



2015/0276(COD)

23.5.2016

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DRAFT REPORT

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

Committee on the Environment, Public Health and Food Safety

Rapporteur: Simona Bonafè

Symbols for procedures

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

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

Amendments to a draft act

Amendments by Parliament set out in two columns

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

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

Amendments by Parliament in the form of a consolidated text

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

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

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

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

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0596),
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0385/2015),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 27 April 2016¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A8-0000/2016),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

The aims of better waste management at European level should include not only protecting the environment and human health and improving the use of resources but also increasing energy efficiency and reducing the Union's resource dependence, thus tackling problems associated with the supply of resources.

Amendment 2

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) The targets laid down in Directive 94/62/EC of the European Parliament and of the Council¹³ for the recovery and recycling of packaging and packaging waste should be amended by increasing the preparing for re-use and recycling of packaging waste in order to better reflect the Union's ambition to move towards a circular economy.

Amendment

(2) The targets laid down in Directive 94/62/EC of the European Parliament and of the Council¹³ for the recovery and recycling of packaging and packaging waste should be **ambitious and should therefore be** amended by increasing the preparing for re-use and recycling of packaging waste in order to better reflect the Union's ambition to move towards a circular economy. **Separate quantitative targets for re-use are needed to ensure access to re-usable products and create job opportunities.**

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

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

Or. xm

Justification

Packaging waste targets should be more ambitious, in order to increase preparation for re-use and recycling of such waste. Separate quantitative targets are needed for re-use, in order to ensure full access to re-usable products and create new job opportunities.

Amendment 3

Proposal for a directive

Recital 3

Text proposed by the Commission

(3) Furthermore, in order to ensure greater coherence in waste legislation, the definitions in Directive 94/62/EC should be aligned to those of Directive 2008/98/EC of the European Parliament and of the Council¹⁴ applicable to waste in general.

Amendment

(3) Furthermore, in order to ensure greater coherence in waste legislation, ***without prejudice to packaging specificity***, the definitions in Directive 94/62/EC should be aligned, ***where relevant***, to those of Directive 2008/98/EC of the European Parliament and of the Council¹⁴ applicable to waste in general.

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

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

Or. xm

Justification

Without prejudice to the specificity of packaging materials, it is important to ensure consistency among the various European rules on waste and to ensure that the definitions in this Directive are aligned with those laid down by the general Directive on waste.

Amendment 4

Proposal for a directive

Recital 4

Text proposed by the Commission

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

Amendment

(4) Clear environmental, economic and social benefits would be derived from further increasing the targets laid down in Directive 94/62/EC for preparation for re-use and recycling of packaging waste. ***For these reasons the targets for preparation for re-use and recycling of packaging waste should be increased to at least 70% by 2025 and to at least 80% by 2030.***

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 5

Proposal for a directive

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Waste prevention is the most efficient way to improve resource efficiency, to reduce the environmental impact of waste and to promote recycling materials of high quality. For those reasons, Member States should achieve a significant and sustained reduction in the use of single-use packaging and of excess packaging items and phase out non-recyclable packaging when that packaging is not re-usable. Member States should be able to include market restrictions of superfluous packaging, single-serving packaging and excess

packaging.

Or. xm

Justification

As waste prevention is the most effective way to improve resource efficiency, to reduce the environmental impact of waste and to ensure that recycled materials are of high quality, Member States should achieve a significant reduction in packaging and phase out non-recyclable packaging. Member States may also include market restrictions on superfluous packaging, single-use packaging or excess packaging.

Amendment 6

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

Text proposed by the Commission

Amendment

(4b) Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of financial and fiscal incentives aimed at achieving the packaging waste prevention and recycling objectives of this Directive, such as landfill and incineration charges, pay-as-you-throw schemes, extended producer responsibility schemes and incentives for local authorities. Those measures should be part of the packaging waste prevention programmes in all Member States.

