaging or less packaging can be used, including bulk sales, and by shifting ***where beneficial to the environment and where this does not call into question the benefits on the prevention of food waste or ensuring consumer safety***, from single use packaging to reusable packaging.

Or. en

**Amendment 208**  
**Christian Doleschal**

**Proposal for a regulation**  
**Recital 90**

*Text proposed by the Commission*

(90) Waste prevention is the most efficient way to improve resource efficiency and to reduce the environmental

*Amendment*

(90) Waste prevention is the most efficient way to improve resource efficiency and to reduce the environmental



impact of waste. It is important therefore that economic operators take appropriate measures to reduce the waste generation by eliminating excessive packaging and restrict the uses of certain packaging formats, extending the life span of packaging, re-designing products so that no packaging or less packaging can be used, including bulk sales, and by shifting from single use packaging to reusable packaging.

impact of waste. It is important therefore, ***without prejudice to Art. 4 (2) of Directive 2008/98/EC***, that economic operators take appropriate measures to reduce the waste generation by eliminating excessive packaging and restrict the uses of certain packaging formats, extending the life span of packaging, re-designing products so that no packaging or less packaging can be used, including bulk sales, and by shifting from single use packaging to reusable packaging.

Or. en

**Amendment 209**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 91**

*Text proposed by the Commission*

(91) To achieve an ambitious and sustained reduction in the overall packaging waste generation, targets should be laid down for the reduction of packaging waste per capita to be achieved by 2030. ***Meeting a target of 5 % reduction in 2030 compared to 2018 should entail an overall absolute reduction of approximately 19 % on average across the Union in 2030 compared to the 2030 baseline. Member States should reduce packaging waste generation by 10 %, compared to 2018, by 2035; this is estimated to reduce packaging waste by 29 % compared to the 2030 baseline. In order to ensure that the reduction efforts continue beyond 2030, a reduction target of 10 % from 2018, which would mean a reduction of 29 % compared to baseline, should be set for 2035 and, for 2040, a reduction target of 15 % from 2018, which means a reduction of 37 % compared to baseline should be***

*Amendment*

(91) To achieve an ambitious and sustained reduction in the overall packaging waste generation, targets should be laid down for the reduction of packaging waste per ***material (plastics, wood, ferrous metals, aluminium, glass and paper and cardboard)*** per capita to be achieved by 2030 2040.

*established.*

Or. en

**Amendment 210**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 91**

*Text proposed by the Commission*

(91) To achieve an ambitious and sustained reduction in the overall packaging waste generation, ***targets should be laid down for the reduction of packaging waste per capita to be achieved by 2030. Meeting a target of 5 % reduction in 2030 compared to 2018 should entail an overall absolute reduction of approximately 19 % on average across the Union in 2030 compared to the 2030 baseline. Member States should reduce packaging waste generation by 10 %, compared to 2018, by 2035; this is estimated to reduce packaging waste by 29 % compared to the 2030 baseline. In order to ensure that the reduction efforts continue beyond 2030, a reduction target of 10 % from 2018, which would mean a reduction of 29 % compared to baseline, should be set for 2035 and, for 2040, a reduction target of 15 % from 2018, which means a reduction of 37 % compared to baseline should be established.***

*Amendment*

(91) To achieve an ambitious and sustained reduction in the overall packaging waste generation, ***Member States shall reduce by 5% the packaging waste generated per capita as compared to the packaging waste generated per capita in 2018 only for packaging materials where data shows that packaging waste have consistently increased and are not highly recyclable. Before setting new targets, the Commission should present a report to assess if the elements included in this Regulation have met its objectives.***

Or. en

**Amendment 211**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 91 a (new)**

*Text proposed by the Commission*

*Amendment*

***(91a) Waste prevention through reduction at source by material should be a key guiding principle, as per the existing harmonised standard EN 13428:200030, whereby the substitution of one packaging material by another is not a basis for source reduction.***

Or. en

## **Amendment 212**

**Karen Melchior**

### **Proposal for a regulation**

#### **Recital 92**

*Text proposed by the Commission*

*Amendment*

(92) Member States may achieve these targets by economic instruments and other measures to provide incentives for the application of the waste hierarchy, including measures to be implemented through extended producer responsibility schemes, **and** by promoting the setting up and effective operation of systems for re-use and encouraging economic operators to offer the end users further possibilities to refill. Such measures should be adopted in parallel and in addition to other measures under this Regulation aiming at packaging and packaging waste reduction, such as requirements on packaging minimisation, re-use and refill targets, volume thresholds and measures to achieve the sustained reduction of consumption of lightweight plastic carrier bags. A Member State may, while observing the general rules laid down in the Treaty and complying with the provisions set out in this Regulation, adopt provisions which go beyond the minimum targets set out in this Regulation.

(92) Member States may achieve these targets by economic instruments and other measures to provide incentives for the application of the waste hierarchy, including measures to be implemented through extended producer responsibility schemes, by promoting the setting up and effective operation of systems for re-use and encouraging economic operators to offer the end users further possibilities to refill, **as well as by encouraging and incentivising the use of sales packaging as e-commerce packaging.** Such measures should be adopted in parallel and in addition to other measures under this Regulation aiming at packaging and packaging waste reduction, such as requirements on packaging minimisation, re-use and refill targets, volume thresholds and measures to achieve the sustained reduction of consumption of lightweight plastic carrier bags. A Member State may, while observing the general rules laid down in the Treaty and complying with the provisions set out in this Regulation, adopt provisions which go beyond the minimum

targets set out in this Regulation.

Or. en

*Justification*

*An effective way of preventing additional packaging is to introduce incentives to ship in the sales packaging available from the producer, thus preventing a layer of packaging from being added. Editorial change aligning with proposed change to Article 38(3)*

**Amendment 213**

**Maria Grapini**

**Proposal for a regulation**

**Recital 93**

*Text proposed by the Commission*

(93) To implement the polluter pays principle, it is appropriate to lay the obligations for the management of packaging waste on producers, which includes any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU of the European Parliament and of the Council<sup>65</sup>, makes available packaging for the first time within a territory of a Member States on a professional basis ***under its own name or trademark***.

---

<sup>65</sup> Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

*Amendment*

(93) To implement the polluter pays principle, it is appropriate to lay the obligations for the management of packaging waste on producers, which includes any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU of the European Parliament and of the Council<sup>65</sup>, makes available packaging for the first time within a territory of a Member States on a professional basis.

---

<sup>65</sup> Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

Or. en

**Amendment 214**  
**Maria Grapini**

**Proposal for a regulation**  
**Recital 94**

*Text proposed by the Commission*

(94) In order to monitor that producers meet their obligations relating to their financial, and organisational obligations to ensuring the management of the waste from the packaging they ***make available for the first time*** on the market of a Member State, it is necessary that a register is established and managed by the competent authority in each Member State and that producers should be obliged to register.

*Amendment*

(94) In order to monitor that producers meet their obligations relating to their financial, and organisational obligations to ensuring the management of the waste from the packaging they ***place*** on the market of a Member State, it is necessary that a register is established and managed by the competent authority in each Member State and that producers should be obliged to register.

Or. en

**Amendment 215**  
**Maria Grapini**

**Proposal for a regulation**  
**Recital 95**

*Text proposed by the Commission*

(95) The registration requirements should be harmonised across the Union to the greatest extent possible so to facilitate registration in particular where producers ***make*** packaging ***available*** in different Member States. In order to ensure uniform conditions for the implementation of the registration requirements, the power to adopt implementing acts in accordance with Article 291 of the Treaty should be delegated to the Commission to lay down a common format for registration in and reporting to the register, detailing the data to be reported.

*Amendment*

(95) The registration requirements should be harmonised across the Union to the greatest extent possible so to facilitate registration in particular where producers ***place*** packaging ***on the market*** in different Member States. In order to ensure uniform conditions for the implementation of the registration requirements, the power to adopt implementing acts in accordance with Article 291 of the Treaty should be delegated to the Commission to lay down a common format for registration in and reporting to the register, detailing the data to be reported.

**Amendment 216**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

**Proposal for a regulation****Recital 98***Text proposed by the Commission*

(98) Regulation (EU) 2022/2065 of the European Parliament and of the Council<sup>66</sup> lays down rules on the traceability of traders, which more specifically contain obligations for providers of online platforms allowing consumers to conclude distance contracts with *producers* offering packaging to consumers located in the Union. In order to prevent free-riding from the extended producer responsibility obligations, it should be specified how such providers of online *platforms* should fulfil those obligations with regard to the registers of packaging producers established pursuant to this Regulation. In that context, providers of online *platforms, falling within the scope of Section 4 of Chapter 3 of Regulation (EU) 2022/2065, allowing consumers to conclude distance contracts with producers* should *obtain from those producers information about their compliance* with the extended producer responsibility *rules* set out in this Regulation. The rules on traceability of traders selling packaging online are subject to the enforcement rules set out in Regulation (EU) 2022/2065.

---

<sup>66</sup> Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For

*Amendment*

(98) Regulation (EU) 2022/2065 of the European Parliament and of the Council<sup>66</sup> lays down rules on the traceability of traders, which more specifically contain obligations for providers of online platforms allowing consumers to conclude distance contracts with *traders* offering packaging to consumers located in the Union. In order to prevent free-riding from the extended producer responsibility obligations, it should be specified how such providers of online *marketplaces and fulfilment service providers* should fulfil those obligations with regard to the registers of packaging producers established pursuant to this Regulation. In that context, providers of online *marketplaces and fulfilment service providers* should *be required to comply* with the extended producer responsibility *requirements, unless they can prove that the traders offering packaging to consumers located in the Union are complying with the applicable requirements* set out in this Regulation *prior to placing these products on the market or handling these products*. The rules on traceability of traders selling packaging online are subject to the enforcement rules set out in Regulation (EU) 2022/2065.

