

European Parliament

2019-2024



Committee on Agriculture and Rural Development

2022/0396(COD)

3.5.2023

AMENDMENTS

87 - 630

Draft opinion

Salvatore De Meo

(PE745.499v01-00)

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))

AM_Com_LegOpinion

Amendment 87**Daniel Buda****Proposal for a regulation****Recital 1***Text proposed by the Commission*

(1) Products need packaging to be protected and easy to transport from where they are produced to where they are used or consumed. Prevention of barriers to the internal market for packaging is key for the functioning of the internal market for products. Fragmented rules and vague requirements cause additional cost to the economic operators.

Amendment

(1) Products need **appropriate** packaging to be protected and easy to transport from where they are produced to where they are used or consumed. **The packaging used must be appropriate to the characteristics of products.** Prevention of barriers **and any obstacles** to the internal market for packaging is key for the **efficient** functioning of the internal market for products. Fragmented rules and vague requirements cause **uncertainty and** additional cost to the economic operators.

Or. ro

Amendment 88**Daniel Buda****Proposal for a regulation****Recital 3 a (new)***Text proposed by the Commission**Amendment*

(3a) It is imperative that the regulation takes account of the differences between packaging waste collection, sorting and recycling infrastructures at the level of the Member States;

Or. ro

Amendment 89**Daniel Buda****Proposal for a regulation****Recital 5**

Text proposed by the Commission

(5) In line with the Green Deal³³, the new Circular Economy Action Plan (CEAP)³⁴ 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.

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

³⁴ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter

Amendment

(5) In line with the Green Deal³³, the new Circular Economy Action Plan (CEAP)³⁴ 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 ***and biodegradable*** 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. ***In its assessment, the Commission should have regard, on the one hand, to socio-economic circumstances, such as high production costs, challenges in terms of the availability or accessibility of raw materials, and health and safety considerations, and on the other hand, to a period to ensure appropriate and practicable time frames to allow for the transition to the application of the new rules along the packaging value chain. The Commission must also consider the needs of SMEs, which make up 99 % of the food and beverage sector in the EU.***

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

³⁴ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter

Or. ro

Amendment 90
Annie Schreijer-Pierik

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) In line with the Green Deal³³, the new Circular Economy Action Plan (CEAP)³⁴ 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.

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

³⁴ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter

Amendment

(5) In line with the Green Deal³³, the new Circular Economy Action Plan (CEAP)³⁴ 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 (*without bringing about food waste in the process*), 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.

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

³⁴ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:98:FIN&WT.mc_id=Twitter

Or. nl

Amendment 91

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Plastic packaging is the most carbon-intensive material and, in terms of fossil fuel use, recycling of plastic waste is approximately five-times better than incineration with energy recovery³⁵. Just as the European Strategy for Plastics³⁶states,

Amendment

(6) Plastic packaging is the most carbon-intensive material and, in terms of fossil fuel use, recycling of plastic waste is approximately five-times better than incineration with energy recovery³⁵. Just as the European Strategy for Plastics³⁶states,

CEAP commits to increase uptake of recycled plastics and contribute to the more sustainable use of plastics. The Union budget and the system of own resources contribute to reducing pollution from plastic packaging waste³⁷. As of 1 January 2021, the Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union introduced a national contribution that is proportional to the quantity of plastic packaging waste that is not recycled in each Member State. This own resource is part of incentives to reduce the consumption of single-use plastics, foster recycling and boost the circular economy.

CEAP commits to increase uptake of recycled plastics and contribute to the more sustainable use of plastics. The Union budget and the system of own resources contribute to reducing pollution from plastic packaging waste³⁷. As of 1 January 2021, the Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union introduced a national contribution that is proportional to the quantity of plastic packaging waste that is not recycled in each Member State. This own resource is part of incentives to reduce the consumption of single-use plastics, foster recycling and boost the circular economy. ***The availability of high quality recycled plastics should be ensured through mechanical and chemical recycling of plastic waste and sustainable renewable biobased plastics.***

³⁵ Amadei A., Ardente F., Garcia-Gutierrez P., Klenert D., Nessi S., Tonini D., Tosches D., Saveyn H.(2022), Environmental and economic assessment of plastic waste recycling, Mechanical, physical and chemical recycling technologies, publication pending.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A European Strategy for Plastics in a Circular Economy COM(2018)28 final.

³⁷ Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom COM (OJ L 424, 15.12.2020, p. 1).

³⁵ Amadei A., Ardente F., Garcia-Gutierrez P., Klenert D., Nessi S., Tonini D., Tosches D., Saveyn H.(2022), Environmental and economic assessment of plastic waste recycling, Mechanical, physical and chemical recycling technologies, publication pending.

³⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A European Strategy for Plastics in a Circular Economy COM(2018)28 final.

³⁷ Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom COM (OJ L 424, 15.12.2020, p. 1).

Or. en

Justification

It is likely that the targets for the use of recycled plastic cannot be reached without chemical

recycling of plastic waste, especially with regard to food contact plastics. It is also important to recognize the contribution of sustainable renewable biobased plastics. Measures to promote biobased plastics could be a significant economic boost for agricultural regions suitable for production of feedstocks for biobased plastics.

Amendment 92
Daniela Rondinelli

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Plastic is overall the most used material for the packaging of agri-food products, as it ensures their safety while keeping their quality and conformity throughout the supply chain, including transport, as well as contributing to increasing the shelf life of fresh and highly perishable products. Most non-plastic food contact materials are not currently covered by specific European legislation and recycling technologies currently available do not always guarantee a high quality recycled plastic. For this reason, any initiative aimed at substituting single-use packaging, including plastic products, in the food sector, should be done in a technically and economically feasible way. Chemical recycling can constitute a complementary option to mechanical recycling to achieve the targets set in this Regulation, especially for plastic packaging in contact with food. While the Chemical recycling industry develops on industrial scale, recyclable multilayer plastic packaging waste (e.g. fresh and fridge food packaging) should be recycled into new products, materials, and substances in substitution of virgin raw materials, for the original or other purposes.

Or. en

Amendment 93
Daniel Buda

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) With regard to the agri-food sector, the war in Ukraine has exacerbated the difficulties in terms of access to packaging materials due to the reduced availability and accessibility of raw materials. This is being made worse by the additional costs of factors of production, energy and food, and by supply chain interruptions. Any initiative aimed at substituting single-use packaging, including plastic products, in the food sector, should be done in a technically and economically feasible way, having regard to the difficult socio-economic context, the efforts made by producers and their cooperatives, who have made massive investments to implement the use of eco-packaging which have not yet been recouped, and the repercussions on the latter;

Or. ro

Amendment 94
Daniela Rondinelli

Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) The Council underlined in its Conclusions of December 2020³⁸, 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

(7) The Council underlined in its Conclusions of December 2020³⁸, 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.

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. ***In the same Conclusions, the Council also stressed that any potential application of bio-based, "biodegradable" or "compostable" plastics should be based on lifecycle assessments of the impacts on the environment taking into full consideration the role of renewable materials in climate change mitigation, in biodiversity conservation and in food security. The bio-based plastics used for the manufacture of plastic should also comply with the criteria established in the Commission Delegated Regulation supplementing Regulation (EU) 2020/852 and so originated from sustainable bio-waste feedstock instead of renewable biomass in primary form.***

38

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

38

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

Or. en

Amendment 95

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The Council underlined in its Conclusions of December 2020³⁸, that the revision of Directive 94/62/EC should update and establish more concrete, effective and easy to implement provisions

Amendment

(7) The Council underlined in its Conclusions of December 2020³⁸, 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>

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. ***At the same time, it noted the need to comply with hygiene and food safety standards;***

38

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

Or. it

Amendment 96

Daniel Buda

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 Plan³⁹ 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

Amendment

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan³⁹ 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 ***and eco-content in materials***, phase out hazardous and

promote re-use.

harmful substances, and promote re-use ***among all categories of consumers, without causing any deterioration of product quality, while ensuring that safety and hygiene standards are maintained, especially in the food industry;***

39

https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html

39

https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html

Or. ro

Amendment 97

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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 Plan³⁹ 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

Amendment

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan³⁹ 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. ***Furthermore, it emphasised that food safety and hygiene standards should not be compromised;***

39

https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html

Amendment 98

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Atidzhe Alieva-Veli, Hilde Vautmans

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 Plan³⁹ 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

Amendment

(8) The European Parliament's Resolution of 10 February 2021 on the New Circular Economy Action Plan³⁹ 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 *without compromising food safety or hygiene standards*.

39

https://www.europarl.europa.eu/doceo/document/TA-9-2021-0040_EN.html

Or. en

Justification

In line with the European Parliament's Resolution on the New Circular Economy Action Plan.

Amendment 99

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) In its Resolution of 15 September 2022 on the consequences of drought, fire, and other extreme weather phenomena: increasing the EU's efforts to fight climate change the European Parliament stressed that climate change is seriously impeding productivity and food security; the impact assessment of this proposal demonstrated that it will reduce GHG emissions by 1.25 million tonnes by 2030.

Or. en

Justification

The need to use water more effectively is not an excuse for not recycling.

Amendment 100

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 8 b (new)

Text proposed by the Commission

Amendment

(8b) The impact assessment also underlined the importance of sustainable water management for guaranteeing food security. In light of its scarcity, the use of water should be prioritised in sectors where it is essential, such as agriculture and food. This means expanding existing widespread re-use of water from urban and food industry sources, including closed loop cleaning and filtration systems, and re-use of urban waste water. Moreover, the Impact Assessment estimated that the implementation of the

proposed measures will result in reduced EU water consumption: water use will be reduced by 1.1 million m3 as a result of the implementation of all the measures proposed by the Commission. The packaging re-use measure alone is expected to result in a decrease in water consumption of 69k m3 in 2030 and of 212k m3 in 2040.