Or. xm

Justification

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

Amendment 7

Proposal for a directive

Recital 4 c (new)

Text proposed by the Commission

Amendment

(4c) Increased re-use of packaging could bring a reduction of the overall costs along the supply chain and reduce the environmental impact of packaging waste. Therefore, it is necessary that Member States provide financial and fiscal incentives for producers which put reusable packaging on the market.

Or. xm

Justification

Providing incentives for the re-use of packaging waste would make it possible to reduce the overall costs throughout the supply chain, as well as the environmental impact of such waste. It is therefore important that Member States should provide appropriate incentives for producers which put reusable packaging on the market.

Amendment 8

Proposal for a directive

Recital 4 d (new)

Text proposed by the Commission

Amendment

(4d) Fostering a sustainable bio-economy can contribute to decreasing Europe's dependence on imported raw materials. Improving market conditions for bio-based packaging and reviewing existing legislation hampering the use of those materials offers the opportunity to substitute fossil fuel-based feedstocks with renewable sources for the production of packaging.

Or. xm

Justification

The bio-economy is a vital source of raw materials in Europe, and it is therefore essential to improve market conditions for bio-based packaging.

Amendment 9

Proposal for a directive

Recital 5

Text proposed by the Commission

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

¹⁵ COM(2013) 442.

Amendment

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

¹⁵ COM(2013) 442.

Or. xm

Justification

Increasing targets for preparation for re-use and recycling of packaging waste should ensure that new materials with high economic value are re-used and recycled effectively, provided that they are not dangerous to human health and, in the case of materials which come into contact with food, that they do not compromise food safety.

Amendment 10

Proposal for a directive

Recital 7

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

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

Amendment 11

Proposal for a directive

Recital 8

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

It is important that Member States should devise national strategies and investment plans geared primarily to promoting waste prevention and re-use and secondarily to recycling.

Amendment 12

Proposal for a directive Recital 11

Text proposed by the Commission

(11) *Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components that are prepared for re-use by recognised preparation for re-use operators and deposit-refund schemes. To ensure harmonised conditions for those calculations, the Commission will adopt detailed rules on the determination of recognised preparation for re-use operators and deposit-refund schemes and on the collection, verification and reporting of data.*

Amendment

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

Or. xm

Justification

In order to ensure uniform calculation of data on preparing for re-use and recycling, the Commission should adopt detailed rules on the determination of recognised operators which prepare waste for re-use and recycling and rules on the collection, verification and reporting of data.

Amendment 13

Proposal for a directive Recital 12

Text proposed by the Commission

(12) In order to ensure the reliability of the data gathered on preparation for re-use it is essential to establish common rules **for** reporting. Similarly, it is important to lay down more precisely the rules according to which Member States should report what is effectively recycled and can be counted towards the attainment of the recycling targets. **To that effect, as a general rule,**

Amendment

(12) In order to ensure the reliability of the data gathered on **recycling and** preparation for re-use it is essential to establish common rules **on data collection, traceability, verification and** reporting. Similarly, it is important to lay down more precisely the rules according to which Member States should report what is effectively recycled and can be counted

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

towards the attainment of the recycling targets. ***The calculation of the attainment of the targets should be based on one solid and harmonised method that prevents reporting of discarded waste as recycled waste.*** ***To that end,*** the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

Or. xm

Justification

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

Amendment 14

Proposal for a directive Recital 14

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

To assist the Commission in checking that the data reported by Member States comply with the rules, it is necessary that the data produced should be of high quality, reliable and comparable.

Amendment 15

Proposal for a directive

Recital 16

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

In order to obtain reliable statistics on waste management, it is vital to ensure that data are comparable between Member States. Accordingly, Member States should use the most recent methodology developed by the Commission, by the national statistical offices of the Member States and by national authorities responsible for waste management.

Amendment 16

Proposal for a directive

Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Member States should submit to the Commission on request and without delay any information necessary for the

evaluation of the implementation of this Directive as a whole and its impact on the environment and human health.

Or. en

Amendment 17

Proposal for a directive

Recital 17

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

Alignment with the Interinstitutional Agreement of 13 April 2016.