---

<sup>66</sup> Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For

Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

Or. en

**Amendment 217**  
**Karen Melchior, Morten Løkkegaard**

**Proposal for a regulation**  
**Recital 102 b (new)**

*Text proposed by the Commission*

*Amendment*

***(102b) Consumers play a key role in waste collection and sorting and Member states should continue initiatives to further promote accessible and easy to understand guidance for the consumer to sort and dispose their waste, inter alia by making waste collection system and information accessible and recognizable across Member States, or by targeting specific consumer segments such as tourists with relevant in situ information.***

Or. en

*Justification*

*Consumers play a key role in collection and sorting of waste packaging. Handling waste packaging in the correct way must be made as easy as possible for the consumer to increase collection of waste packaging.*

**Amendment 218**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Recital 103**

*Text proposed by the Commission*

*Amendment*

(103) Deposit and return systems should be obligatory for single use plastic beverage bottles and metal beverage

(103) Deposit and return systems should be obligatory for single use plastic beverage bottles and metal beverage

containers. Member States ***might also decide to include other packaging in these systems, in particular single use glass bottles, and should ensure that deposit and return systems for single-use packaging formats, in particular for single use glass beverage bottles, are equally available for reusable packaging, where technically and economically feasible.*** They should consider establishing deposit and return systems also for reusable packaging. In such situations, a Member State should be allowed, while observing the general rules laid down in the Treaty and complying with the provisions set out in this Regulation, adopt provisions which go beyond the minimum requirements set out in this Regulation.

containers. Member States. They should consider establishing deposit and return systems also for reusable packaging. In such situations, a Member State should be allowed, while observing the general rules laid down in the Treaty and complying with the provisions set out in this Regulation, adopt provisions which go beyond the minimum requirements set out in this Regulation.

Or. en

**Amendment 219**  
**Karen Melchior**

**Proposal for a regulation**  
**Recital 103**

*Text proposed by the Commission*

(103) Deposit and return systems should be obligatory for single use plastic beverage bottles and metal beverage containers. Member States ***might also decide to include other packaging in these systems, in particular single use glass bottles, and should ensure that deposit and return systems for single-use packaging formats, in particular for single use glass beverage bottles, are equally available for reusable packaging, where technically and economically feasible.*** They should consider establishing deposit and return systems also for reusable packaging. In such situations, a Member State should be allowed, while observing the general rules laid down in the Treaty and complying with the

*Amendment*

(103) Deposit and return systems should be obligatory for single use plastic beverage bottles and metal beverage containers. Member States should consider establishing deposit and return systems also for reusable packaging, ***including glass and metals.*** In such situations, a Member State should be allowed, while observing the general rules laid down in the Treaty and complying with the provisions set out in this Regulation, adopt provisions which go beyond the minimum requirements set out in this Regulation.



provisions set out in this Regulation, adopt provisions which go beyond the minimum requirements set out in this Regulation.

Or. en

### *Justification*

*A DRS is not the right waste collection system for glass recycling. The highest recycling rates for glass packaging can be achieved when there is a separate single glass collection system, and effective public communication initiatives, under a system of Extended Producer Responsibility that make collection simple for the consumer and optimal for the recycling value chain.*

## **Amendment 220** **Ivan Štefanec**

### **Proposal for a regulation** **Recital 104**

#### *Text proposed by the Commission*

(104) Given the nature of the products and the differences in their production and distribution systems, deposit and return systems should however not be obligatory for packaging for *wine, aromatised wine products, spirit drinks and* milk and milk products listed in Part XVI of Annex I of the Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>67</sup>. Member States may establish deposit and return systems covering also other packaging.

---

<sup>67</sup> Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

#### *Amendment*

(104) Given the nature of the products and the differences in their production and distribution systems, deposit and return systems should however not be obligatory for packaging for milk and milk products listed in Part XVI of Annex I of the Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>67</sup>. Member States may establish deposit and return systems covering also other packaging.

---

<sup>67</sup> Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

Or. en

## *Justification*

*There is no logic, environmental or otherwise, why metal cans and plastic bottles containing wine or spirits should be a priori excluded, but others included, simply on the basis of their content when the container itself is identical. Defining scope by reference to named contents does not obviously seem relevant and potentially requires constant revision of DRS scope as new products come to market. It makes more sense to define the reasons for exclusion, or inclusion of contents, rather than naming individual beverages, or categories of beverages. The so-called 'nature of the products and the differences in their production and distribution systems' does not apply to production of wines and spirits in cans and plastic bottles. Wine/spirits cans and PET bottles are already included in several Member States' deposit systems, generally the most recent ones set up. Hence, it is proven this can work and should be automatically included in new DRS.*

### **Amendment 221**

**Carlo Fidanza**

#### **Proposal for a regulation**

##### **Recital 107**

*Text proposed by the Commission*

(107) Member States which achieve 90 % collection rate of the targeted packaging types ***without a deposit and return system*** two consecutive calendar years preceding the entry into force of this obligation, may request not to establish a deposit and return system.

*Amendment*

(107) Member States which, ***without a deposit and return system***, achieve ***either*** 90 % collection rate of the targeted packaging types two consecutive calendar years preceding the entry into force of this obligation, ***or recycling targets set by Article 46***, may request not to establish a deposit and return system

Or. en

### **Amendment 222**

**Stéphanie Yon-Courtin**

#### **Proposal for a regulation**

##### **Recital 122 a (new)**

*Text proposed by the Commission*

*Amendment*

***(122a) The Commission shall ensure that when it conducts its activities, it observes a balanced participation of Member States' representatives and all interested***

*parties involved with packaging industry, including waste treatment industry representatives, manufacturers and packaging suppliers, distributors, retailers, importers, SMEs, environmental protection groups and consumer organisations. These parties shall contribute in particular to preparing the delegated and implementing acts provided for in this Regulation to develop and further detail the sustainability requirements and examining the effectiveness of the established market surveillance mechanisms. To that end, the Commission shall establish an expert group, in which those parties shall meet, referred to as the ‘Packaging Forum’.*

Or. en

#### **Amendment 223**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

#### **Proposal for a regulation**

#### **Recital 123**

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

(123) Effective enforcement of sustainability requirements is essential to ensure fair competition to ensure that this Regulation’s expected benefits and contribution to achieving the Union’s climate, energy and circularity objectives are achieved. Therefore, Regulation (EU) 2019/1020 of the European Parliament and of the Council<sup>73</sup> setting out a horizontal framework for market surveillance and control of products entering the Union market should apply to packaging for which sustainability requirements are set pursuant to this Regulation.

##### *Amendment*

(123) Effective enforcement of sustainability requirements is essential to ensure fair competition to ensure that this Regulation’s expected benefits and contribution to achieving the Union’s climate, energy and circularity objectives are achieved. Therefore, ***a minimum number of checks of economic operators placing packaging on the Union market should be established and*** Regulation (EU) 2019/1020 of the European Parliament and of the Council<sup>73</sup> setting out a horizontal framework for market surveillance and control of products entering the Union market should apply to packaging for which sustainability requirements are set pursuant to this Regulation.

---

<sup>73</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

---

<sup>73</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (OJ L 169, 25.6.2019, p. 1).

Or. en

#### **Amendment 224**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

#### **Proposal for a regulation**

#### **Recital 123 a (new)**

*Text proposed by the Commission*

*Amendment*

***(123a) Competent authorities should carry out checks at regular intervals on operators and traders to verify that they effectively fulfil the obligations laid down in this Regulation. Moreover, competent authorities should carry out checks on the basis of relevant information in their possession, including substantiated concerns submitted by third parties.***

Or. en

#### **Amendment 225**

**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Recital 124**

*Text proposed by the Commission*

*Amendment*

(124) Packaging should be placed on the market only if it does not present a known risk to the environment **and** human health.

(124) Packaging should be placed on the market only if it does not present a known risk to the environment, human health **and**

In order to better align with the specific nature of sustainability requirements and to ensure that the focus of market surveillance efforts is on non-compliance with such requirements, packaging presenting a risk should, for the purposes of this Regulation, be defined as packaging that, by not complying with a sustainability requirement or because a responsible economic operator does not comply with a sustainability requirement, may adversely affect the environment or other public interests protected by the relevant requirements.

*to other aspects of public interest protection.* In order to better align with the specific nature of sustainability requirements and to ensure that the focus of market surveillance efforts is on non-compliance with such requirements, packaging presenting a risk should, for the purposes of this Regulation, be defined as packaging that, by not complying with a sustainability requirement or because a responsible economic operator does not comply with a sustainability requirement, may adversely affect the environment or other public interests protected by the relevant requirements.

Or. en

**Amendment 226**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Recital 124**

*Text proposed by the Commission*

(124) Packaging should be placed on the market only if it does not present a **known** risk to the environment **and** human health. In order to better align with the specific nature of sustainability requirements and to ensure that the focus of market surveillance efforts is on non-compliance with such requirements, packaging presenting a risk should, for the purposes of this Regulation, be defined as packaging that, by not complying with a sustainability requirement or because a responsible economic operator does not comply with a sustainability requirement, may adversely affect the environment or other public interests protected by the relevant requirements.

*Amendment*

(124) Packaging should be placed on the market only if it does not present a risk to the environment **or to human or animal** health. In order to better align with the specific nature of sustainability requirements and to ensure that the focus of market surveillance efforts is on non-compliance with such requirements, packaging presenting a risk should, for the purposes of this Regulation, be defined as packaging that, by not complying with a sustainability requirement or because a responsible economic operator does not comply with a sustainability requirement, may adversely affect the environment or other public interests protected by the relevant requirements.

Or. en

## Amendment 227

Andreas Schwab, Tom Vandenkendelaere

### Proposal for a regulation

#### Recital 125

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

(125) A procedure should exist under which interested parties are informed of measures intended to be taken with regard to packaging presenting a risk. It should also allow market surveillance authorities in the Member States, in cooperation with the relevant economic operators, to act at an early stage with regard to such packaging. In order to ensure uniform conditions for the implementation of this Regulation, the power to adopt implementing acts in accordance with Article 291 of the Treaty should be delegated to the Commission to determine whether national measures in respect of non-compliant products are justified or not.