Or. en

(See Impact Assessment of this legislative proposal, appendix D: impact modelling methodology, section 4)

Justification

Water use efficiency is projected to be significantly improved if the draft legislation is implemented as proposed: water scarcity is not an excuse for weakening the proposal.

Amendment 101

Daniel Buda

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) This Regulation complements Regulation [Ecodesign for Sustainable Products]⁴⁰, under which packaging is not addressed as a specific product category. However, it should be recalled that with respect to specific products, delegated acts adopted on the basis of Regulation [Ecodesign for Sustainable Products] may establish additional or more detailed requirements for their packaging, in particular in relation to packaging minimisation when design or re-design of products can lead to environmentally less impactful packaging.

Amendment

(9) This Regulation complements Regulation [Ecodesign for Sustainable Products]⁴⁰, under which packaging is not addressed as a specific product category. However, it should be recalled that with respect to specific products, delegated acts adopted on the basis of Regulation [Ecodesign for Sustainable Products] may establish additional or more detailed requirements for their packaging, in particular in relation to packaging minimisation when design or re-design of products can lead to environmentally less impactful packaging. ***For the agri-food industry, the fact that product packaging must adhere to product quality standards must be borne in mind.***

⁴⁰ https://ec.europa.eu/info/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/sustainable-products/ecodesign-sustainable-products_en

⁴⁰ https://ec.europa.eu/info/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/sustainable-products/ecodesign-sustainable-products_en

Or. ro

Amendment 102 **Annie Schreijer-Pierik**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) This Regulation complements Regulation [Ecodesign for Sustainable Products]⁴⁰, under which packaging is not addressed as a specific product category. However, it should be recalled that with respect to specific products, delegated acts adopted on the basis of Regulation [Ecodesign for Sustainable Products] may establish additional or more detailed requirements for their packaging, in particular in relation to packaging minimisation when design or re-design of products can lead to environmentally less impactful packaging.

⁴⁰https://ec.europa.eu/info/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/sustainable-products/ecodesign-sustainable-products_en

Amendment

(9) This Regulation complements Regulation [Ecodesign for Sustainable Products]⁴⁰, under which packaging is not addressed as a specific product category. However, it should be recalled that with respect to specific products, delegated acts adopted on the basis of Regulation [Ecodesign for Sustainable Products] may establish additional or more detailed requirements for their packaging, in particular in relation to packaging minimisation, ***without this resulting in food waste***, when design or re-design of products can lead to environmentally less impactful packaging.

⁴⁰https://ec.europa.eu/info/energy-climate-change-environment/standards-tools-and-labels/products-labelling-rules-and-requirements/sustainable-products/ecodesign-sustainable-products_en

Or. nl

Amendment 103 **Daniel Buda**

Proposal for a regulation**Recital 10***Text proposed by the Commission*

(10) This Regulation should apply to all packaging placed on the market in the Union and to all packaging waste, regardless of the type of packaging or the material used. For reasons of legal clarity the definition of packaging under the previous Directive 94/62/EC should be restructured without changing the substance. Sales packaging, grouped packaging and transport packaging should be defined separately avoiding duplication of terminology. Consequently, sales packaging corresponds to primary packaging, grouped packaging to secondary packaging and transport packaging to tertiary packaging.

Amendment

(10) This Regulation should apply to all packaging placed on the market in the Union and to all packaging waste, regardless of the type of packaging or the material used. ***Particular attention must be paid to the agri-food industry, to ensure a balanced approach in terms of the socio-economic circumstances affecting this sector.*** For reasons of legal clarity the definition of packaging under the previous Directive 94/62/EC should be restructured without changing the substance. Sales packaging, grouped packaging and transport packaging should be defined separately avoiding duplication of terminology. Consequently, sales packaging corresponds to primary packaging, grouped packaging to secondary packaging and transport packaging to tertiary packaging.

Or. ro

Amendment 104**Martin Hlaváček****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

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.

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. ***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 105

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Atidzhe Alieva-Veli, Jan Huitema, Hilde Vautmans

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

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 ***and recycling*** of packaging ***while delivering the best environmental outcome. Goals for reducing the amount of packaging and packaging waste must not cause or increase the risk for food waste and food***

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

safety. 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.

Or. en

Justification

Further restrictions should always be proportionate and aimed at encouraging the options that deliver the best overall environmental outcome. There is a clear need for different types of packaging and the packaging materials should be chosen to fit the purpose. The Regulation should make clear that such packaging formats can still be used where it is beneficial from the life cycle perspective.

Amendment 106 **Carmen Avram**

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

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, ***paying full attention to the hygienic and sanitary implications of product handling for, inter alia, dairy products, such as butter, in order to avoid risks to consumer health and safety***. In addition, the measures aim at increasing the use of recycled content in

materials while reducing other forms of recovery and final disposal.

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.

Or. en

Amendment 107

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

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 recovery and final disposal.

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

Or. en

Amendment 108
Annie Schreijer-Pierik

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 recovery and final disposal.

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 ***without this leading to unnecessary food waste***, 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.

Or. nl

Amendment 109
Pär Holmgren
 on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) Packaging should be designed, manufactured and commercialised in such a way as to allow for its re-use or high-quality recycling, and to minimise its impact on the environment during its entire

Amendment

(13) Packaging should be designed, manufactured and commercialised in such a way as to allow for its re-use or high-quality recycling, and to minimise its impact on the environment during its entire

life-cycle and the life cycle of products, for which it was designed.

life-cycle and the life cycle of products, for which it was designed. ***The Commission shall investigate evidence brought to justify deviations from the waste hierarchy outlined in Article 4 of Directive 2008/98/EC.***

Or. en

Justification

There may be differences of opinion between Life Cycle Analyses used, based of methodology of the investigation, parameters used and assumptions made.

Amendment 110

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Packaging should be designed, manufactured and commercialised in such a way as to allow for its re-use or high-quality recycling, and to minimise its impact on the environment during its entire life-cycle and the life cycle of products, for which it was designed.

Amendment

(13) Packaging should be designed, manufactured and commercialised in such a way as to allow for its re-use or high-quality recycling, and to minimise its impact on the environment during its entire life-cycle and the life cycle of products, for which it was designed. ***Deviations can be justified by the Waste Hierarchy according to Article 4 paragraph 2 of Directive 2008/98/EC.***

Or. en

Justification

According to Article 4 paragraph 2 of Directive 2008/98/EC Waste Framework Directive, deviations can be justified by life-cycle thinking on the overall impacts of the generation and management of waste.

Amendment 111

Daniel Buda

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) In line with the objectives of the Circular Economy Action Plan⁴² and the Chemicals Strategy for Sustainability⁴³, 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.

⁴² 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.

⁴³ 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 Plan⁴² and the Chemicals Strategy for Sustainability⁴³, 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. ***This Regulation should also address the impact on food security and SMEs, the latter of which make up 99 % of the food and beverage sector in the EU.***

⁴² 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.

⁴³ 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. ro

Amendment 112

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera,

Pina Picierno, Carmen Avram

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Food packaging materials represents a positive contribution to the prevention of food loss and food waste along the supply chain, for example packaging that reduces food loss in transport, storage and distribution, and that preserves the quality and hygiene of food for longer, or that extends shelf life.

Or. en

Amendment 113
Daniel Buda

Proposal for a regulation
Recital 15

Text proposed by the Commission

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 health or the environment, throughout their life-cycle.

(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 ***or substances which may affect product quality standards*** 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, ***food security*** or the environment,

throughout their life-cycle.

Or. ro

Amendment 114

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno, Carmen Avram

Proposal for a regulation

Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) Fostering a sustainable bio-economy can contribute to decreasing Europe's dependence on imported raw materials. Improving market conditions for bio-based recyclable packaging and compostable biodegradable packaging and reviewing existing law hampering the use of those materials offers the opportunity to stimulate further research and innovation and to substitute fossil fuel-based feedstocks with renewable sources for the production of packaging, where beneficial from a lifecycle perspective, and support further organic recycling.

Or. en

Amendment 115

Daniel Buda

Proposal for a regulation

Recital 16

Text proposed by the Commission

Amendment

(16) In line with the Zero Pollution Action Plan⁴⁴, 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

(16) In line with the Zero Pollution Action Plan⁴⁴, Union policies should be based on the principle that preventive action should be taken at source, ***but without creating significant economic difficulties for companies, especially***

(EC) No 1907/2006 of the European Parliament and of the Council⁴⁵ and Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁴⁶ 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 Council⁴⁷, it should be recalled that that Regulation applies to ensure a high level of protection of the consumers of packaged food.

⁴⁴ 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.

⁴⁵ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the

SMEs. The Commission underlines in the Chemicals Strategy for Sustainability that Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁴⁵ and Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁴⁶ 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 Council⁴⁷, it should be recalled that that Regulation applies to ensure a high level of protection of the consumers of packaged food.

⁴⁴ 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.

⁴⁵ 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).

⁴⁶ 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).

⁴⁷ 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).

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).

⁴⁶ 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).

⁴⁷ 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. ro

Amendment 116

Daniel Buda

Proposal for a regulation

Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Like any material or article intended to come into contact with food, packaging should not preclude transfer to food of substances which may endanger human health or cause changes in the composition and quality of the food or deteriorations in its organoleptic properties. This Regulation shall be applied fully in accordance with the

provisions of Regulation (EC) No 1935/2004, which expressly stipulates that the traceability of materials and articles intended to come into contact with food should be ensured at all stages in order to facilitate control, the recall of defective products, consumer information and the attribution of responsibility;

Or. ro

Amendment 117

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

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 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

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 ensuring packaging performs its functions as outlined in Article 3(1). A high standard of quality and the protection of intellectual property, which are important to safeguard the reputation which the Union's products have achieved on the global market and prevent the usurpation, imitation, evocation of geographical indication names and trademarks, must also be taken into account.*** 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

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.