Amendment 18

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) In order to ensure uniform conditions for the implementation of Directive 94/62/EC, implementing powers should be conferred on the Commission in respect of **Articles 12(3d) and 19**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁶.

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

Amendment

(18) In order to ensure uniform conditions for the implementation of Directive 94/62/EC, implementing powers should be conferred on the Commission in respect of **laying down the methodology for data collection and processing and the format for reporting data concerning the attainment of the recovery, re-use and recycling targets and for adapting to scientific and technical progress the identification system concerning the nature of the packaging materials used**. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹⁶.

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

Or. xm

Justification

In order to ensure the uniform implementation of the Directive, implementing powers should be conferred on the Commission in respect of determining the format for reporting data concerning the attainment of the recovery, re-use and recycling targets and for further adaptations to scientific and technical progress in this field.

Amendment 19

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive 94/62/EC

Article 3

Text proposed by the Commission

(c) points 3 to 10 are deleted;

Amendment

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

Or. xm

Justification

The definition of 're-use' is reinstated.

Amendment 20

Proposal for a directive

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

Directive 94/62/EC

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

Text proposed by the Commission

Amendment

(ca) In Article 3, the following point 12a is inserted:

'12a. 'Biomass' shall mean material of biological origin excluding material that is embedded in geological formations and/or fossilized.'

Or. xm

Justification

The Directive should include an exhaustive definition of 'biomass', which excludes materials contained in geological formations and/or fossilised material.

Amendment 21

Proposal for a directive

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

Directive 94/62/EC
Article 3 – paragraph 1 – point 12 b (new)

Text proposed by the Commission

Amendment

(cb) In Article 3, the following point 12b is inserted:

'12b. 'Bio-based packaging' shall mean packaging wholly or partly derived from biomass. The determination and declaration of the bio-based content and the bio-based carbon content of such products shall be based on the methodology developed under the relevant European standard.'

Or. xm

Justification

The Directive should include an exhaustive definition of 'bio-based packaging', which means packaging wholly or partly derived from biomass.

Amendment 22

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point d

Directive 94/62/EC

Article 3 – paragraph 2

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

Alignment with the new definitions inserted in Article 3 of Directive 2008/98/EC.

Amendment 23

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 94/62/EC

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

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

Amendment

'Those measures shall contribute to reaching a reduction in the packaging waste generation in order to contribute to the attainment of the objectives of the waste prevention programmes as set out in Article 29 of Directive 2008/98/EC. They shall include incentives to minimise the environmental impact of packaging through extended producer responsibility schemes, and incentives for the take-up of re-usable packaging and deposit schemes as set out in Article 5 of this Directive.

Member State shall take measures to achieve a sustained reduction in the consumption of single use, non-recyclable packaging and over-packaging or similar actions adopted in consultation with economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention., By way of derogation from Article 18 of this Directive, those measures may include the use of national reduction targets and market restrictions . They shall comply with the objectives of this Directive as defined in Article 1(1)';

Or. xm

Justification

Member States should take measures to achieve a significant reduction in packaging waste, particularly by discouraging the use of single-use packaging and non-recyclable packaging, and over-packaging. These measures may include national reduction targets and market

restrictions, by way of derogation from Article 18 of this Directive.

Amendment 24

Proposal for a directive

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

Directive 94/62/EC

Article 4 – paragraph 2

Present text

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

Amendment

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

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

Or. xm

Justification

The Commission needs to contribute to the promotion of prevention by encouraging the development of suitable European standards geared to minimising the environmental impact of packaging waste and avoiding excessive packaging.

Amendment 25

Proposal for a directive

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

Directive 94/62/EC

Article 4 – paragraph 3

Present text

3. **The** Commission shall, **as appropriate**, present proposals for measures to strengthen and complement the enforcement of the essential requirements and to ensure that new

Amendment

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

'3. No later than 31 December 2018 the Commission shall present proposals for measures to strengthen and complement the enforcement of the essential requirements and to ensure that new

packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging.