##### *Amendment*

(125) A procedure should exist under which interested parties are informed of measures intended to be taken with regard to packaging presenting a risk. ***The right to be heard for the economic operator and the principle of due process should always be respected.*** It should also allow market surveillance authorities in the Member States, in cooperation with the relevant economic operators, to act at an early stage with regard to such packaging. In order to ensure uniform conditions for the implementation of this Regulation, the power to adopt implementing acts in accordance with Article 291 of the Treaty should be delegated to the Commission to determine whether national measures in respect of non-compliant products are justified or not.

Or. en

## Amendment 228

Kateřina Konečná

### Proposal for a regulation

#### Recital 127

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

(127) In case of human health concerns, the market surveillance shall not evaluate a risk to human or animal health originating from the packaging material, if transferred to the packaged content of the packaging material, but alert the authorities, competent for controlling the risks and appointed pursuant to Regulation (EU) 2017/625 of the European Parliament and

##### *Amendment*

(127) In case of human health concerns, the market surveillance shall not evaluate a risk to human or animal health originating from the packaging material, if transferred to the packaged content of the packaging material, but ***immediately*** alert the authorities, competent for controlling the risks and appointed pursuant to Regulation (EU) 2017/625 of the European Parliament

of the Council<sup>74</sup>, Regulation (EU) 2017/745, Regulation (EU) 2017/746, Directive 2001/83/EC or Regulation (EU) 2019/6.

and of the Council<sup>74</sup>, Regulation (EU) 2017/745, Regulation (EU) 2017/746, Directive 2001/83/EC or Regulation (EU) 2019/6.

---

<sup>74</sup> Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

---

<sup>74</sup> Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

Or. en

## **Amendment 229**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 135**

*Text proposed by the Commission*

(135) To enhance public trust in packaging placed on the market, in particular as regards compliance with sustainability requirements, the economic

*Amendment*

(135) To enhance public trust in packaging placed on the market, in particular as regards compliance with sustainability requirements, the economic

operators placing non-compliant packaging on the market or who do not comply with their obligations should be subject to penalties. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation.

operators placing non-compliant packaging on the market or who do not comply with their obligations should be subject to penalties. It is therefore necessary that Member States lay down effective, proportionate and dissuasive penalties in national law for failure to comply with this Regulation. ***To facilitate more consistent application of penalties, common non-exhaustive criteria should be established for determining the types and levels of penalties to be imposed in case of infringements of this Regulation. These criteria should include, inter alia, the nature and gravity of the infringement and the economic benefits derived from and the environmental damage caused by the infringement, insofar as these can be determined.***

Or. en

#### *Justification*

*Criteria should be set for Member States to consider when laying down penalties. The wording here is taken verbatim from the Commission proposal on waste shipments (recital 46).*

### **Amendment 230**

**Carlo Fidanza**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 1 – point f**

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

(f) tea or coffee bags necessary to contain a tea or coffee product and ***intended*** to be used and disposed of together with the product;

##### *Amendment*

(f) ***compostable coffee bags and system single-serve units or*** tea or coffee bags, necessary to contain a tea or coffee ***or tea*** product and ***intendent*** to be used and disposed of together with the product;

Or. en

#### *Justification*

*Freedom of material choice to ensure sustainable investments that allow space to innovate*



*and to compete while focusing on improved overall product environmental footprint. A multi material approach that considers the benefits of all available options to meet the requirements for safety, functionality, quality and circularity would-be today the best way forward. Contrary to the draft proposal, coffee system single serve unit, disposed of together with the product, should allow compostable or recyclable coffee single serve units.*

**Amendment 231**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

***(ga) 'recyclability' means the compatibility of packaging with the management and processing of waste, based on separate collection, sorting in separate streams, recycling at scale, and use of recycled materials to replace primary raw materials;***

Or. en

**Amendment 232**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***(1a) 'plastic packaging' means a packaging that is wholly or predominantly (i.e. more than 50%) made of plastic.***

Or. en

*Justification*

*This brings consistency with Annex II Table 1 on Packaging Categories and is essential to clarify the scope of application of Article 7 (Minimum recycled content in plastic packaging). These products would also most likely be collected and sorted in the plastic fraction, recycled as plastics, hence contributing to reaching the material-specific targets set in the PPWR.*

**Amendment 233**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***(1b) 'high quality recycling' means any recovery operation, as defined in Article 3, point (17), of Directive 2008/98/EC, that ensures that the distinct quality of the collected and sorted waste is preserved or recovered during that recovery operation, so that the resulting recycled materials are of sufficient quality to substitute primary raw materials with minimal loss of quantity, quality or function;***

Or. en

*Justification*

*High quality recycling should be defined in a manner that does not restrict the use of recycled materials through closed loop requirements but with regard to the quality of recycled materials and their potential to substitute primary raw materials. Closed product loop requirements (from product application to same product application) might make sense for the recycling systems of some materials but would not make sense for other materials. Restricting the use of the material and of the application would therefore represent an unnecessary barrier to quality recycling*

**Amendment 234**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 8**

*Text proposed by the Commission*

*Amendment*

(8) 'economic operator' means manufacturers, suppliers of packaging, importers, distributors, final distributors, **and** fulfilment service providers;

(8) 'economic operator' means manufacturers, suppliers of packaging, importers, distributors, final distributors, fulfilment service providers **and authorised representative**;

*Justification*

*This definition should also be brought in line with Art. 3 (13) of Regulation (EU) 2019/1020 on Market Surveillance.*

**Amendment 235****Carlo Fidanza****Proposal for a regulation****Article 3 – paragraph 1 – point 10***Text proposed by the Commission*

(10) ‘producer’ means any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, ***makes available*** packaging ***for the first time*** within a territory of a Member ***States*** on a professional basis ***under its own name or trademark***;

*Amendment*

(10) ‘producer’ means any manufacturer, ***filler***, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, ***places*** packaging within a territory of a Member ***State*** on a professional basis;

*Justification*

*The amendment adjusts the producer definition according to the latest definition of producer under the SUP Directive, which includes the filler.<sup>5</sup>In addition, the ‘placing on the market’ term needs to be aligned with the proposed definitions: placing on the market means ‘the first making available of a packaging on the Union market’, and should therefore be used across the text, in a consistent manner, with that meaning. Finally, in some specific cases, the ‘producer’ being made liable for packaging obligations may not be placing packaging items under their own name or trademark (e.g., in situations where subsidiary liability is stipulated such as when online platforms serve as producers for packaging items (i.e. packaged products) being traded by producers established outside of the EU without an authorised representative fulfilling the corresponding obligations on their behalf).*

**Amendment 236****Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini****Proposal for a regulation****Article 3 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘producer’ means any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, ***makes available*** packaging ***for the first time*** within a territory of a Member States on a professional basis ***under its own name or trademark***;

*Amendment*

(10) ‘producer’ means any manufacturer, ***filler***, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, ***places*** packaging within a territory of a Member States on a professional basis;

Or. en

*Justification*

*The amendment adjusts the producer definition according to the latest definition of producer under the SUP Directive, which includes the filler. In addition, the ‘placing on the market’ term needs to be aligned with the proposed definitions: placing on the market means ‘the first making available of a packaging on the Union market’, and should therefore be used across the text, in a consistent manner, with that meaning.*

**Amendment 237**

**Tom Vandenkendelaere**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘producer’ means any ***manufacturer, importer or distributor***, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, makes available ***packaging*** for the first time within a territory of a Member States on a professional basis under its own name or trademark;

*Amendment*

(10) ‘producer’ means any ***natural or legal person*** who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, makes available ***packaged products*** for the first time within a territory of a Member States on a professional basis under its own name or trademark;

Or. en

**Amendment 238**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 10**

*Text proposed by the Commission*

(10) ‘producer’ means any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, makes available packaging for the first time within ***a territory of a Member States*** on a professional basis under its own name or trademark;

*Amendment*

(10) ‘producer’ means any manufacturer, importer or distributor, who, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2(7) of Directive 2011/83/EU, makes available packaging for the first time within ***the Union market*** on a professional basis under its own name or trademark;

Or. en

*Justification*

*The definition should be revised and aligned with the definition of ‘placing on the market’ given in Article 3 (7).*

**Amendment 239**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Maria Grapini**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 12**

*Text proposed by the Commission*

(12) ‘importer’ means any natural or legal person established within the Union who places packaging, ***or a packaged product***, from a third country on the Union market;

*Amendment*

(12) ‘importer’ means any natural or legal person established within the Union who places packaging from a third country on the Union market;

Or. en

*Justification*

*Differentiating packaging from packaged product creates confusion as it may lead to believe that the term packaging refers to the empty packaging, which would, as a result, be inconsistent with the definition of packaging.*

**Amendment 240**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 12**

*Text proposed by the Commission*

(12) ‘importer’ means any natural or legal person established within the Union who places packaging, **or a packaged product**, from a third country on the Union market;

*Amendment*

(12) ‘importer’ means any natural or legal person established within the Union who places packaging, from a third country on the Union market;

Or. en

*Justification*

*The definition of packaging already implies the notion of packaged product as packaging performs a function (protection, handling, etc.) with respect to a product. Differentiating packaging from packaged product creates confusion as it may lead to believe that the term packaging refers to the empty packaging, which would, as a result, be inconsistent with the definition of packaging. Applying the right terminology, in a consistent manner, across the text is key to avoiding different interpretations and understanding of the obligations associated with the various economic operators. Finally, the ‘placing on the market’ term needs to be aligned with the proposed definitions: placing on the market means ‘making packaging available for the first time’, which should therefore be used across the text with that meaning.*

**Amendment 241**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Maria Grapini**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 13**

*Text proposed by the Commission*

(13) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or importer, who makes a packaging, **or a packaged product**, available on the market;

*Amendment*

(13) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or importer, who makes a packaging available on the market;