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

Justification

Proposed amendment is suggested to ensure that packaging design does not lose sight of what the essential functions of packaging are. GI and intellectual property protection must also be taken into account when designing packaging, together with the objective of recycling.

Amendment 118 **Martin Hlaváček**

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

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.

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 ***and assessment of material output from recycling technology to the input of waste from packaging type ratio by weight. To assess this the best available and commercially operated recycling technology should be considered and mass balance may be used where packaging is a part of wider waste stream.*** 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 119

Pär Holmgren

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

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. ***A high standard of quality and***

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.

the protection of intellectual property of the packaging design including for Geographical Indications must also be taken into consideration, without compromising the overall ambition and objectives of this Regulation.

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.

Or. en

Amendment 120

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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 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

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, ***while ensuring hygiene and food safety and acceptance by consumers.*** 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 ***and ensuring acceptance by the consumer,*** 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

2030 in order to give sufficient time to the economic operators to adapt.

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. it

Amendment 121

Daniel Buda

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

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. ***The uniform methodology and criteria shall be based on hard evidence of the benefit for the environment, consumer protection standards, food security, hygiene and safety, and on assessment of the proportionate cost impact.*** Related reporting from Member States and, where relevant, economic operators should support establishing the recyclability “at scale” thresholds ***in a proportionate manner and with a reasonable transition period*** and update, on this basis, the recyclability performance grades with respect to the specific packaging materials and categories.

Or. ro

Amendment 122

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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

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, ***preserving the added value passed on to the end consumer through packaging.***

Or. it

Amendment 123**Dan-Ştefan Motreanu****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

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 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.

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 *as laid down in the new Circular Economy Action Plan (COM/2020/98)*.

Or. en

Amendment 124

Pär Holmgren

on behalf of the Verts/ALE Group

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 *as laid down in the circular*

Economy Action Plan (COM/2020/98).

Or. en

Justification

Commission definition of "at scale" means 75% of the EU population has access to recycling facilities; it is not unreasonable to imagine this does not take a decade to achieve. It will be driven by business demand.

Amendment 125

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno, Carmen Avram

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. 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 126**Pär Holmgren**

on behalf of the Verts/ALE Group

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 **three** years to comply with the recyclability requirements. The innovative features should be explained in the technical documentation accompanying the packaging.

Or. en

Justification

Three years is more than adequate time for innovative packing to demonstrate that they can meet the recycling criteria as set out in article 6.

Amendment 127**Daniel Buda****Proposal for a regulation****Recital 24***Text proposed by the Commission*

(24) In order to protect human and animal health and safety, due to the nature of the packaged products and the related requirements, it is appropriate that the recyclability requirements should not apply to immediate packaging as defined in Article 1 of Directive 2001/83/EC of the European Parliament and of the Council⁵⁰ and in Article 4(25) of Regulation (EU) 2019/6 of the European Parliament and of

Amendment

(24) In order to protect human and animal health and safety, **and food security**, due to the nature of the packaged products and the related requirements, it is appropriate that the recyclability requirements should not apply to immediate packaging as defined in Article 1 of Directive 2001/83/EC of the European Parliament and of the Council⁵⁰ and in Article 4(25) of Regulation (EU) 2019/6 of

the Council⁵¹, which are in direct contact with the medicinal product, as well as contact sensitive plastic packaging of medical devices covered by Regulation (EU) 2017/745 of the European Parliament and of the Council⁵² and of in vitro diagnostics medical devices covered by Regulation (EU) 2017/746 of the European Parliament and of the Council⁵³. These exemptions should apply until 1 January 2035.

the European Parliament and of the Council⁵¹, which are in direct contact with the medicinal product, as well as contact sensitive plastic packaging of medical devices covered by Regulation (EU) 2017/745 of the European Parliament and of the Council⁵² and of in vitro diagnostics medical devices covered by Regulation (EU) 2017/746 of the European Parliament and of the Council⁵³. These exemptions should apply until 1 January 2035, ***and also to food intended for vulnerable groups such as infants and young children as defined in Regulation (EU) No 609/2013.***

⁵⁰ 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).

⁵¹ 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).

⁵² 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).

⁵³ 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).

⁵⁰ 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).

⁵¹ 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).

⁵² 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).

⁵³ 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).

Or. ro

Amendment 128

Daniel Buda

Proposal for a regulation

Recital 25

Text proposed by the Commission

(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.

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. ***To ensure a consistent and predictable framework for economic operators***, 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.

Or. ro

Amendment 129

Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans

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 packaging ***where plastics is the predominant material*** contains a certain minimum percentage of ***sustainable renewable content or*** recycled content recovered from post-consumer plastic waste ***calculated as an average of the plastic packaging placed by a producer on the territory of a Member State. This shall not apply to plastic packaging in contact with food if the recycled content poses a risk to food, human or animal safety.***

Or. en

Justification

In line with Article 7. See the justification of Article 7.

Amendment 130
Martin Hlaváček

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 packaging ***where plastics is the predominant material*** contains a certain minimum percentage of ***sustainable renewable content or*** recycled content recovered from post-consumer plastic waste ***calculated as an average of the plastic packaging placed on the territory of a Member State. This shall not apply to plastic packaging in contact with food if the recycled content poses a risk to food, human or animal safety.***

Or. en

Amendment 131
Daniela Rondinelli

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 plastic part of each **batch** of packaging contains a certain minimum percentage of recycled content **calculated as an average of the plastic packaging placed by a producer on the Union market. This provision should not apply to food or feed contact plastic packaging in those cases when the recycled content risks affecting human and animal health and/or compromising the organoleptic characteristics of products**.

Or. en

Amendment 132
Pär Holmgren
 on behalf of the Verts/ALE Group

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 part of each unit of packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste. **It is important this is calculated per unit, otherwise the ambition of the proposal is lost and it will**

not incentivise increased re-use across all types of packaged products in the EU market.

Or. en

Amendment 133

Achille Variati, Paolo De Castro, Pina Picierno, Carmen Avram

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 part of each *batch* of packaging contains a certain minimum percentage of recycled content recovered from post-consumer plastic waste.

Or. en

Amendment 134

Anne Sander

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

deleted

Amendment 135
Daniel Buda

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 ***or biodegradable*** 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 ***and biodegradable*** 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. ro

Amendment 136
Daniela Rondinelli

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) In order to ensure uniform conditions for the implementation of the rules on ***calculating and verifying, per unit of post-consumer plastic waste in packaging***, the share of recycled content ***recovered from post-consumer plastic waste*** present and establishing the format for technical documentation, the Commission should be empowered to adopt implementing provisions, in accordance with Article 5 of Regulation (EU) No 182/2011 of the European

Amendment

(31) In order to ensure uniform conditions for the implementation of the rules on ***calculation and verification of*** the share of recycled content present and establishing the format for technical documentation, the Commission should be empowered to adopt implementing provisions, in accordance with Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁵.

Parliament and of the Council⁵⁵.

⁵⁵ 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, 28.2.2011, p. 13).

⁵⁵ 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, 28.2.2011, p. 13).

Or. en

Amendment 137

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying, *per unit of post-consumer plastic waste in packaging*, the share of recycled content recovered from post-consumer plastic waste present and establishing the format for technical documentation, the Commission should be empowered to adopt implementing provisions, in accordance with Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁵.

⁵⁵ 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, 28.2.2011, p. 13).

Amendment

(31) In order to ensure uniform conditions for the implementation of the rules on calculating and verifying the share of recycled content recovered from post-consumer plastic waste present and establishing the format for technical documentation, the Commission should be empowered to adopt implementing provisions, in accordance with Article 5 of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁵.

⁵⁵ 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, 28.2.2011, p. 13).

Or. en

Justification

Deletion in line with Article 7.

Amendment 138**Daniel Buda****Proposal for a regulation****Recital 33***Text proposed by the Commission*

(33) In order to take into account the risks related to a possible insufficient supply of a specific plastic waste for recycling that might lead to excessive prices or adverse effects on health, safety and the environment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of temporarily amending the targets for mandatory recycled content in plastic packaging. In evaluating the justification of such a delegated act, the Commission should assess well-reasoned requests from natural and legal persons.

Amendment

(33) In order to take into account the risks related to a possible insufficient supply of a specific plastic waste for recycling that might lead to excessive prices or adverse effects on health, safety and the environment, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of temporarily amending the targets for mandatory recycled content in plastic packaging, ***including growth based on biodegradable content***. In evaluating the justification of such a delegated act, the Commission should assess well-reasoned requests from natural and legal persons.

Or. ro

Amendment 139**Salvatore De Meo****Proposal for a regulation****Recital 34 a (new)***Text proposed by the Commission**Amendment*

(34a) Agricultural biomass plays a fundamental role in the manufacturing of compostable packaging. Certified compostable packaging, which is designed and labelled for organic recycling, can help to separately collect organic waste and to reduce the contamination of

biowaste with conventional materials such as plastic and ultimately decrease microplastics from conventional fossil-based polymers in the compost. Organic recycling is a fundamental component of waste management, therefore Member States should encourage the reduction of contamination in organic waste streams and promote its technology the in line with the objectives of this Regulation, as efficient waste management can only be achieved if all recycling technologies (mechanical, chemical, and organic recycling) are understood as interdependent and complementary.

Or. en

Amendment 140**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno****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, 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. **The EN 13432 standard "Packaging - Requirements for packaging recoverable through composting and biodegradation" specifies requirements and procedures to determine**

the compostability and anaerobic treatability of packaging and packaging materials in industrial controlled conditions and should represent the harmonised specification of what packaging can be considered compostable and biodegradable across Member States.