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

Or. xm

Justification

It is important that the Commission should submit new proposals for rendering more stringent the essential requirements applicable to packaging placed on the market. The Commission should, in particular, submit a proposal containing measures concerning non-recyclable packaging, packaging containing hazardous substances, single-use packaging and excess packaging, and assess the possibility of market restrictions for those items at EU level.

Amendment 26

Proposal for a directive

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

Directive 94/62/EC

Article 4 – paragraph 3 a (new)

Present text

Amendment

(2c) In Article 4, the following paragraph 3a is inserted:

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

a) improving market conditions for such products;

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

In addition, the Commission shall assess by 31 December 2018 the use of environmentally friendly food packaging,

including an assessment of the feasibility of gradually replacing food packaging with bio-based and/or biodegradable and compostable products in accordance with European standards.'

Or. xm

Justification

It is important that, where possible and appropriate, Member States should take measures to encourage the use of bio-based packaging, improving market conditions for such products and reviewing existing legislation which hampers its use.

Amendment 27

Proposal for a directive

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

Directive 94/62/EC

Article 5 – title

Text proposed by the Commission

Amendment

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

'Re-Use'

Or. xm

Justification

The re-use of packaging has specific characteristics, and therefore cannot be covered by the Framework Directive. In many Member States, effective packaging re-use systems already exist, including deposit schemes.

Amendment 28

Proposal for a directive

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

Directive 94/62/EC

Article 5 – paragraph 1

Present text

Amendment

(2e) In Article 5, paragraph 1 is

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

replaced by the following:

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

Or. xm

Justification

In order to reduce the generation of packaging waste, it is necessary for Member States to encourage effective systems for the re-use of packaging, including deposit schemes.

Amendment 29

Proposal for a directive

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

Directive 94/62/EC

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(2f) In Article 5, the following paragraph 1a is inserted:

'1a. Member States shall attain the following targets for re-used packaging and a deposit-refund scheme covering the whole of their territory:

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

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

Or. xm

Justification

In order to reduce the generation of packaging waste, it is necessary to set specific targets for the re-use of packaging and deposit return schemes.

Amendment 30

Proposal for a directive

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

Directive 94/62/EC

Article 5 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

(2g) In Article 5, the following paragraph 1b is inserted:

'1b. In order to attain the targets set out in paragraph 2, Member State shall take at least the following measures:

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

Or. xm

Justification

In order to attain the targets set out in paragraph 2, Member States must take a series of measures to encourage the use of deposit return schemes and to incentivise the setting of a minimum percentage of re-useable packaging per year and the production of re-usable packaging.

Amendment 31

Proposal for a directive

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

Directive 94/62/EC

Article 5 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

(2h) In Article 5, the following paragraph 1c is inserted:

'1c. Re-used package and packaging which is collected by a deposit-refund scheme may be counted towards the attainment of prevention targets established by national prevention programmes adopted in accordance with the criteria laid down in Article 4.

The Commission shall present a proposal for the implementation of an Union –wide deposit scheme for re-usable packaging at the latest 18 months by [Office of Publications, please insert date of entry into force of this Directive + 18 months].'

Or. xm

Justification

Packaging and re-used packaging which is collected under a deposit-refund scheme should count towards targets established by national prevention programmes adopted in accordance with the criteria laid down in Article 4 of this Directive.

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point a

Directive 94/62/EC

Article 6 – title

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

The title of this article should be amended so as to make it clear that operations to prepare material for re-use concern packaging waste.

Amendment 33

Proposal for a directive

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

Directive 94/62/EC
Article 6 – paragraph –1 (new)

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

It is vital that Member States should take measures to promote sorting of packaging waste.