Or. en

**Amendment 242**  
**Carlo Fidanza**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 13**

*Text proposed by the Commission*

(13) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or importer, who makes a packaging, **or a packaged product**, available on the market;

*Amendment*

(13) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or importer, who makes a packaging, available on the market;

Or. en

*Justification*

*The definition of packaging already implies the notion of packaged product as packaging performs a function (protection, handling, etc.) with respect to a product. Making a differentiation between packaging and packaged product creates confusion as it may lead to believe that the term packaging refers to the empty packaging, which would, as a result, be inconsistent with the definition of packaging. Applying the right terminology, in a consistent manner, across the text is key to avoiding different interpretations and understanding of the obligations associated with the various economic operators. The ‘placing on the market’ term needs to be aligned with the proposed definitions: placing on the market means ‘the first making available of a packaging on the Union market’, and should therefore be used across the text, in a consistent manner, with that meaning.*

**Amendment 243**  
**Ivan Štefanec**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 19**

*Text proposed by the Commission*

(19) ‘composite packaging’ means a unit of packaging made of two or more different materials, excluding materials used for labels, closures and sealing, which cannot be separated manually and therefore form a single integral unit;

*Amendment*

(19) ‘composite packaging’ means a unit of packaging made of two or more different materials, excluding materials used for labels, closures and sealing **and lacquers**, which cannot be separated manually and therefore form a single integral unit;

*Justification*

*Lacquers are an intrinsic part of most food contact packaging and are designed to avoid interaction between product and packaging. Lacquers cannot be manually separated and are therefore integral to the packaging on which they are used.*

**Amendment 244****Pablo Arias Echeverría, Lara Comi****Proposal for a regulation****Article 3 – paragraph 1 – point 28***Text proposed by the Commission*

(28) ‘refill’ means an operation by which an end user fills its own container, which fulfils the packaging function, with a product or several products ***offered by the final distributor in the context of a commercial transaction***;

*Amendment*

(28) ‘refill’ means an operation, ***considered as a packaging waste prevention measure***, by which an end user fills its own container, which fulfils the packaging, ***kitchenware or tableware*** function, with a product or several products;

**Amendment 245****Karen Melchior, Morten Løkkegaard****Proposal for a regulation****Article 3 – paragraph 1 – point 37***Text proposed by the Commission*

(37) ‘innovative packaging’ means a form of packaging that is manufactured using new materials, design or production processes, resulting in a significant improvement in the functions of packaging, such as containment, protection, handling, delivery or presentation of products, and in demonstrable environmental benefits, with the exception of packaging that is the result of modification of existing packaging for

*Amendment*

(37) ‘innovative packaging’ means a form of packaging that is manufactured using new materials, ***including innovative polymers***, design or production processes, resulting in a significant improvement in the functions of packaging, such as containment, protection, handling, delivery or presentation of products, and in demonstrable environmental benefits, with the exception of packaging that is the result of modification of existing packaging for



the sole purpose of improved presentation of products and marketing;

the sole purpose of improved presentation of products and marketing. ***Innovative packaging placed on the market, that required new infrastructure to be developed, shall be recycled at scale within a maximum period of 5 years or be removed from the market unless clear pathway to recyclability at scale exists.***

Or. en

#### *Justification*

*Aligned with Ries, but there must also be room for innovative packaging to reach a mass where recycling at scale is feasible. It should be noted that development of innovative materials or packaging types and formats, requires development and implementation time longer than 5 years, both at the producer and in the recycling infrastructure. The success of innovative packaging should not be dependent on lack of implementation by Member States of new waste streams to handle new packaging materials.*

#### **Amendment 246**

**Malte Gallée, Anna Cavazzini**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 51 a (new)**

*Text proposed by the Commission*

*Amendment*

***(51a) ‘digital library system’ means a system by which an economic operator individually tracks packaging that can be borrowed by consumers for free for a given period of time;***

Or. en

#### **Amendment 247**

**Christel Schaldemose, René Repasi, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Brando Benifei, Maria Grapini**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 59**

*Text proposed by the Commission*

(59) ‘**online platform**’ means online **platform** as defined in Article 3 point (i) of Regulation (EU) 2022/2065;

*Amendment*

(59) ‘**providers of online marketplaces**’ means **providers of online marketplaces** as defined in Article 3 point 14 of Regulation (EU) **on General Product Safety xxx**

Or. en

#### **Amendment 248**

**Pablo Arias Echeverría, Lara Comi**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 60 a (new)**

*Text proposed by the Commission*

*Amendment*

**(60a) ‘packaging performing a kitchenware or tableware function’ means packaging originally intended to be used as food packaging and certified to perform kitchenware or tableware functions during its life. Such certifications should demonstrate certain design features, such as being washable and heat resistant.**

Or. es

#### **Amendment 249**

**Carlo Fidanza**

#### **Proposal for a regulation**

**Article 3 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

The definitions of ‘substance of concern’ and ‘data carrier’ **laid down in Article [2 points (28) and (30)]** of Regulation [Ecodesign for sustainable products] shall apply;

The definitions of ‘substance of **very high** concern **of the [REACH Regulation]** and ‘data carrier’ of Regulation [Ecodesign for sustainable products] **laid down in Article [2 points (28) and (30)]** shall apply;

Or. en

## *Justification*

*Substances and chemicals are already regulated under REACH and we need to avoid proliferation and overlapping legislation. Another issue for industry is the lack of tracing information from the supplier and the fact that there is no clear instruction.*

### **Amendment 250** **Christian Doleschal**

#### **Proposal for a regulation** **Article 4 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. *In case Member States choose to maintain or introduce national sustainability requirements or information requirements additional to those laid down in this Regulation, those requirements shall not conflict with those laid down in this Regulation and the Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.*** **deleted**

Or. en

### **Amendment 251** **Karen Melchior**

#### **Proposal for a regulation** **Article 4 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. *In case Member States choose to maintain or introduce national sustainability requirements or information requirements additional to those laid down in this Regulation, those requirements shall not conflict with those laid down in this Regulation and the***

**4. Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.**

Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.

Or. en

*Justification*

*The purpose of the PPWR is to enable more harmonization and avoid that Member States maintain or introduce sustainability information requirements additional to the text. The imposition of national-specific labelling requirements risk undermining the principle of free movement of goods as seen inter alia by the Commissions infringement procedure opened against France.*

**Amendment 252**

**Karen Melchior**

**Proposal for a regulation**

**Article 4 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Member States shall be entitled to adopt the necessary additional, temporary sustainability requirements to reduce per capita packaging waste in order to reach the targets set out in Article 38.***

Or. en

*Justification*

*Aligned with Ries 71, but with provision as a temporary measure to allow member states to meet targets. Special rules in Member States should be reduced to a minimum to reduce the need for special packaging to meet national rules to ease the flow of packaging waste into recycling streams as conveniently as possible for the consumer.*

**Amendment 253**

**Christian Doleschal**

**Proposal for a regulation**

**Article 4 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. In addition to the labelling requirements laid down in Article 11, Member States may provide for further labelling requirements, for the purpose of identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1).**

**deleted**

Or. en

#### **Amendment 254**

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

#### **Proposal for a regulation Article 4 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. In addition to the labelling requirements laid down in Article 11, Member States may provide for further labelling requirements, for the purpose of identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1).**

**deleted**

Or. en

#### **Amendment 255**

**Karen Melchior, Morten Løkkegaard**

#### **Proposal for a regulation Article 4 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. In addition to the labelling requirements laid down in Article 11, Member States may provide for further labelling requirements, for the purpose of

5. In addition to the labelling requirements laid down in Article 11, Member States may **only** provide for further labelling requirements, for the

identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1).

purpose of identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1) ***where they are in digital format or as a harmonized EU pictogram.***

Or. en

#### *Justification*

*Member States should not be permitted to introduce national labelling for EPR and DRS in a physical format, unless these labels are harmonized and in the form of pictograms which do not require additional translations. Where the information can be provided via digital means, this will facilitate compliance, eliminate trade barriers and avoid increased waste generation as a consequence of designing packaging specific to each Member State.*

#### **Amendment 256**

**Arba Kokalari**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 5**

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

5. In addition to the labelling requirements laid down in Article 11, Member States may provide for further labelling requirements, for the purpose of identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1).

##### *Amendment*

5. In addition to the labelling requirements laid down in Article 11, Member States may provide for further ***voluntary*** labelling requirements, for the purpose of identifying the extended producer responsibility scheme or a deposit and return system other than those referred to in Article 44(1).

Or. en

#### **Amendment 257**

**Malte Gallée, Anna Cavazzini**  
on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 4a**

***Expert Group on packaging and of packaging waste***

- 1. An Expert Group on Packaging and Packaging Waste ('the Expert Group') is hereby established.***
- 2. The purpose of the Expert Group is to support the Commission, in particular in preparing, developing and further detailing sustainability requirements, examining the effectiveness of the market surveillance mechanisms and assessing any further measure to guarantee environmental sustainability of packaging and contribute to the transition to a circular economy.***
- 3. The Expert Group shall guarantee a balanced participation of stakeholders and right-holders with adequate experience in packaging and packaging waste. Representatives from Member States and all interested parties should be equally involved, including waste treatment operators, manufacturers, suppliers, distributors, retailers, importers, SMEs, environmental protection groups and consumer organisations.***

Or. en

**Amendment 258**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 5 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Recyclability requirements established in delegated acts adopted pursuant to Article 6(5) shall not restrict

4. Recyclability requirements established in delegated acts adopted pursuant to Article 6(5) shall not ***unduly***

the presence of substances in packaging or packaging components **for reasons relating primarily to** chemical safety. They shall address, as appropriate, substances of concern that **negatively affect the re-use** and recycling of materials in the packaging in which they are present, and shall, as appropriate, identify the specific substances concerned and their associated criteria and limitations.

restrict the presence of substances in packaging or packaging components **solely based on** chemical safety **reasons. If there is an unacceptable risk to human health or the environment resulting from the use of a substance in the manufacturing of packaging or packaging components, or from a substance present in them during their life cycle stages, restrictions may be imposed.** They shall address, as appropriate, substances of concern that **have a negative impact the reuse, sorting and recycling of materials in the packaging in which they are present, and identify the specific substances concerned and the criteria and limitations associated with them, taking into consideration legacy substances and foreseeing a 5 year waiver for them,** and shall, as appropriate, identify the specific substances concerned and their associated criteria and limitations.