Or. en

**Amendment 141
Nicola Procaccini**

**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 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.

Or. en

Justification

While the contamination of the organic waste stream by conventional plastics is well documented, the contamination of the recycling of materials remains based on unproven assumptions and allegations. The Eunomia study "Relevance of biodegradable and compostable consumer plastic products and packaging in a circular economy" states that "In Italy where there is already widespread use of compostable plastics (about 50% of the EU market) the overall contamination rate is below levels considered of concern for mechanical

recycling before sorting”.

Amendment 142

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

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, in particular those strictly linked to food and food waste prevention*, 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.

Or. en

Amendment 143

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

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) 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 ***or endanger the quality or usability of compost in line with the requirements of the EN 13432.***

Or. en

Justification

Compost can be used as a fertilising product and it is important that the decomposition product used does not contain plastic residues. Compostability can also be interpreted broadly, which is why it is justified to refer to the EN 13432 standard.

Amendment 144
Nicola Procaccini

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,

Amendment

(36) There is a demonstrable environmental benefit of using compostable packaging ***for specific packaging applications, in particular***

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.***

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

Justification

It is necessary to make explicit the role and function of compostable bioplastics with respect to all food contact applications, which are those where bioplastics provide the greatest added value by enabling the joint recycling of these applications and the biowaste with which they come into contact. Furthermore, the labelling of these products needs to be recalled in order to make it clear to the consumer that bioplastics labelled as compostable are to be disposed of in biowaste while the others are to be mechanically recycled.

Amendment 145 Nicola Procaccini

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 Council⁵⁶for the

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 Council⁵⁶for 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.***

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.

⁵⁶ 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).

⁵⁶ 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).

Or. en

Justification

Harmonised standards should describe the right way to carry out organic recycling of compostable packaging, taking into account industry BAT (Best Available Techniques), in order to obtain an output that can be used in agriculture (i.e. meet the requirements of the fertiliser regulation 1009/2019).

Amendment 146

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

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

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

maintaining its ability to perform the packaging functions, **including those referred to in Article 3(1), and without compromising the need for a high standard of quality and the recognition and respect of 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 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their own additional packaging weight and volume. However, **as set out in Article 9**, this should not compromise product **or packaging** specifications for craft and industrial products and food, **wine, spirit drinks, other alcoholic beverages** and agricultural products that are registered **or** protected under the EU geographical indication protection scheme, **products of a distinctive origin** 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. **The minimisation of packaging should not limit the format of**

packaging of foodstuffs, which are necessary to protect them from physical shocks contamination and microbes.

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

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

Or. en

Justification

Ensuring the consistency with the Article 9. Packaging for those categories listed, should aim to optimize packaging weight in line with the overall ambitions of this proposal. In addition, minimisation requirements may not be suitable for all packaging, especially packaging in contact with food.

Amendment 147

Pär Holmgren

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 to make them more stringent. The list of the packaging performance criteria, as listed in the existing harmonised standard EN 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their

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 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their

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

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.

Intellectual property rights linked to anything except the packaging itself should not be considered as a general exemption to this regulation. To this effect, all exemptions must be notified to the Commission with an accompanying justification. GIs can still choose to substitute more sustainable or recyclable materials in their packaging design or production that are in line with the objectives of this regulation.

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

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

Or. en

Amendment 148

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

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

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 13428:2000⁵⁷, should therefore be modified. While marketing and consumer acceptance remain relevant for packaging design, they should not be part of performance criteria justifying on their own additional packaging weight and volume. However, this should not compromise product **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.

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

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

Or. en

Amendment 149 **Annie Schreijer-Pierik**

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 ⁵⁷, 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

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, ***without causing food wastage in the process***, 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 ⁵⁷, 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

other hand, recyclability, the use of recycled content, and re-use may justify additional packaging weight or volume, and should be added to the performance criteria. Packaging with double walls, false bottoms and other characteristics only aimed to increase the perceived product volume should not be placed on the market, as it does not meet the requirement for packaging minimisation. The same rule should apply to superfluous packaging not necessary for ensuring packaging functionality.

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

heritage and traditional know-how. On the other hand, recyclability, the use of recycled content, and re-use may justify additional packaging weight or volume, and should be added to the performance criteria. Packaging with double walls, false bottoms and other characteristics only aimed to increase the perceived product volume should not be placed on the market, as it does not meet the requirement for packaging minimisation. The same rule should apply to superfluous packaging not necessary for ensuring packaging functionality.

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

Or. nl

Amendment 150

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Atidzhe Alieva-Veli, Hilde Vautmans

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

without compromising the requirements or safety needed for packaging materials in contact with food.

Or. en

Justification

Minimisation requirements may not be suitable for all packaging, especially packaging in contact with food.

Amendment 151
Dan-Ştefan Motreanu

Proposal for a regulation
Recital 42 a (new)

Text proposed by the Commission

Amendment

(42a) Waste prevention through reduction at source should be a key guiding principle, as per the standard EN 13428:200030, whereby the substitution of one packaging material by another is not a basis for source reduction.

Or. en

Justification

Waste prevention can be achieved by reducing the weight and/or volume of packaging placed on the market at the minimum necessary.

Amendment 152
Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation
Recital 43

Text proposed by the Commission

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

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be incentivised ***without posing a risk for food***

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.

safety or food quality. 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. ***Energy logistics and increased amount of water used should be taken into account and evaluated if the re-use system is economically feasible. Member states should be allowed to deviate from these provisions if justified from the environmental perspective or wide scale recycling systems are applied in the Member state.*** 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.

Or. en

Justification

Recyclable single-use and reusable packaging should be seen as complementary solutions. Operators should have the possibility to choose the best packaging solution on case by case basis, based on material's life cycle impact assessment. Re-use system should not compromise well-functioning deposit system in the Member state.

Amendment 153

Pär Holmgren

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 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.

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.

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

Justification

Over consumption of water in other sectors and water use as such cannot be used as an

excuse for no action on re-using packaging , as water can be used sparingly, not wasted, re-used in urban and industrial wastewater recycling streams, and its use prioritised between sectors. New and existing technologies allow for increasing re-use and closed loop industrial systems.

Amendment 154

Daniel Buda

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 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.

Amendment

(43) To promote the circularity and sustainable use of packaging, reusable packaging and systems for re-use should be incentivised, ***to the extent that re-use does not pose risks to the quality of food and does not affect its organoleptic properties.*** 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.

Or. ro

Amendment 155
Annie Schreijer-Pierik

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. The QR code should also facilitate tracking and the calculation of trips and rotations. ***All information that consumers can find through the QR code should be available in all EU languages, so that every consumer in Europe receives the correct information.*** In addition, reusable sales packaging should be clearly identified at the point of sale.

Or. nl

Amendment 156
Annie Schreijer-Pierik

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

Amendment

(54) In order to safeguard the functioning of the internal market ***and create a level playing field***, it is necessary to ensure that products 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

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.

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.

Or. nl

Amendment 157

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

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 ration should not exceed 40 %. ***Air between or within particles of packed foodstuff or protective gases are not considered an empty space.*** 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.

Or. en

Justification

Empty space minimisation within food packaging should not compromise the quality of foodstuff or properties of product.

Amendment 158

Annie Schreijer-Pierik

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 ***without this affecting the quality of the packaged product***. 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.

Or. nl

Amendment 159**Daniela Rondinelli****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

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 ***is minimised subject to provisions within Part 1 and***

hierarchy, it should be possible for economic operators using sales packaging as e-commerce packaging to be exempted from this obligation.

Part 2 of Annex IV. 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.

Or. en

Amendment 160

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Recital 61

Text proposed by the Commission

Amendment

(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 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.

deleted

Or. it

Amendment 161

Nicola Procaccini

Proposal for a regulation

Recital 61

Text proposed by the Commission

Amendment

(61) In order to ensure a high level of environmental protection in the internal market as well as a high level of food

(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 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.

safety and hygiene, and facilitate the achievement of the packaging waste prevention targets, unnecessary or avoidable packaging *formats* should not be allowed to be placed on the market. The list of such packaging formats is provided in Annex V of this Regulation. ***When determining which packaging formats should be restricted by Annex V, the Commission shall consider whether the use of alternative packaging solutions, such as recyclable fibre-based packaging or re-usable or refillable packaging, would provide for better environmental outcomes, taking into account the overall environmental impact of the full lifecycle of the packaging.*** In order to 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

Justification

Two different recent studies undertaken by Kearney (“No Silver Bullet - Why a mix of solutions will achieve circularity in Europe’s IEO sector”, 2023) and Ramboll (LCA study, 2022) show that mandating reusable packaging is likely to be counter-productive to the EU Green Deal objectives. Data from the independent study by Kearney specifically shows that a shift to 100% reusable packaging by 2030 would increase greenhouse emissions by nearly 50% for dine-in restaurants, and by 260% for takeaway.

Amendment 162

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Atidzhe Alieva-Veli, Jan Huitema, Hilde Vautmans

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

Amendment

(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 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.

achievement of the packaging waste prevention targets, unnecessary or avoidable packaging should not be allowed to be placed on the market ***unless such packaging is necessary to protect the quality, hygiene and food safety of the product and to avoid food waste and contamination risks***. The list of such packaging formats is provided in Annex V of this Regulation. In order to 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

Justification

To ensure coherence with Article 22 and Annex V.

Amendment 163

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

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 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.

Amendment

(61) ***Packaging should contribute*** to ensure a high level of environmental protection in the internal market, as well as a high level of food safety and hygiene, ***food waste prevention and comply with the EU food traceability requirements*** and facilitate the achievement of the packaging waste prevention targets. Unnecessary or avoidable packaging ***that do not contribute to these aims***, 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 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 164
Annie Schreijer-Pierik

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 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.