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point f

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 35

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC
Article 6 – paragraph 1 – point g – point i

Text proposed by the Commission

Amendment

(i) 55 % of plastic;

(i) 60 % of plastic;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its Resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point ii

Text proposed by the Commission

Amendment

(ii) 60% of wood;

(ii) 65% of wood;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iii

Text proposed by the Commission

Amendment

(iii) 75% of ferrous metal;

(iii) **80%** of ferrous metal;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 38

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point iv

Text proposed by the Commission

Amendment

(iv) 75% of aluminium;

(iv) **80%** of aluminium;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 39

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point v

Text proposed by the Commission

Amendment

(v) 75% % of glass;

(v) **80 %** of glass;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point g – point vi

Text proposed by the Commission

Amendment

(vi) 75% of paper and cardboard;

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

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point h

Text proposed by the Commission

Amendment

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

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

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for

preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point i

Text proposed by the Commission

Amendment

(i) 75% of wood;

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

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point ii

Text proposed by the Commission

Amendment

(ii) 85% of ferrous metal;

(ii) **90%** of ferrous metal;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iii

Text proposed by the Commission

Amendment

(iii) **85%** of aluminium;

(iii) **90%** of aluminium;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point b

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point iv

Text proposed by the Commission

Amendment

(iv) **85%** of glass;

(iv) **90%** of glass;

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 46

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 1 – point i – point v

Text proposed by the Commission

Amendment

(v) **85% of paper and cardboard.** **deleted**

Or. xm

Justification

In order to accelerate the transition to a circular economy, it is necessary for targets for preparation for re-use and recycling of packaging waste to be raised to at least 70% in 2025 and 80% in 2030, in line with the stance taken by the European Parliament on 9 July 2015 in its resolution on 'Resource efficiency: moving towards a circular economy'.

Amendment 47

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 94/62/EC

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Packaging waste exported from the Union shall only be counted towards the attainment of the targets laid down in paragraph 1 by the Member State in which the packaging waste was collected if the requirements of Article 6a (4) are met and if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council(*), the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took place in conditions that are equivalent to the requirements of the relevant Union environmental legislation.

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

Or. xm

Justification

The Commission should ensure that operations to prepare waste for re-use and recycling

which are performed in countries outside the EU comply with rules similar to those which are mandatory in the various Member States if they are to count towards EU targets.

Amendment 48

Proposal for a directive

Article 1 – paragraph 1 – point 3 – point c

Directive 94/62/EC

Article 6 – paragraph 3

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

This Directive does not set targets for recovery of waste but only for its preparation for re-use and recycling.

Amendment 49

Proposal for a directive

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

Directive 94/62/EC

Article 6 – paragraph 4

Present text

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

(a) improving market conditions for

Amendment

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

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

(a) improving market conditions for

such materials;

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

such materials;

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

(ba) making use of adequate economic instruments in order to incentivise the uptake of secondary raw material, such as fiscal incentives based on the recycled content of the products and green public procurement criteria;

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

Or. xm

Justification

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

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

In order to determine clearly whether targets for preparation for re-use and recycling have been attained, it is necessary to indicate the period to which they relate.

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

In order to determine clearly whether targets for preparation for re-use and recycling have been attained, it is necessary to indicate the period to which they relate.

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

deleted

Justification

Products and components which have not become waste must not count towards targets for preparation for re-use and recycling, as the operations concerned are waste recovery operations. The re-use of products and components constitutes processing which prevents the generation of waste, so in accordance with the waste hierarchy it should be regarded as a prevention measure.

Amendment 53**Proposal for a directive****Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6a – paragraph 1 a (new)

*Text proposed by the Commission**Amendment*

1a. If packaging waste is composed of different materials, each material shall be separately taken into account for the purpose of calculation of the targets laid down in points (1)(f) to (i) of Article 6(1).

Or. xm

Justification

For the purpose of the targets set by this Directive, it is important that, if packaging waste comprises various materials, those materials should be calculated separately.

Amendment 54**Proposal for a directive****Article 1 – paragraph 1 – point 4**

Directive 94/62/EC

Article 6a – paragraph 2

*Text proposed by the Commission**Amendment*

2. In order to ensure harmonised conditions for the application of paragraph 1(b) and (c) **and of Annex IV**, the Commission shall adopt delegated acts in accordance with Article 21a establishing

2. In order to ensure harmonised conditions for the application of paragraph 1(a) and (b), the Commission shall adopt delegated acts in accordance with Article 21a establishing minimum quality and

minimum quality and operational requirements for the determination of recognised preparation for re-use operators and **deposit-refund schemes**, including specific rules on data collection, verification and reporting.

operational requirements for the determination of recognised preparation for re-use operators and **final recycling operators**, including specific rules on data collection, **traceability and** verification and reporting.