Or. en

#### *Justification*

*Aligned with Ries, considering that the new regulation should allow for easier recycling, but take into consideration the existing stock of feed stock giving civil society time to switch to compliant materials.*

#### **Amendment 259** **Arba Kokalari**

#### **Proposal for a regulation** **Article 5 – paragraph 4**

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

4. Recyclability requirements established **in delegated acts adopted pursuant to Article 6(5)** shall not restrict the presence of substances in packaging or packaging components for reasons relating primarily to chemical safety. They shall address, as appropriate, substances of concern that negatively affect the re-use and recycling of materials in the packaging

##### *Amendment*

4. Recyclability requirements established **by CEN - European Committee for Standardization** shall not restrict the presence of substances in packaging or packaging components for reasons relating primarily to chemical safety. They shall address, as appropriate, substances of concern that negatively affect the re-use and recycling of materials in the



in which they are present, and shall, as appropriate, identify the specific substances concerned and their associated criteria and limitations.

packaging in which they are present, and shall, as appropriate, identify the specific substances concerned and their associated criteria and limitations.

Or. en

**Amendment 260**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 5 – paragraph 5 b (new)**

*Text proposed by the Commission*

*Amendment*

***5b. In cases where the use of a substance in the manufacturing process, packaging, or packaging components poses an unacceptable risk to human health or the environment, or when a substance present in packaging or packaging components during their distribution or subsequent life cycle stages, including the waste phase, poses such a risk that requires a Union-wide approach, the procedure outlined in Article 133(4) of Regulation (EC) No. 1907/2006 shall be utilized. The procedure should enable the adoption of new restrictions or amendments to existing restrictions in accordance with Articles 68(1) and 69 to 73 of Regulation (EC) No. 1907/2006 to effectively address and mitigate the identified risks to human health and the environment, ensuring a unified and consistent approach throughout the Union.***

Or. en

*Justification*

*To facilitate adoption of restrictions on a Union wide basis to ensure harmonization.*

**Amendment 261**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 5 – paragraph 5 c (new)**

*Text proposed by the Commission*

*Amendment*

**5c. For substances manufactured for use or used in the manufacture of packaging or packaging components that could be used by consumers or professionals, or present in packaging or packaging components placed on the market that could be used by consumers or professionals, Article 68(2) or Regulation (EC) 1907/2006 applies.**

Or. en

*Justification*

*To facilitate a demand for a simplified restrictions procedure which the Commission may use in relation to substances classified as carcinogenic, mutagenic or toxic for reproduction, categories 1A and 1B on their own, in mixtures or in articles that could be used by consumers.*

**Amendment 262**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) it can be recycled so that the resulting secondary raw materials are of **sufficient** quality to substitute the primary raw materials;

(d) it can be recycled so that the resulting secondary raw materials are of **comparable** quality to substitute the primary raw materials, **in accordance with the definition of recycling set out in Article 3(17) of the Waste Framework Directive (2008/98/EC) and Article 47(3) of this Regulation**;

Or. pl

**Amendment 263**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – subparagraph 1 – point d**

*Text proposed by the Commission*

(d) it can be recycled so that the resulting secondary raw materials are of sufficient quality to substitute **the** primary raw materials;

*Amendment*

(d) it can be recycled so that the resulting secondary raw materials are of sufficient quality to substitute primary raw materials;

Or. en

**Amendment 264**  
**Karen Melchior, Morten Løkkegaard**

**Proposal for a regulation**  
**Article 6 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

**Point (a)** shall apply **from** 1 January 2030 **and** point (e) shall apply **from** 1 January 2035.

*Amendment*

**Points (a) to (e)** shall apply **5 years after the date of entry into force of the delegated act referred to in paragraph 4 and no earlier than** 1 January 2030. Point (e) shall apply **5 years after the date of entry into force of the delegated act referred to in paragraph 6 and in any case no earlier than 5 years after the application of point (a) for packing types that have achieved a separate waste collection rate of at least 90% pursuant to Article 43(1). The Commission shall, without undue delay and no later than 1 January 2030, adopt the delegated act referred to paragraph 6.**

Or. en

*Justification*

*Redesigning packaging requires time and involves important financial and human resources. Sufficient transition time should be granted between the release of EU Design for Recycling guidelines and their entry into force to enable manufacturers to do the required tests (shelf life and quality tests which are especially critical for food contact materials, performance*

tests on machines etc.). A delay in the release of the delegated acts should not lead to a reduce timeline for implementation..

#### **Amendment 265**

**Krzysztof Hetman, Adam Jarubas**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

***Point (a)*** shall apply ***from*** 1 January 2030 ***and point (e)*** shall apply ***from 1 January 2035***.

*Amendment*

***Points (a)–(d)*** shall apply ***5 years after the entry into force of the delegated act referred to in paragraph 4 and no earlier than 1 January 2030***. ***Point (e)*** shall apply ***5 years after the date of entry into force of the delegated act referred to in paragraph 6, and no earlier than 5 years after the application of point (a)***.

Or. pl

#### **Amendment 266**

**Kateřina Konečná**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

***Point (a)*** shall apply from 1 January 2030 ***and point (e)*** shall apply ***from 1 January 2035***.

*Amendment*

***Points (a) and (e)*** shall apply from 1 January 2030.

Or. en

#### **Amendment 267**

**Krzysztof Hetman, Adam Jarubas**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 3**

*Text proposed by the Commission*

3. Recyclable packaging shall, **from 1 January 2030**, comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and, **from 1 January 2035**, **also** with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

*Amendment*

3. Recyclable packaging shall, **5 years after the entry into force of the delegated act referred to in paragraph 4 and no earlier than 1 January 2030**, comply with the design for recycling criteria as laid down in the delegated acts adopted pursuant to paragraph 4 and, **5 years after the date of entry into force of the delegated act referred to in paragraph 6, and no earlier than 5 years after the application of paragraph 2, point (a)**, with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

Or. pl

**Amendment 268**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 6 – paragraph 3**

*Text proposed by the Commission*

3. Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in **the delegated acts adopted** pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the **delegated acts** adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

*Amendment*

3. Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in **as laid down in standards developed by CEN-European Committee for Standardisation** pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the **standards developed by CEN European Committee for Standardisation** adopted pursuant to paragraph 6. Where such packaging complies with those **standards** delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

**Amendment 269**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 3**

*Text proposed by the Commission*

3. Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in the *delegated acts* adopted pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the *delegated acts* adopted pursuant to paragraph 6. Where such packaging complies with *those delegated acts*, it shall be considered to comply with paragraph 2, points (a) and (e).

*Amendment*

3. Recyclable packaging shall, from 1 January 2030, comply with the design for recycling criteria as laid down in the **CEN Standards** adopted pursuant to paragraph 4 and, from 1 January 2035, also with the recyclability at scale requirements laid down in the **CEN standards** adopted pursuant to paragraph 6. Where such packaging complies with **the CEN standards**, it shall be considered to comply with paragraph 2, points (a) and (e).

Or. en

*Justification*

*Design for Recycling (DfR) criteria should be set in a structured, predictable and transparent manner through consultation with experts and stakeholders with relevant expertise. In the current proposal the DfR criteria would be established through delegated acts. Packaging design is technically complex, wherefore the European Committee for Standardization, as a recognized standardisation body with competence on recycling (inter alia CEN Std 13430) should be given the mandate to develop standards for packing-specific DfR criteria.*

**Amendment 270**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Article 6 – paragraph 3**

*Text proposed by the Commission*

3. Recyclable packaging shall, **from 1 January 2030**, comply with the design for recycling criteria as laid down in the

*Amendment*

3. **From 1 January 2030** recyclable packaging shall, comply with the design for recycling criteria as laid down in the

delegated acts adopted pursuant to paragraph 4 and, **from 1 January 2035**, also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

delegated acts adopted pursuant to paragraph 4 and also with the recyclability at scale requirements laid down in the delegated acts adopted pursuant to paragraph 6. Where such packaging complies with those delegated acts, it shall be considered to comply with paragraph 2, points (a) and (e).

Or. en

## **Amendment 271**

**Krzysztof Hetman, Adam Jarubas**

### **Proposal for a regulation**

#### **Article 6 – paragraph 4 – subparagraph 1**

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

The Commission **is empowered to** adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

##### *Amendment*

The Commission **shall, within 12 months of the entry into force of this Regulation, adopt in consultation with the Packaging Forum established by Article 12(a),** delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall **be based on existing guidelines and design for recycling standards, shall** consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

***If the adoption of the above criteria is delayed, the presumption of compliance***

*with the requirements set out in paragraph 1 of this Article in accordance with industry guidelines and design for recycling standards shall apply to all packaging placed on the market in the Union from 1 January 2030 until such criteria are adopted by the Commission.*

Or. pl

**Amendment 272**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission *is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.*

*Amendment*

The Commission *shall request the CEN-European Committee for Standardisation, to develop harmonised standards to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex at latest by 1 July 2026.*

Or. en

**Amendment 273**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**



*Text proposed by the Commission*

The Commission ***is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to*** establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, ***as well as*** rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

*Amendment*

The Commission ***shall request the CEN-European Committee for Standardisation, to develop harmonised standards*** establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex.