Amendment

(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 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, ***provided that such amendments are scientifically justified and take into account the availability of suitable alternatives.***

Or. nl

Amendment 165
Bert-Jan Ruissen

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

Amendment

(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 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.*

safety and hygiene, *in the case of food products, packaging is needed as a barrier against microbiological degradation, oxygen or loss of aromas to preserve the composition and organoleptic properties of products, as well as to ensure protection from mechanical damage, therefore increasing the shelf life of products, especially in case of products from agricultural and horticultural production. Striving to reduce food waste takes priority over reducing packaging.*

Or. nl

Amendment 166

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

Proposal for a regulation

Recital 61 a (new)

Text proposed by the Commission

Amendment

(61a) The Regulation No 1308/2013^{1a} applies to products of the fruit and vegetables sector which are intended to be sold fresh to the consumer and that may only be marketed if they are sound, fair and of marketable quality and if the country of origin is indicated. These marketing standards referred to in paragraph 1, should apply at all marketing stages including packaging.

^{1a} 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)

Or. en

Amendment 167
Daniel Buda

Proposal for a regulation
Recital 63

Text proposed by the Commission

(63) Reusable packaging has to be safe for its users. Therefore, economic operators offering their products in reusable packaging have to ensure that, before a reusable packaging is used again, it is subject to a reconditioning process, for which requirements should be laid down.

Amendment

(63) Reusable packaging has to be safe for its users ***and should guarantee that the organoleptic characteristics and quality and conformity requirements of foodstuffs are not compromised.*** Therefore, economic operators offering their products in reusable packaging have to ensure that, before a reusable packaging is used again, it is subject to a reconditioning process, for which requirements should be laid down. ***Details of the reconditioning process should also be made available to consumers so that they can feel safe when buying a product in reusable packaging.***

Or. ro

Amendment 168
Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation
Recital 63

Text proposed by the Commission

(63) Reusable packaging has to be safe for its users. Therefore, economic operators offering their products in reusable packaging have to ensure that, before a reusable packaging is used again, it is subject to a reconditioning process, for which requirements should be laid down.

Amendment

(63) Reusable packaging has to be safe for its users ***and guarantee that food safety and hygiene requirements are not compromised as packaging plays an important role in the preservation and protection of food and product.*** Therefore, economic operators offering their products in reusable packaging have to ensure that, before a reusable packaging is used again, it is subject to a reconditioning process, for which requirements should be laid down.

Justification

Food packaging has specific safety measures to ensure that human health is not compromised or not to cause any contamination risks. Packaging also has the most important role in the protection and preservation of food and product.

Amendment 169**Clara Aguilera****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, systems for refill can be, in order to count towards the reuse and refill targets, a refill station found in the premises of an economic operator or a product dispenser for home consumption.***

Amendment 170**Pär Holmgren**

on behalf of the Verts/ALE Group

Proposal for a regulation**Recital 67***Text proposed by the Commission*

(67) In order to reduce the increasing

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.

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. ***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 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. Therefore*** the use of single use packaging for food and beverages filled and consumed within the premises in the HORECA sector should not be allowed, ***as on-site consumption allows for considerable resource optimisation and economies of scale.***

Or. en

Amendment 171

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

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 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.

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, ***unless the recyclable single use packaging delivers a better overall environmental outcome which is justified by life-cycle thinking and impacts for health and safety is not compromised, in line with Article 4 paragraph 2 of Directive 2008/98/EC.***

Or. en

Justification

Food packaging has specific safety measures to ensure that human health is not compromised or not to cause any contamination risks .

Amendment 172
Nicola Procaccini

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 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.***

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. ***These targets take into account the fact that alternative single use packaging formats, such as packaging made from fibre-based or compostable materials, can achieve the same, or a better, overall positive environmental impact as re-useable or refillable packaging when considered on a full life cycle basis and therefore do not apply where such packaging is used.***

Or. en

Justification

Two different recent studies undertaken by Kearney (“No Silver Bullet - Why a mix of solutions will achieve circularity in Europe’s IEO sector”, 2023) and Ramboll (LCA study, 2022) show that mandating reusable packaging is likely to be counter-productive to the EU Green Deal objectives and will be damaging for the economy, environment, food safety and consumers. Data from the independent study by Kearney specifically shows that a shift to 100% reusable packaging by 2030 would increase greenhouse emissions by nearly 50% for dine-in restaurants, and by 260% for takeaway.

Amendment 173

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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 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.***

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 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. ***In accordance with Article 4(2) of Directive 2008/98/EC, the restriction does not apply to single-use packaging that provides a better overall environmental outcome justified by life-cycle thinking, as well as a better overall health and economic impact.***

Or. it

Amendment 174

Martin Hlaváček

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.

Or. en

Amendment 175
Martin Hlaváček

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

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.

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. ***In line with the Article 4 paragraph 2 of Directive 2008/98/EC, deviations must be possible for recyclable single use \000000EN.doc 33/80 EN packaging, if it provides a better overall environmental outcome justified by the life-cycle thinking. Member states may have regulate typical appropriate deviations reflecting local conditions.***

Or. en

Amendment 176

Pär Holmgren

on behalf of the Verts/ALE Group

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

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.

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.

Any exceptions requested pursuant to Article 4(2) of Directive 2008/98/EC, must be justified with life cycle assessments submitted to the Commission for approval, including methodology and scope in order to judge the accuracy and representativeness of the analysis.

Or. en

Amendment 177

Elsi Katainen, Asger Christensen, Ulrike Müller, Atidzhe Alieva-Veli, Hilde Vautmans

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 State.

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. ***In line with the Article 4 paragraph 2 of Directive 2008/98/EC, deviations must be possible for recyclable single use***

packaging, if it provides a better overall environmental outcome justified by the life-cycle thinking.

Or. en

Justification

Packaging should enable the best environmental outcome when considering the whole life cycle of packaging and not increase environmental or economic impacts or compromise safety or hygiene of products.

Amendment 178
Krzysztof Jurgiel

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 State.

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 ***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 179
Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation
Recital 70

Text proposed by the Commission

(70) Achieving re-use and refill targets can be challenging for smaller economic operators. Therefore, certain economic operators should be exempted from the obligation to meet the packaging re-use targets if they place less than a certain volume of packaging on the market, or fulfil the definition of micro-company under Commission Recommendation 2003/361⁶⁰, or have the sales area, including all storage and dispatch areas, under a certain surface limit. The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish re-use and refill targets for other products, to lay down further exemptions for other economic operators or to exempt specific packaging formats covered by the reuse or refill targets in case of severe hygiene, food safety or environmental issues preventing the achievement of these targets.

⁶⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (notified under document number C(2003) 1422) (OJ L 124, 20.5.2003, p. 36).

Amendment

(70) Achieving re-use and refill targets can be challenging for smaller economic operators. Therefore, certain economic operators should be exempted from the obligation to meet the packaging re-use targets if they place less than a certain volume of packaging on the market, or fulfil the definition of micro-company under Commission Recommendation 2003/361⁶⁰, or have the sales area, including all storage and dispatch areas, under a certain surface limit. The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish re-use and refill targets for other products, to lay down further exemptions for other economic operators or to exempt specific packaging formats covered by the reuse or refill targets in case of severe hygiene, food safety or environmental issues preventing the achievement of these targets. ***Delegated acts should be in line with Article 4 paragraph 2 of Directive 2008/98/EC by enabling deviations justified by the best environmental outcome and life cycle thinking.***

⁶⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (notified under document number C(2003) 1422) (OJ L 124, 20.5.2003, p. 36).

Or. en

Justification

Packaging should enable the best environmental outcome when considering the whole life cycle of packaging and not increase environmental or economic impacts or compromise safety or hygiene of products.

Amendment 180
Daniel Buda

Proposal for a regulation
Recital 70

Text proposed by the Commission

(70) Achieving re-use and refill targets can be challenging for smaller economic operators. Therefore, certain economic operators should be exempted from the obligation to meet the packaging re-use targets if they place less than a certain volume of packaging on the market, or fulfil the definition of micro-company under Commission Recommendation 2003/361⁶⁰, or have the sales area, including all storage and dispatch areas, under a certain surface limit. The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish re-use and refill targets for other products, to lay down further exemptions for other economic operators or to exempt specific packaging formats covered by the reuse or refill targets in case of severe hygiene, food safety or environmental issues preventing the achievement of these targets.

⁶⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises [notified under document number C(2003) 1422] (OJ L 124, 20.5.2003, p. 36).

Amendment

(70) Achieving re-use and refill targets can be challenging for smaller economic operators. Therefore, certain economic operators should be exempted from the obligation to meet the packaging re-use targets if they place less than a certain volume of packaging on the market, or fulfil the definition of micro-company under Commission Recommendation 2003/361⁶⁰, or have the sales area, including all storage and dispatch areas, under a certain surface limit, ***or in case of farms and agricultural businesses that carry out direct sales activities in farmers' markets regulated by national or regional law***. The power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish re-use and refill targets for other products, to lay down further exemptions for other economic operators or to exempt specific packaging formats covered by the reuse or refill targets in case of severe hygiene, food safety or environmental issues preventing the achievement of these targets.

⁶⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises [notified under document number C(2003) 1422] (OJ L 124, 20.5.2003, p. 36).

Or. ro

Amendment 181
Daniel Buda

Proposal for a regulation
Recital 71

Text proposed by the Commission

(71) To enable the verification of compliance with the re-use and refill targets, it is necessary that the respective economic operators report to the competent authorities. Economic operators should report the relevant data for each calendar year, starting from 1 January 2030. Member States should make this data publicly available.