Or. xm

Justification

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

Amendment 55

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 3

Text proposed by the Commission

Amendment

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

deleted

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

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

Or. xm

Justification

In its resolution on 'Resource efficiency: moving towards a circular economy', adopted on 9 July 2015, the European Parliament called for the calculation of targets for preparation for re-use and for recycling to be performed using a single harmonised method in all Member

States, based on a solid reporting method preventing the reporting of discarded waste (landfilled or incinerated) as recycled waste.

Amendment 56

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 94/62/EC

Article 6a – paragraph 4

Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

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

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 94/62/EC

Article 6b – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *Where necessary, the reports shall address the implementation of other requirements that are additional to those listed in paragraph 1, such as the forecasting of the national target for the prevention of packaging waste generation and the per capita quantity of packaging waste that is disposed of or subject to energy recover.*

Or. xm

Justification

Where necessary, Commission reports should address the implementation of requirements additional to those listed in paragraph 1.

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3a

Text proposed by the Commission

Amendment

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

'3a. Member States shall report the data concerning the attainment of the targets laid down in Article **5(1a) (a) and (b) as well as** 6(1)(a) to (i) for each calendar year to the Commission. They shall **collect and process the data in accordance with a common methodology and** report **it** electronically within 18 months of the end of the reporting year for which the data are collected.

Or. en

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

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Text proposed by the Commission

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

Amendment

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

Or. xm

Justification

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

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3c

Text proposed by the Commission

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

Amendment

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

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 7 – point d

Directive 94/62/EC

Article 12 – paragraph 3c a (new)

Text proposed by the Commission

Amendment

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

Or. en

Justification

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

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 14

Text proposed by the Commission

Amendment

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

deleted

Or. xm

Justification

Products and components which have not become waste must not count towards the attainment of targets for preparation for re-use and recycling, as the operations concerned are waste recovery operations. The re-use of products and components constitutes processing

which prevents the generation of waste, so in accordance with the waste hierarchy it should be regarded as a prevention measure. Paragraph 11a(1) already defines the method of calculation of the rate of preparation for re-use and recycling.

Amendment 63

Proposal for a directive Annex – paragraph 2

Text proposed by the Commission

Amendment

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

'ANNEX IV

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

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

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

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

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

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

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

Or. xm

Justification

Products and components which have not become waste must not count towards the attainment of targets for preparation for re-use and recycling, as the operations concerned are waste recovery operations. The re-use of products and components constitutes processing which prevents the generation of waste, so in accordance with the waste hierarchy it should be regarded as a prevention measure. Paragraph 11a(1) already defines the method of calculation of the rate of preparation for re-use and recycling.

EXPLANATORY STATEMENT

Introduction

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

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

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

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

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

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

Directive on packaging and packaging waste

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

Directive 94/62/EC has undergone a number of revisions. In 2010, as part of the

Commission's Work Programme, the Directive was subjected to a specific fitness check, the results of which were published in the 2014 Staff Working Document¹ which accompanied the original legislative package on the circular economy, which the Commission withdrew in December 2014.²

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

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

Quantitative prevention and qualitative improvement of packaging should be the primary objective of a revision of the Directive in line with the principles on which the circular economy is based. To this end, it is necessary to remove incentives for the excessive use of packaging imposed on the consumer, promoting the design of packaging which can be recycled and/or re-used more easily. In addition, measures should be promoted to support research into and the use and marketing of packaging using renewable resources.

Lastly, the rapporteur has incorporated the same amendments as were inserted in the Waste Framework Directive as regards the definitions and the methodology for calculating quantities of waste subject to preparation for re-use and recycling.

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

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