***The Commission is empowered to adopt delegated acts in accordance with Article 58 to lay down the*** rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components. ***The Commission is empowered to adopt delegated acts in accordance with Article 58 to amend Table 1 of Annex in order to adapt it to scientific and technical development in material and product design, collection, sorting and recycling infrastructure***

Or. en

**Amendment 274**  
**Edina Tóth**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission *is empowered to* adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

*Amendment*

***By 1 January 2026***, the Commission ***shall*** adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components, ***and shall take into account work initiated by the Circular Plastics Alliance and currently being elaborated by CEN Working group 10 at CEN TC 261.***

Or. en

*Justification*

*Economic actors need to anticipate the requirements for recyclability of packaging, so that they can adapt their practices accordingly, therefore dates must be set by which the Commission must publish the relevant delegated acts. Work of the Circular Plastics Alliance must be taken into account to avoid duplicating efforts.*

**Amendment 275**  
**Brando Benifei**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

*Amendment*

The Commission is empowered to adopt delegated acts, ***in close cooperation with relevant stakeholders***, in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

Or. en

**Amendment 276**

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

**Proposal for a regulation**

**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling

*Amendment*

***By 1 January 2026***, the Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based

performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

Or. en

**Amendment 277**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

*Amendment*

The Commission is empowered to adopt delegated acts **by 1 January 2028** in accordance with Article 58 to supplement this Regulation in order to establish design for recycling criteria and recycling performance grades based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

Or. en

**Amendment 278**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

The Commission *is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish* design for recycling criteria *and* recycling performance grades *based on the criteria and parameters listed in Table 2 of Annex II* for packaging *categories* listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

*Amendment*

The Commission *shall mandate the European Committee for Standardization to develop by 31 December 2027* Design for Recycling criteria *to determine the* recycling performance grades for packaging *formats falling under the packaging types* listed in Table 1 of that Annex, as well as rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, *the risk of persistent microplastic emissions*, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.

Or. en

*Justification*

*Design for Recycling (DfR) criteria should be set in a structured, predictable and transparent manner through consultation with experts and stakeholders with relevant expertise. In the current proposal the DfR criteria would be established through delegated acts. Packaging design is technically complex, wherefore the European Committee for Standardization, as a recognized standardisation body with competence on recycling (inter alia CEN Std 13430) should be given the mandate to develop standards for packing-specific DfR criteria.*

**Amendment 279**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The Commission shall adopt delegated*

*acts in accordance with Article 58 by 1 July 2026 to supplement rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations set out in Article 40(1), based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, sorting and recycling processes and shall cover all packaging components.*

Or. en

**Amendment 280**  
**Brando Benifei**

**Proposal for a regulation**  
**Article 6 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

The Commission is empowered to adopt delegated acts in accordance with Article 58 to amend Table 1 of Annex in order to adapt it to scientific and technical development in material and product design, collection, sorting and recycling infrastructure.

*Amendment*

The Commission is empowered to adopt delegated acts, *in close cooperation with relevant stakeholders*, in accordance with Article 58 to amend Table 1 of Annex in order to adapt it to scientific and technical development in material and product design, collection, sorting and recycling infrastructure.

Or. en

**Amendment 281**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Article 6 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*From 1 January 2030*, packaging shall not be considered recyclable if it corresponds

*Amendment*

*5 years from the date of adoption of a delegated act laying down design for*

to performance grade E under the design for recycling criteria established in the delegated act adopted pursuant to paragraph 4 for the packaging category, to which the packaging belongs.

***recycling criteria pursuant to paragraph 4***, packaging shall not be considered recyclable if it corresponds to performance grade E under the design for recycling criteria established in the delegated act adopted pursuant to paragraph 4 for the packaging category, to which the packaging belongs.

Or. pl

## **Amendment 282**

**Arba Kokalari**

### **Proposal for a regulation**

#### **Article 6 – paragraph 5 – subparagraph 1**

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

From 1 January 2030, packaging shall not be considered recyclable if it corresponds to performance grade E under the design for recycling criteria established in the ***delegated act adopted*** pursuant to paragraph 4 for the packaging category, to which the packaging belongs.

##### *Amendment*

From 1 January 2030, packaging shall not be considered recyclable if it corresponds to performance grade E under the design for recycling criteria established in the ***standards developed by the CEN-European Committee for Standardisation*** pursuant to paragraph 4 for the packaging category, to which the packaging belongs.

Or. en

## **Amendment 283**

**Karen Melchior**

### **Proposal for a regulation**

#### **Article 6 – paragraph 5 – subparagraph 1**

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

From 1 January 2030, packaging shall not be considered recyclable if it corresponds to performance grade E under the design for recycling criteria established ***in the delegated act adopted*** pursuant to paragraph 4 for the packaging category, to

##### *Amendment*

From 1 January 2030, packaging shall not be considered recyclable if it corresponds to performance grade E under the design for recycling criteria established ***standard developed by the European Committee for Standardization (CEN)*** pursuant to paragraph 4 for the packaging category, to

which the packaging belongs.

which the packaging belongs.

Or. en

*Justification*

*Aims to align article with proposed amendments for previous Article 6(3) and 6(4).*

**Amendment 284**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – introductory part**

*Text proposed by the Commission*

6. The Commission shall, for *each* packaging *type* listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

*Amendment*

6. ***No later than 24 months from the entry into force of the Regulation***, the Commission shall, for ***the*** packaging ***formats belonging to the packaging types*** listed in Table 1 of Annex II, ***for which Design for Recycling criteria have been adopted***, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

Or. en

*Justification*

*Required Commission to provide clarity to the market as soon as possible. Required change to align with changes proposed in Article 6(3) and 6(4). Establishes criteria for specific formats, which are necessary as generic DfRs fail to recognise specific recyclability performance of specific packaging formats inter alia composite beverage cartons vs. fibre based linings.*

**Amendment 285**  
**Edina Tóth**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – introductory part**



*Text proposed by the Commission*

*Amendment*

6. The Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

6. **By 1 January 2028**, the Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

Or. en

*Justification*

*Economic actors need to anticipate the requirements for recyclability of packaging, so that they can adapt their practices accordingly, therefore dates must be set by which the Commission must publish the relevant delegated acts.*

**Amendment 286**  
**Kateřina Konečná**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – introductory part**

*Text proposed by the Commission*

*Amendment*

6. The Commission shall, **for each packaging type listed in Table 1 of Annex II**, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

6. **By 1 January 2028**, the Commission shall establish the methodology to assess if packaging is recyclable at scale **for each packaging type listed in Table 1 of Annex II**. That methodology shall be based at least on the following elements:

Or. en

*Justification*

*As in the European Green Deal and its Circular Economy Action is stated that all packaging needs to be reusable or recyclable in an economically viable way by 2030, the Delegated Acts clarifying the methodology to assess the recyclability of packaging should be established prior to 2030.*

**Amendment 287**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – introductory part**

*Text proposed by the Commission*

6. The Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

*Amendment*

6. **By January 2030**, the Commission shall, for each packaging type listed in Table 1 of Annex II, establish the methodology to assess if packaging is recyclable at scale. That methodology shall be based at least on the following elements:

Or. en

**Amendment 288**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – point b**

*Text proposed by the Commission*

(b) amounts of separately collected packaging waste, per packaging **material** listed in Table 1 of Annex II, in the Union as whole and in each Member State;

*Amendment*

(b) amounts of separately collected packaging waste, per packaging **format belonging to the packaging types** listed in Table 1 of Annex II, in the Union as whole and in each Member State;

Or. en

*Justification*

*For consistency collection and recycling data should be provided at the same level of granularity id est by packing type.*

**Amendment 289**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 6 – point c**

*Text proposed by the Commission*

(c) recycling rates of packaging waste

*Amendment*

(c) recycling rates of packaging waste

per packaging **type** listed in Table 1 of Annex II, in the Union as a whole and in each Member State or, when such data on recycling rates for packaging waste per packaging **type** cannot be made available, assumptions made based on average loss rates as referred to in Article 47(3);

per packaging **format belonging to the types** listed in Table 1 of Annex II, in the Union as a whole and in each Member State or, when such data on recycling rates for packaging waste per packaging **format** cannot be made available, assumptions made based on average loss rates as referred to in Article 47(3);

Or. en

#### *Justification*

*Required change to align with changes proposed in Article 6(3) and 6(4). Establishes criteria for specific formats, which are necessary as generic DfRs fail to recognise specific recyclability performance of specific packaging formats inter alia composite beverage cartons vs. fibre based linings.*

#### **Amendment 290**

**Pablo Arias Echeverría, Lara Comi**

#### **Proposal for a regulation**

**Article 6 – paragraph 6 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) Specific provisions shall be approved for inert packaging placed on the market in very small quantities (i.e. around 0.1 % by weight) in the Union.***

Or. es

#### **Amendment 291**

**Karen Melchior**

#### **Proposal for a regulation**

**Article 6 – paragraph 6 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) exemption from the recyclability at scale for the sustainable natural polymer packaging which has achieved recyclability at scale at least in one***

***Member States and can demonstrate a viable pathway to recyclability at scale at the EU level.***

Or. en

*Justification*

*Packaging made using sustainable natural polymers, such as PHA and other innovative polymers, are a necessary alternative for plastic packaging to ensure the sustainability of the EU's circular economy. Most sustainable and novel polymers will also have the most challenging position to grow into market share to incentivise their recycling. Due to their inherently different feedstocks and environmental impacts, the PPWR should, where necessary, regulate them separately from conventional plastics.*

**Amendment 292**

**Karen Melchior**

**Proposal for a regulation**

**Article 6 – paragraph 6 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***The data mentioned in points (a) to (d) shall be available and easily accessible by economic operators.***

Or. en

*Justification*

*Economic operators placing packaging on the EU market by 20235 should have easy access to the data mentioned in this article to be able to access if packaging is compliant with recycling at scale criteria.*

**Amendment 293**

**Karen Melchior**

**Proposal for a regulation**

**Article 6 – paragraph 7 – point b**

*Text proposed by the Commission*

*Amendment*

(b) detailed design for recycling criteria for each packaging material and

(b) ***establish*** detailed design for recycling criteria for each packaging

category listed in Table 1 of Annex II;

*format belonging to the packing* material  
and category listed in Table 1 of Annex II;

Or. en

*Justification*

*Aligned with Ries as possible, but this change required change to align with our proposed changes in Article 6(3) and 6(4).*

**Amendment 294**

**Karen Melchior**

**Proposal for a regulation**

**Article 6 – paragraph 7 – point e**

*Text proposed by the Commission*

(e) the manner in which to assess the recyclability at scale for each packaging category listed in Table 1 of Annex II in order to establish, as of **2035**, updated recyclability performance grades.