Amendment

(71) To enable the verification of compliance with the re-use and refill targets, it is necessary that the respective economic operators report to the competent authorities. Economic operators should report the relevant data for each calendar year, starting from 1 January 2030. Member States should make this data publicly available ***through as many media as possible***.

Or. ro

Amendment 182

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 84

Text proposed by the Commission

(84) 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 efficient and rational utilisation of natural resources, promoting the principles of the circular economy, enhancing the use of renewable energy, increasing energy efficiency, reducing the dependence of the Union on imported resources, providing new economic opportunities and contributing to long-term competitiveness. The more efficient use of resources would also bring substantial net savings for Union businesses, public authorities and consumers, while reducing total annual greenhouse gas emissions.

Amendment

(84) 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 efficient and rational utilisation of natural resources, promoting the principles of the circular economy, enhancing the use of renewable energy, increasing energy efficiency, reducing the dependence of the Union on imported resources, ***contributing to food security and efficiency in use and re-use of finite and increasingly limited resources in the EU especially water***, providing new economic opportunities and contributing to long-term competitiveness. The more efficient use of resources would also bring substantial net savings for Union businesses, public authorities and consumers, while reducing total annual

greenhouse gas emissions.

Or. en

Amendment 183
Martin Hlaváček

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 184
Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans

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 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***, 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***, from single use packaging to reusable packaging.

Or. en

Justification

Before imposing strict packaging waste prevention measures, the role of packaging should be considered. Packaging materials that extend the shelf life have an important role to play in food waste prevention. Only the amount of excessive packaging put on the market should be reduced.

Amendment 185

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

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, 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. ***The Commission should assess***

the link between these measures and the setting of EU food waste reduction targets.

Or. en

Amendment 186

Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno

Proposal for a regulation

Recital 100

Text proposed by the Commission

(100) Member States should *set* up return and collection systems for packaging waste, *so that they are channelled to the most appropriate waste management alternative, according to the waste hierarchy*. The systems should be open for participation for all interested parties, in particular for economic operators and public authorities and be established taking into account the environment and consumer health, safety and hygiene. Return and collection systems *should* also be applicable for packaging of imported products under non-discriminatory provisions.

Amendment

(100) Member States should *may* up return and collection systems for packaging waste,. The systems should be open for participation for all interested parties, in particular for economic operators and public authorities and be established taking into account the environment and consumer health, safety and hygiene. Return and collection systems *may* also be applicable for packaging of imported products under non-discriminatory provisions.

Or. en

Amendment 187

Daniel Buda

Proposal for a regulation

Recital 101

Text proposed by the Commission

(101) Member States should also take measures promoting recycling which meets the quality standards for the use of the recycled materials in relevant sectors. This obligation is particularly relevant in view

Amendment

(101) Member States should also take measures promoting *and encouraging* recycling which meets the quality standards for the use of the recycled materials in relevant sectors. This

of minimum percentage set for recycled content in plastic packaging.

obligation is particularly relevant in view of minimum percentage set for recycled content in plastic packaging.

Or. ro

Amendment 188

Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno

Proposal for a regulation

Recital 102

Text proposed by the Commission

(102) *It has been shown that well-functioning* deposit and return systems *ensure* a very high collection rate, especially of beverage bottles and cans. In order to support the achievement of the separate collection target for single use plastic beverage bottles laid down in Directive (EU) 2019/904 and to further drive high collection rates of metal beverages containers, *it is appropriate that* Member States establish deposit and return systems. Those systems *will* contribute to the increase of the supply of good quality secondary raw material suitable for closed loop recycling and reduce beverage containers litter.

Amendment

(102) Deposit and return systems *may support* a very high collection rate, especially of beverage bottles and cans. In order to support the achievement of the separate collection target for single use plastic beverage bottles laid down in Directive (EU) 2019/904 and to further drive high collection rates of metal beverages containers, Member States establish *may* deposit and return systems. Those systems *may* contribute to the increase of the supply of good quality secondary raw material suitable for closed loop recycling and reduce beverage containers litter.

Or. en

Amendment 189

Achille Variati, Paolo De Castro, Daniela Rondinelli, Clara Aguilera, Pina Picierno

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

Amendment

(103) 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

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.

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.

Or. en

Amendment 190

Pär Holmgren

on behalf of the Verts/ALE Group

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 Council⁶⁷. Member States may establish deposit and return systems covering *also* other packaging.

⁶⁷ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common

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 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 Council⁶⁷. Member States may establish deposit and return systems covering *the product packaging listed above and also for other types of* packaging.

⁶⁷ 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).

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

Amendment 191 **Krzysztof Jurgiel**

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 Council⁶⁷. Member States may establish deposit and return systems covering also other packaging.

⁶⁷ 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 Council⁶⁷. Member States may establish deposit and return systems covering also other packaging.

⁶⁷ 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

To ensure an increase in the reuse of packaging in all forms of use where it makes environmental sense (environmental life cycle assessment), packaging reuse targets should be implemented by all beverage sectors without discriminating against any of them.

Amendment 192

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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 achieve **65 %** 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.

Or. it

Amendment 193

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation**Recital 108**

Text proposed by the Commission

(108) As a specific packaging waste generation prevention measure, Member States should actively encourage the re-use and refill solutions. They should support the establishment of systems for re-use and refill and monitor their functioning and compliance with the hygiene standards. Member States are encouraged to take also other measures, such as setting up deposit and return systems covering reusable packaging formats, using economic incentives or establishing requirements for final distributors to make available a certain percentage of other products than those covered by re-use and refill targets in reusable packaging or through refill provided that such requirements will not result in fragmentation of single market

Amendment

(108) As a specific packaging waste generation prevention measure, Member States should actively encourage the re-use and refill solutions. They should support the establishment of systems for re-use and refill and monitor their functioning and compliance with the hygiene standards. Member States are encouraged to take also other measures, such as setting up deposit and return systems covering reusable packaging formats, using economic incentives or establishing requirements for final distributors to make available a certain percentage of other products than those covered by re-use and refill targets in reusable packaging or through refill provided that such requirements will not result in fragmentation of single market

and creation of trade barriers.

and creation of trade barriers.

Any exceptions must be justified with life cycle assessments submitted to the Commission for approval, including methodology and scope in order to judge the accuracy and representativeness of the analysis.

Or. en

Amendment 194

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

Proposal for a regulation

Recital 108

Text proposed by the Commission

(108) As a specific packaging waste generation prevention measure, Member States should actively encourage the re-use and refill solutions. They should support the establishment of systems for re-use and refill and monitor their functioning and compliance with the hygiene standards. Member States are encouraged to take also other measures, such as setting up deposit and return systems covering reusable packaging formats, using economic incentives or establishing requirements for final distributors to make available a certain percentage of other products than those covered by re-use and refill targets in reusable packaging or through refill provided that such requirements will not result in fragmentation of single market and creation of trade barriers.

Amendment

(108) As a specific packaging waste generation prevention measure, Member States should actively encourage the re-use and refill solutions, ***unless the use of easily and highly recyclable single-use packaging is shown to be better option according to a life cycle assessment.*** They should support the establishment of systems for re-use and refill and monitor their functioning and compliance with the hygiene standards. Member States are encouraged to take also other measures, such as setting up deposit and return systems covering reusable packaging formats, using economic incentives or establishing requirements for final distributors to make available a certain percentage of other products than those covered by re-use and refill targets in reusable packaging or through refill provided that such requirements will not result in fragmentation of single market and creation of trade barriers.

Or. en

Justification

The waste hierarchy shall assure the best overall environmental outcome according to Art. 4(2) Directive 2008/89/EC, this may require deviations from the hierarchy, where justified by life-cycle thinking on the overall impacts of the generation and management of waste. For some packaging, especially transport packaging, the use of recyclable single-use packaging can be ecologically better option than reuse as there are well-functioning closed recycling systems. Also, the possible increase in emissions must be taken into account.

Amendment 195**Daniel Buda****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 ***and the granting of a transition period within which interested parties can change packaging without interrupting the production of products***. 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. ro

Amendment 196**Daniel Buda****Proposal for a regulation****Recital 139**

Text proposed by the Commission

(139) In order to allow Member States to take the necessary administrative measures regarding the organisation of the authorisation procedures by the competent authorities, while keeping continuity for economic operators, the application of this Directive should be deferred.

Amendment

(139) In order to allow Member States to take the necessary administrative measures regarding the organisation of the authorisation procedures by the competent authorities, while keeping continuity for economic operators ***who need a transition period to adapt to the new measures imposed, but without harming production***, the application of this Directive should be deferred.

Or. ro

Amendment 197

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

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

1. This Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market, as well as for the extended producer responsibility, collection, treatment and recycling of packaging waste.

Amendment

1. This Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market, as well as for the extended producer responsibility, ***prevention***, collection, treatment and recycling of packaging waste.

Or. en

Amendment 198

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation**Article 1 – paragraph 3***Text proposed by the Commission*

3. This Regulation contributes to the

Amendment

3. This Regulation contributes to the

transition to a circular economy, by laying down measures in line with the hierarchy of waste in accordance with Article 4 of Directive 2008/98/EC.

transition to a circular economy **and achieving climate neutrality by 2050**, by laying down measures in line with the hierarchy of waste in accordance with Article 4 of Directive 2008/98/EC **and by taking into account the possibilities of a biobased economy in accordance with Bioeconomy Action Plan**.

Or. en

Justification

The role of sustainable renewable biobased materials should be equally recognised with recycled materials. Biobased products and packaging sourced from sustainable renewable materials can help to achieve the climate neutrality targets and shift away from fossil materials.

Amendment 199

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Commission

2. This Regulation applies without prejudice to Union regulatory requirements for packaging such as those regarding safety, quality, the protection of health and the hygiene of the packed products, or to transport requirements, as well as without prejudice to the provisions of the Directive 2008/98/EC as regards the management of hazardous waste.