*Amendment*

(e) the manner in which to assess the recyclability at scale for each packaging category listed in Table 1 of Annex II in order to establish, as of **2030**, updated recyclability performance grades.

Or. en

*Justification*

*In reference to the European Green Deal and its Circular Economy Action Plan, and Commission's ambition to require that all packaging placed on the EU market shall be recyclable or reusable in an economically viable way by 2030.*

**Amendment 295**

**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**

**Article 6 – paragraph 10 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

*(ca) packaging for infant formula and follow-on formula, processed cereal-based food for children and baby food, and food for special medical purposes as defined in Article 1, point (a), (b) and (c) of*

**Amendment 296**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 6 – paragraph 11**

*Text proposed by the Commission*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).

*Amendment*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).

***The funds generated from these financial contributions shall be specifically allocated to cover the net expenses associated with the collection and sorting infrastructures relevant to the specific type of packaging for which the contribution is made following the types set in Annex II, Table 1.***

Or. en

*Justification*

*Members of EPR schemes are committed to fund collection, sorting and recycling through payment of fees. It is important that financial contributions are used to fund infrastructure for the paid for packing types if we want business to remain a committed and engaged partner.*

**Amendment 297**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Article 6 – paragraph 11**

*Text proposed by the Commission*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).

*Amendment*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6). ***The financial contributions are intended to finance the net costs of the collection, sorting and recycling infrastructure for the types of packaging for which they are paid, according to the categories set out in Table 1 of Annex II.***

Or. pl

**Amendment 298**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 6 – paragraph 11**

*Text proposed by the Commission*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts referred to in paragraphs 4 and 6 of this Article ***and, as regards plastic packaging, also in accordance with the Article 7(6).***

*Amendment*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the delegated acts ***and CEN Standards*** referred to in paragraphs 4 and 6 of this Article.

Or. en

**Amendment 299**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 6 – paragraph 11**

*Text proposed by the Commission*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the **delegated acts** referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).

*Amendment*

11. The financial contributions to be paid by producers to comply with their extended producer responsibility obligations as referred to in Article 40 shall be modulated on the basis of the recyclability performance grade, as determined in accordance with the **CEN standards** referred to in paragraphs 4 and 6 of this Article and, as regards plastic packaging, also in accordance with the Article 7(6).

Or. en

**Amendment 300**  
**Karen Melchior, Morten Løkkegaard**

**Proposal for a regulation**  
**Article 7 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. **From 1 January 2030, the plastic part in packaging** shall **contain** the following minimum percentage of recycled content recovered from post-consumer plastic waste, **per unit** of packaging:

*Amendment*

1. **5 years after the adoption of the implementing act laying down the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste pursuant to Article 7(7), economic operators** shall **ensure** the following minimum percentage of recycled content recovered from post-consumer plastic waste **or biobased content as an average of the overall portfolio of plastic packaging of the economic operator, placed on the Union market, per format** of packaging:

Or. en



## *Justification*

*Makes the provision applicable to plastic parts in any packaging, inter alia composite packaging where plastics part account for a small percentage of materials, without inhibiting recycling. The target on each packaging unit considerable reduces flexibility of companies to integrate recycled content for best effect pending logistic consideration. A portfolio based target should entail the same environmental benefits.*

### **Amendment 301**

**Krzysztof Hetman, Adam Jarubas**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – introductory part**

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

1. ***From 1 January 2030, plastic part in packaging shall contain*** the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***per unit of packaging***:

##### *Amendment*

1. ***5 years after the adoption of the implementing acts laying down the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, as referred to in Article 7, economic operators shall ensure*** the following minimum percentage of recycled content recovered from post-consumer plastic waste ***as an average of the economic operator's overall portfolio of plastic packaging placed on the Union market that falls under the scope of these requirements***:

Or. pl

### **Amendment 302**

**Arba Kokalari**

#### **Proposal for a regulation**

#### **Article 7 – paragraph 1 – introductory part**

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

1. From 1 January 2030, ***the plastic part in*** packaging shall contain the following minimum percentage of recycled content recovered from post-consumer

##### *Amendment*

1. From 1 January 2030, plastic packaging ***placed on the market for the first time by an economic operator within the territory of a Member State*** shall

plastic waste, *per unit of packaging*:

contain *on average* the following minimum percentage of recycled content recovered from post-consumer plastic waste *or biobased content*,

Or. en

### Amendment 303

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

#### Proposal for a regulation

##### Article 7 – paragraph 1 – introductory part

*Text proposed by the Commission*

1. From 1 January 2030, *the* plastic *part in* packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, *per unit of packaging*:

*Amendment*

1. From 1 January 2030, plastic packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste:

Or. en

### Amendment 304

**Krzysztof Hetman, Adam Jarubas**

#### Proposal for a regulation

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

*Text proposed by the Commission*

(d) 35 % for packaging other than those referred to in points (a), (b) and (c).

*Amendment*

(d) 35 % for *plastic* packaging other than those referred to in points (a), (b) and (c).

Or. pl

### Amendment 305

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

#### Proposal for a regulation

##### Article 7 – paragraph 1 – subparagraph 1 (new)

*Text proposed by the Commission*

*Amendment*

***Targets shall be calculated as an average of the plastic packaging placed by a producer on the Union market.***

Or. en

## **Amendment 306**

**Krzysztof Hetman, Adam Jarubas**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. From 1 January 2040, ***the plastic part in packaging shall contain*** the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***per unit of packaging***:

2. From 1 January 2040, ***economic operators shall ensure*** the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***as an average of the economic operator’s overall portfolio of plastic packaging placed on the Union market that falls under the scope of these requirements***:

Or. pl

## **Amendment 307**

**Arba Kokalari**

### **Proposal for a regulation**

#### **Article 7 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. From 1 January 2040, ***the plastic part in packaging shall contain*** the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***per unit of packaging***:

2. From 1 January 2040, plastic packaging ***placed on the market for the first time by an economic operator within the territory of a Member State*** shall contain ***on average*** the following minimum percentage of recycled content recovered from post-consumer plastic waste ***or biobased content***,

**Amendment 308**

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

**Proposal for a regulation**

**Article 7 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. From 1 January 2040, **the plastic part in** packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, **per unit of packaging**:

*Amendment*

2. From 1 January 2040, plastic packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste:

Or. en

**Amendment 309**

**Marco Campomenosi, Alessandra Basso, Antonio Maria Rinaldi, Isabella Tovaglieri**

**Proposal for a regulation**

**Article 7 – paragraph 2 – subparagraph 1 (new)**

*Text proposed by the Commission*

*Amendment*

***Targets shall be calculated as an average of the plastic packaging placed by a producer on the Union market.***

Or. en

**Amendment 310**

**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**

**Article 7 – paragraph 3 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) packaging for infant formula and follow-on formula, processed cereal-based food for children and baby food, and food***

*for special medical purposes as defined in Article 1, point (a), (b) and (c) of Regulation (EU) No 609/2013;*

Or. pl

**Amendment 311**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Article 7 – paragraph 3 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

*(db) reusable and refillable packaging placed on the EU market before the adoption of the Regulation.*

Or. pl

**Amendment 312**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 7 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Paragraphs 1 and 2 shall not apply to compostable plastic packaging.

4. Paragraphs 1 and 2 shall not apply to compostable plastic packaging, ***also compostable inks, adhesives, varnishes and coatings used on packaging.***

Or. en

**Amendment 313**  
**Arba Kokalari**

**Proposal for a regulation**  
**Article 7 – paragraph 6**

*Text proposed by the Commission*

6. By 1 January 2030, the financial contributions paid by producers to comply with their extended producer responsibility obligations as laid down in Article 40 shall be modulated based on the percentage of recycled content used in the packaging.

*Amendment*

6. By 1 January 2030, the financial contributions paid by producers to comply with their extended producer responsibility obligations as laid down in Article 40 shall be modulated based on the percentage of recycled **or biobased** content used in the packaging.

Or. en

**Amendment 314**

**Edina Tóth**

**Proposal for a regulation**

**Article 7 – paragraph 7**

*Text proposed by the Commission*

7. By 31 December **2026**, the Commission is empowered to adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

*Amendment*

7. By 31 December **2025**, the Commission is empowered to adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3). ***The methodology shall especially consider the restrictions and certification requirements needed for reporting on recycled content using physical segregation, controlled blending and mass balance chain of custody approaches in line with ISO 22095:2020.***

Or. en

*Justification*

*One of the main barriers to scale-up chemical recycling technologies is uncertainty about the method for calculating the recycled content of plastics. For boosting the circular economy it*

*is important to have a supporting legal framework – including a robust and transparent mass balance chain of custody system, creating a level playing field for all technologies – clarified as soon as possible (by 2025 the latest).*

## **Amendment 315**

**Karen Melchior**

### **Proposal for a regulation**

#### **Article 7 – paragraph 7**

*Text proposed by the Commission*

7. **By 31 December 2026**, the Commission **is empowered to** adopt **implementing acts** establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, per **unit** of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those **implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).**

*Amendment*

7. **12 months after the entry into force of this Regulation**, the Commission **shall** adopt **delegated acts in accordance with Article 58 in order to supplement this Regulation by** establishing the methodology for the calculation and verification of the percentage of recycled **and bio-based** content recovered from post-consumer plastic waste, per **format** of plastic packaging, and the format for the technical documentation referred to in Annex VII. Those **delegated acts shall take into account the environmental impact of the recycling process;**