Amendment

2. This Regulation applies without prejudice to Union regulatory requirements for packaging such as those regarding safety, quality, the protection of health and the hygiene of the packed products, or to transport requirements, as well as without prejudice to the provisions of the Directive 2008/98/EC as regards the management of hazardous waste **and as regards the requirements regarding the choice of options that deliver the best overall environmental outcome justified by life-cycle thinking provided for in paragraph 2 of Article 4 of Directive 2008/98/EC**.

Or. en

Justification

The Waste Framework Directive explicitly foresees that making the choice that delivers the best overall environmental outcome justified by life-cycle thinking may require specific waste

streams to depart from the hierarchy. In contrast to the waste hierarchy as defined by the WFD, this proposal takes a very rigid approach to the hierarchy and prioritises re-use over recycling, without due consideration to the overall environmental performance. The proper application of the hierarchy as defined by the WFD should be applied consistently throughout the Regulation.

Amendment 200

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

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

Or. en

Justification

Clarity in the definition and categorization is necessary to ensure freedom of material choice to deliver on the circular economy objectives. A multi material approach that considers the benefits of all available options to meet the requirements for safety, functionality, quality and circularity would be the best way forward. Contrary to the draft proposal, coffee system single serve, disposed of together with the product, should allow compostable or recyclable coffee single serve units.

Amendment 201

Martin Hlaváček

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

Or. en

Amendment 202
Dan-Ştefan Motreanu

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

Amendment 203
Petri Sarvamaa

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, ***coatings, linings, paints, inks, adhesives*** closures and sealing, ***which are considered as part of the weight of the main packaging material***, which cannot be separated manually and therefore form a single integral unit; ***as long as a material does not constitute a significant portion of the packaging unit and makes up no more than 10% of the total weight of the packaging unit, it is not subject to the rule;***

Or. en

Amendment 204
Dan-Ștefan Motreanu

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, ***coatings, paints, inks, adhesives***, closures and sealing, which cannot be separated manually and therefore form a single integral unit;

Or. en

Amendment 205
Pär Holmgren
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point 21 a (new)

Text proposed by the Commission

Amendment

(21a) ‘recycling’ is defined under Article 3(17) of the waste framework directive 2008/98/EC;

Or. en

Justification

This is already defined in existing longstanding EU law; redefinition will change the landscape for many other actors.

Amendment 206
Martin Hlaváček

Proposal for a regulation
Article 3 – paragraph 1 – point 22

Text proposed by the Commission

(22) ‘re-use’ means any operation by which reusable packaging is used again for the same purpose for which it was conceived;

Amendment

(22) ‘re-use’ means any operation by which reusable packaging is used again for the same purpose for which it was conceived ***as part of a broader reuse system, with or without the support of auxiliary products, including refill- and dilute-at-home solutions;***

Or. en

Amendment 207

Anne Sander

Proposal for a regulation

Article 3 – paragraph 1 – point 24 a (new)

Text proposed by the Commission

Amendment

(24a) Useful single-use packaging: means packaging with clearly identified technical functions associated with health protection, product integrity or transport or as a medium for conveying regulatory information;

Or. fr

Amendment 208

Dan-Ştefan Motreanu

Proposal for a regulation

Article 3 – paragraph 1 – point 26 a (new)

Text proposed by the Commission

Amendment

(26a) ‘High quality recycling’ means any processes by which materials are effectively collected, sorted and converted into reusable secondary raw materials without any change to their inherent properties and with minimum material losses, guaranteeing high yield and maintaining their ability to replace

primary raw materials in future applications;

Or. en

Amendment 209
Petri Sarvamaa

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 by which an end user fills its own container, which fulfils the packaging function, with a product or several products *purchased through a final distributor; including refill systems that enable end-users to fill their own containers;*

Or. en

Amendment 210
Martin Hlaváček

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 *entailing a system for refill* by which an end user fills its own *a* container, which fulfils the packaging function, with a product or several products *purchased through a final distributor;*

Or. en

Amendment 211
Clara Aguilera

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 ***entailing a system for refill*** 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 ***or purchased through a final distributor for domestic use***;

Or. en

Amendment 212

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno, Carmen Avram

Proposal for a regulation
Article 3 – paragraph 1 – point 29 a (new)

Text proposed by the Commission

Amendment

(29a) ‘traceability’ means the ability to trace and follow a food, feed, food-producing animal or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, processing and distribution;

Or. en

Amendment 213
Anne Sander

Proposal for a regulation
Article 3 – paragraph 1 – point 31

Text proposed by the Commission

Amendment

(31) ‘design for recycling’ means design of packaging, including individual

(31) ‘design for recycling’ means design of packaging, including individual

components of packaging, in order to ensure its recyclability with *state-of-the-art* collection, sorting and recycling processes;

components of packaging, in order to ensure its recyclability with *proven* collection, sorting and recycling processes;

Or. fr

Amendment 214
Benoît Lutgen

Proposal for a regulation
Article 3 – paragraph 1 – point 32

Text proposed by the Commission

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least **75 %** of the Union population, including packaging waste exported from the Union that meets the requirements of Article 47(5);

Amendment

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least **85 %** of the Union population **and 3/4 of the Member States**, including packaging waste exported from the Union that meets the requirements of Article 47(5);

Or. en

Amendment 215
Elsi Katainen

Proposal for a regulation
Article 3 – paragraph 1 – point 32

Text proposed by the Commission

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least **75 %** of the **Union** population, including packaging waste exported from the **Union** that meets the requirements of Article 47(5);

Amendment

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least **75 %** of the **Member state** population, including packaging waste exported from the **Member state** that meets the requirements of Article 47(5);

Or. en

Justification

The goal at the Union level cannot be reached unless the packaging collection rate rises to 90%. This would disrupt the functioning cardboard recycling system and liquid cardboard packaging, in contact with food, would be banned from the market and switch to plastic bottles. This would also lead to an increase in the amount of plastic used.

Amendment 216

Anne Sander

Proposal for a regulation**Article 3 – paragraph 1 – point 32***Text proposed by the Commission*

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, ***covering at least 75 % of the Union population***, including packaging waste exported from the Union that meets the requirements of Article 47(5);

Amendment

(32) ‘recycled at scale’ means collected, sorted and recycled through installed state-of-the-art infrastructure and processes ***on an industrial scale***, including packaging waste exported from the Union that meets the requirements of Article 47(5);

Or. fr

Amendment 217

Clara Aguilera

Proposal for a regulation**Article 3 – paragraph 1 – point 35***Text proposed by the Commission*

(35) ‘separate component’ means a packaging component that is distinct from the main body of the packaging unit, which may be of a different material, that needs to be disassembled completely and permanently from the main packaging unit in order to access the product, and that is typically discarded prior to and separately from the packaging unit;

Amendment

(35) ‘separate component’ means a packaging component that is distinct from the main body of the packaging unit, which may be of a different material, that needs to be disassembled completely and permanently from the main packaging unit in order to access the product, and that is typically discarded prior to and separately from the packaging unit. ***If elements are easily separable by the consumer they must be considered as separate components***;

Or. en

Amendment 218
Anne Sander

Proposal for a regulation
Article 3 – paragraph 1 – point 35 a (new)

Text proposed by the Commission

Amendment

(35a) ‘separate component’: means a packaging component that is distinct from the main body of the packaging unit, which may be of a different material, that needs to be disassembled completely and permanently from the main packaging unit in order to access the product, and that is typically discarded prior to and separately from the packaging unit in order to access the product, and that is typically discarded prior to and separately from the packaging unit;

Or. fr

Amendment 219
Daniela Rondinelli

Proposal for a regulation
Article 3 – paragraph 1 – point 39 a (new)

Text proposed by the Commission

Amendment

(39a) "Recycled content" is the amount of material obtained from the recycling of post-industrial and post-consumer waste, whether to be recycled mechanically or chemically, uptaken in a product and in its scraps;

Or. en

Amendment 220

Daniela Rondinelli

Proposal for a regulation

Article 3 – paragraph 1 – point 39 b (new)

Text proposed by the Commission

Amendment

(39b) Post-industrial plastic waste means plastic waste that is generated from production and converting of plastic materials;

Or. en

Amendment 221

Dan-Ştefan Motreanu

Proposal for a regulation

Article 3 – paragraph 1 – point 40

Text proposed by the Commission

Amendment

(40) ‘contact sensitive packaging’ means packaging that is intended to be used in any packaging applications in the scope of Regulations: (EC) No 1831/2003, (EC) No 1935/2004, (EC) No 767/2009, (EC) No 2009/1223, (EU) 2017/745, (EU) 2017/746, (EU) 2019/4, (EU) 2019/6, Directive 2001/83/EC, **or** Directive 2008/68/EC;

(40) ‘contact sensitive packaging’ means packaging that is intended to be used in any packaging applications in the scope of Regulations: (EC) No 1831/2003, (EC) No 1935/2004, (EC) No 767/2009, (EC) No 2009/1223, (EU) 2017/745, (EU) 2017/746, (EU) 2019/4, (EU) 2019/6, Directive 2001/83/EC, Directive 2008/68/EC, **or for products as defined in Article 1 of Decision (2014/763/EU);**

Or. en

Justification

Personal care and absorbent hygiene products, such as for example diapers, enter in direct contact with the skin and should therefore be included in the category of contact sensitive packaging.