Or. en

*Justification*

*Aligned with Ries AM111.*

## **Amendment 316**

**Krzysztof Hetman, Adam Jarubas**

### **Proposal for a regulation**

#### **Article 7 – paragraph 7**

*Text proposed by the Commission*

7. **By 31 December 2026**, the Commission **is empowered to** adopt implementing acts establishing the methodology for the calculation and

*Amendment*

7. **Within 12 months from the date of entry into force of this Regulation**, the Commission **shall** adopt implementing acts establishing the methodology for the

verification of the percentage of recycled content recovered from post-consumer plastic waste, *per unit of plastic packaging*, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

Or. pl

### **Amendment 317**

**Arba Kokalari**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 7**

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

7. By 31 December 2026, the Commission is empowered to adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, *per unit of plastic packaging*, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

###### *Amendment*

7. By 31 December 2026, the Commission is empowered to adopt implementing acts establishing the methodology for the calculation and verification of the percentage of recycled content recovered from post-consumer plastic waste, and the format for the technical documentation referred to in Annex VII. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

Or. en

### **Amendment 318**

**Karen Melchior**

#### **Proposal for a regulation**

##### **Article 7 – paragraph 8**

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

8. As of 1 January 2029, the calculation and verification of the percentage of recycled content contained in

###### *Amendment*

8. As of 1 January 2029, the calculation and verification of the percentage of recycled *and/or biobased*



packaging under paragraph 1 shall comply with the rules laid down in the implementing act referred to in paragraph 7.

content contained in *plastic* packaging under paragraph 1 shall comply with the rules laid down in the implementing act referred to in paragraph 7.

Or. en

## **Amendment 319**

**Karen Melchior, Morten Løkkegaard**

### **Proposal for a regulation**

#### **Article 7 – paragraph 9 – subparagraph 1**

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

By 1 January 2028, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points b and d, for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.

##### *Amendment*

By 1 January 2028, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points *a*, b and d, **and in paragraphs 2, points a, b and c for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.**

***The assessment shall be based on market availability and prices of recycled plastics on an annual basis from the year of entry into force of this regulation, considering Eurostat data for the EU-27 achieved plastic packaging recycling levels. Such an assessment shall also be based on the update of new recycling technologies and their impact on available market volumes.***

***By 1 January 2038, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 2, point a, for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.***

Or. en

##### *Justification*

*To ensure food and product safety, as well as protecting especially SMEs from excessive*

*prices a robust backstop mechanism is fundamental.*

**Amendment 320**

**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**

**Article 7 – paragraph 9 – subparagraph 1**

*Text proposed by the Commission*

By **1 January 2028**, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points b and d, for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.

*Amendment*

By **31 December 2025**, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points a, b and d, **and in paragraph 2, points a, b and c**, for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging. ***The assessment shall be based on the availability on the market and the prices of recycled plastics on an annual basis from the year of entry into force of this Regulation, taking into account Eurostat data on the recycling rates for plastic packaging achieved in the 27 EU Member States.***

***This assessment shall also be based on the new recycling technologies applied and their impact on the quantities available on the market. Based on this assessment, the Commission shall be empowered to adopt, by 31 December 2026 at the latest, delegated acts in accordance with Article 58 to amend the Regulation in order to:***

Or. pl

**Amendment 321**

**Geoffroy Didier**

**Proposal for a regulation**

**Article 7 – paragraph 9 – subparagraph 1**

*Text proposed by the Commission*

By 1 January 2028, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points b and d, for specific plastic packaging, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.

*Amendment*

By 1 January 2028, the Commission shall assess the need for derogations from the minimum percentage laid down in paragraph 1, points b and d, for specific plastic **types of** packaging **in accordance with Annex II, Table 1**, or for the revision of the derogation established under paragraph 3 for specific plastic packaging.

Or. en

**Amendment 322**

**Karen Melchior, Morten Løkkegaard**

**Proposal for a regulation**

**Article 7 – paragraph 9 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

Based on **this assessment**, the Commission is empowered to adopt delegated acts in accordance with Article 58 to amend this Regulation in order to:

*Amendment*

Based on **these assessments**, the Commission is empowered to adopt delegated acts in accordance with Article 58 to amend this Regulation in order to:

Or. en

**Amendment 323**

**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**

**Article 7 – paragraph 9 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) provide for derogations from the scope, timing or level of minimum percentage laid down in paragraph 1, points b and d, for specific plastic packaging, and, as appropriate,

*Amendment*

(a) provide for derogations from the scope, timing or level of minimum percentage laid down in paragraph 1, points **a**, b and d, **and in paragraph 2, points a, b and c**, for specific plastic packaging, and, as appropriate,

Or. pl

**Amendment 324**  
**Christian Doleschal**

**Proposal for a regulation**  
**Article 7 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**10. Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse effects on human or animal health, security of food supply or the environment, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, the Commission shall be empowered to adopt a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment.**

**deleted**

Or. en

**Amendment 325**  
**Geoffroy Didier**

**Proposal for a regulation**  
**Article 7 – paragraph 10**

*Text proposed by the Commission*

*Amendment*

**10. Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse**

**10. Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse**

effects on human or animal health, security of food supply or the environment, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, the Commission shall be empowered to adopt a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment.

effects on human or animal health, security of food supply or the environment, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, the Commission shall be empowered to adopt a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment. ***In application of this derogation, the packaging shall be accompanied by technical documentation, as referred to in Annex VII, demonstrating the data on the minimum quality requirements of the recycled material used in that packaging and the market situation for that for that recycled material from post-consumer waste. The Commission shall adopt a delegated act laying down the conditions, duration and evidence required for this derogation and the format of the technical documentation referred to in Annex VII.***

Or. en

**Amendment 326**  
**Krzysztof Hetman, Adam Jarubas**

**Proposal for a regulation**  
**Article 7 – paragraph 10**

*Text proposed by the Commission*

10. Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse effects on human or animal health, security

*Amendment*

10. Where justified by the lack of availability or excessive prices of specific recycled plastics that may have adverse effects on human or animal health, security

of food supply or the environment, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, the Commission ***shall be empowered to adopt*** a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment.

of food supply or the environment, ***or by the lack of legally validated recycling methods or the availability of infrastructure for separate collection and sorting***, making compliance with the minimum percentages of recycled content set out in paragraphs 1 and 2 excessively difficult, ***the targets set out in paragraphs 1 and 2 of this Article shall be suspended until*** the Commission ***adopts, as a matter of urgency***, a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly. In evaluating the justification of such adjustment, the Commission shall assess requests from natural or legal persons to be accompanied by relevant information and data on the market situation for this post-consumer plastic waste and best available evidence regarding the related risks to human or animal health, to the security of food supply or to the environment.

Or. pl

**Amendment 327**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 8 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. Prior to the implementation of the directive, the Commission is responsible for updating the harmonized standards for degradation in industrial composting and anaerobic digestion, EM 13432 and EN 14995. The update aims to incorporate the latest scientific understanding and approaches in the field of industrial compostation and to ensure that the updated standards include requirements for conducting separate tests and meeting specific criteria for the biodegradation of all organic constituents***

***present in compostable materials, specifically those with a concentration ranging from 1% to 15%. The updated standards must introduce nitrification inhibition and earthworm toxicity tests to validate the biodegradation performance of composite packaging materials within the compostation waste stream.***

Or. en

*Justification*

*The Commission needs to make sure the standards used to measure the efficiency and influence on the compostation waste stream in order to ensure, that these match existing knowledge, and that standards for recyclability are set in accordance with best modern practices.*

**Amendment 328  
Christian Doleschal**

**Proposal for a regulation  
Article 8 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

***5. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend paragraphs 1 and 2 of this Article by adding other types of packaging to the types of packaging covered by those paragraphs when it is justified and appropriate due to technological and regulatory developments impacting the disposal of compostable packaging and under the conditions set out in Annex III.***

***deleted***

Or. en

**Amendment 329  
Brando Benifei**

**Proposal for a regulation  
Article 9 – paragraph 1**

*Text proposed by the Commission*

1. Packaging shall be designed so that its weight and volume is reduced to the minimum necessary for ensuring its **functionality** taking account of the material that the packaging is made of.

*Amendment*

1. Packaging shall be designed so that its weight and volume is reduced to the minimum necessary for ensuring its **functions, as laid down in Article 3 paragraph 1**, taking account of the material that the packaging is made of.

Or. en

**Amendment 330**  
**Karen Melchior**

**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the packaging design is **subject to** geographical indications of origin protected under Union legislation.

*Amendment*

2. **As of 1 January 2030**, packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the packaging design is **registered under intellectual property rights or the product benefits from the Union's geographical indications of origin protection or have been given IPR Intensive Industries: distinctive product recognition by the Union (including third country geographical indication products), in each case** protected under Union legislation.

Or. en

*Justification*

*Packaging design is an integral aspect of product design and presentation. Differentiated volume and shape of the packaging are often inherent to the product brand identity and equity, reflect know-how, or tradition and cultural heritage (e.g., advent calendars), that can highlight brand equity, product type and/or geography, and supports premiumisation and*



*brand elevation. As such they are often protected under registered intellectual property in the EU – including, registered trademarks, registered designs and protected Geographical Indications.*

#### **Amendment 331**

**Stéphanie Yon-Courtin**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the **packaging design** is subject to geographical indications of origin protected under Union legislation.

*Amendment*

2. Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the **product** is subject to **registered intellectual property rights, including** geographical indications of origin protected under Union legislation.

Or. en

#### **Amendment 332**

**Brando Benifei**

#### **Proposal for a regulation**

#### **Article 9 – paragraph 2**

*Text proposed by the Commission*

2. Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the packaging design is subject to geographical indications of origin protected under Union

*Amendment*

2. Packaging not necessary to comply with any of the performance criteria set out in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers, shall not be placed on the market, unless the packaging design is subject to geographical indications of origin **and/or intellectual**

legislation.

*property rights* protected under Union  
legislation.

Or. en