Amendment 222

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picerno

Proposal for a regulation

Article 3 – paragraph 1 – point 41*Text proposed by the Commission*

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;

Amendment

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions ***in accordance with European harmonised standards for packaging recoverable through composting and anaerobic digestion;***

Or. en

Amendment 223**Nicola Procaccini****Proposal for a regulation****Article 3 – paragraph 1 – point 41***Text proposed by the Commission*

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), ***and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;***

Amendment

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4);

Or. en

Amendment 224**Petri Sarvamaa**

Proposal for a regulation
Article 3 – paragraph 1 – point 41

Text proposed by the Commission

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;

Amendment

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and ***marketed with the intent of recovery through organic waste management stream.*** does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;

Or. en

Amendment 225

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

Proposal for a regulation
Article 3 – paragraph 1 – point 41

Text proposed by the Commission

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;

Amendment

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions ***and has to fulfil the requirements laid down in the standards of EN 13432;***

Or. en

Justification

Biodegradable plastic leads to problems in biowaste processing, as it cannot be distinguished from conventional plastic and is sorted out as a contaminant. In addition, degradation often does not take place during fermentation, so that residual materials remain in the compost. The concrete requirements for the compostability of packaging are regulated in the EN 13432 standard.

Amendment 226**Pär Holmgren**

on behalf of the Verts/ALE Group

Proposal for a regulation**Article 3 – paragraph 1 – point 41***Text proposed by the Commission*

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that **most** of the **finished compost** ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or activity into which it is introduced in industrially controlled conditions;

Amendment

(41) ‘compostable packaging’ means packaging capable of undergoing physical, chemical, thermal or biological decomposition such that **all** of the **packaging material** ultimately decomposes into carbon dioxide, mineral salts, biomass and water, according to Article 47(4), and does not hinder the separate collection and the composting process or **the anaerobic digestion** activity into which it is introduced in industrially controlled conditions;

Or. en

Justification

Plastics must fully decompose as per the principles used in the single use plastics directive... otherwise there is loophole allowing for microplastics, which includes incomplete or partial decomposition and simple fractioning or disintegration in to smaller and smaller pieces; this would also mean contamination and lowering the quality of the compost end product, especially relevant for food and transmission of microplastics along food chains.

Amendment 227**Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans****Proposal for a regulation****Article 3 – paragraph 1 – point 43 a (new)**

Text proposed by the Commission

Amendment

(43a) ‘plastic packaging’ means a packaging that is wholly or predominantly made of plastic;

Or. en

Justification

To bring consistency and to clarify the scope of application of Article 7.

Amendment 228

Petri Sarvamaa

Proposal for a regulation

Article 3 – paragraph 1 – point 43 a (new)

Text proposed by the Commission

Amendment

(43a) ‘plastic packaging’ means a packaging mostly or entirely made of plastic;

Or. en

Amendment 229

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point 56 a (new)

Text proposed by the Commission

Amendment

(56a) ‘shelf-life’ means either the period corresponding to the minimum durability date until which the foodstuff retains its specific properties when properly stored;

Or. en

Justification

"use by" dates may have little relevance

Amendment 230
Anne Sander

Proposal for a regulation
Article 3 – paragraph 1 – point 60 a (new)

Text proposed by the Commission

Amendment

(60a) ‘recyclability’: assessment of the compatibility of packaging with waste management and treatment by design, based on separate collection, sorting into separate streams, large-scale recycling and the use of recycled materials to replace primary raw materials;

Or. fr

Amendment 231
Nicola Procaccini

Proposal for a regulation
Article 3 – paragraph 1 – point 60 a (new)

Text proposed by the Commission

Amendment

(60a) ‘fibre-based packaging’ means packaging including composite packaging containing a minimum of 90% fibre or other materials that are not plastic;

Or. en

Amendment 232
Nicola Procaccini

Proposal for a regulation
Article 3 – paragraph 1 – point 60 b (new)

Text proposed by the Commission

Amendment

(60b) ‘single-portion food packaging’ means single use packaging in the HORECA sector containing individual

portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, that come into direct contact with food and which because of food soiling are more suitable for composting than recycling;

Or. en

Amendment 233
Nicola Procaccini

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the sustainability requirements set out in Articles 5 to 10 of this Regulation.

Amendment

2. Member States shall not prohibit, restrict or impede the placing on the market **or use** of packaging that complies with the sustainability requirements set out in Articles 5 to 10 of this Regulation.

Or. en

Amendment 234
Nicola Procaccini

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the labelling and information requirements set out in Article 11 of this Regulation.

Amendment

3. Member States shall not prohibit, restrict or impede the placing on the market **or use** of packaging that complies with the labelling and information requirements set out in Article 11 of this Regulation.

Or. en

Amendment 235
Nicola Procaccini

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

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.***

Amendment

4. ***Except as provided for in paragraph 5,*** Member States ***shall not*** maintain or introduce national sustainability requirements or information requirements additional to those laid down in this Regulation.

Or. en

Justification

Member states should not unilaterally introduce legislation prohibiting, restricting or impeding the placing on the market and use of packaging that complies with PPWR to ensure a consistent approach across EU markets and maintain the integrity of the EU Single Market.

Amendment 236

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

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 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). ***This does not apply to micro-enterprises as defined in Article 22(3), first half-sentence.***

Or. de

Justification

Any further labelling requirements to be determined by Member States shall be excluded for direct marketers / micro-enterprises.

Amendment 237
Annie Schreijer-Pierik

Proposal for a regulation
Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. *To ensure human health and safety, there should be a European ban on packaging that can leak harmful inks and mineral oils and other carcinogens.*

Or. nl

Amendment 238
Dan-Ştefan Motreanu

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. All packaging shall be recyclable.

1. All packaging shall be recyclable *in accordance with paragraph 2 of this Article.*

Or. en

Amendment 239
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. All packaging shall be recyclable.

1. *From 1 January 2030, all packaging placed on the market shall be*

recyclable.

Or. en

Amendment 240

Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno, Attila Ara-Kovács

Proposal for a regulation

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall endeavour to phase out the disposal of packaging waste compliant with Article 6(2).

Or. en

Amendment 241

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 6 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) it is designed for recycling;

(a) it is designed for recycling *or for compostable packaging is compliant with point a), b) and c) of Annex III;*

Or. en

Amendment 242

Anne Sander

Proposal for a regulation

Article 6 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) *it is effectively and efficiently separately collected in accordance with Article 43(1) and (2);*

deleted

Or. fr

Amendment 243
Anne Sander

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

Text proposed by the Commission

Amendment

(c) *it is sorted into defined waste streams without affecting the recyclability of other waste streams;* **deleted**

Or. fr

Amendment 244
Krzysztof Jurgiel

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

Text proposed by the Commission

Amendment

(c) it is sorted into defined waste streams without affecting the recyclability of other waste streams;

(c) it is sorted into defined waste streams ***for recycling processes*** without affecting the recyclability of other waste streams;

Or. en

Amendment 245
Krzysztof Jurgiel

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 ***with*** primary raw materials ***following the definition of recycling set in article 3 paragraph 17 of***

***the Waste Framework Directive
(2008/98/EC) and in line with article 47
paragraph 3 of this Regulation;***

Or. en

Justification

There is no definition of "sufficient quality." In the absence of specific criteria, economic operators in the EU would have difficulty considering their packaging as recyclable in order to market them. Also the reference to the definition of recycling and how to calculate the weight of recycled packaging waste would help considerably to assess as to whether the recycling criteria are met.

**Amendment 246
Nicola Procaccini**

**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 ***be used in a manufacturing process as*** primary raw materials;

Or. en

Justification

This is to clarify that recycling does not have to be a closed loop.

**Amendment 247
Krzysztof Jurgiel**

**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 (d) 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).*

Or. en

Justification

Redesigning packaging takes time as well as significant financial and human resources. There should be a sufficient transition period between the issuance of the EU regulations on design criteria for recycling and their applicability to allow manufacturers to conduct the required tests. Also, suitability of packaging for recycling will be determined, among other things, by the availability of collection, sorting and recycling infrastructure, which varies widely across Europe.

Amendment 248

Pär Holmgren

on behalf of the Verts/ALE Group

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

Point (a-e) shall apply from 1 January 2030.

Or. en

Amendment 249

Nicola Procaccini

Proposal for a regulation

Article 6 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Compostable packaging shall be considered organically recyclable where it complies with Article 8/ANNEX III.

Or. en

Justification

It is pointed out that recyclable packaging also includes compostable packaging. Packaging is organically recyclable if it meets the organic recycling criteria of Annex III.

Amendment 250
Krzysztof Jurgiel

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. **5 years after the date of entry into force of the delegated acts referred to in paragraph 4 and in any case no earlier than 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.

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) of paragraph 2, 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

Justification

Any delays in the release of delegated acts to this regulation should not have the effect of reducing the time necessary for industry to comply with the new requirements.

Amendment 251

Pär Holmgren

on behalf of the Verts/ALE Group

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 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-e)**.

Or. en

Amendment 252

Daniela Rondinelli

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

Amendment

Within 12 months from the adoption of the Regulation the Commission is empowered to adopt delegated acts, ***in close cooperation with 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

consider state of the art collection, sorting and recycling processes **and shall cover** all packaging components.

grade, and for plastic packaging, the percentage of recycled content. Design-for-recycling criteria shall consider state of the art collection, **marketing and consumer acceptance criteria**, sorting and recycling processes **ensuring that packaging is able to perform its functions as outlined in Article 3(1) and covers** all packaging components. **The achievement of the objectives shall be linked to the term specified above and a transition period of five years, from the adoption of the delegated acts, will be granted to the operators before the entry in force of the measure.**

Or. en

Amendment 253

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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

After consulting and in close cooperation with industry representatives, 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.

Or. it

Amendment 254

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

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 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 **ensuring that packaging is able to perform its functions as outlined in Article 3(1) and covers** all packaging components.

Or. en

Justification

Considering collection, sorting and recycling processes should not lose sight of what are the essential functions of packaging, which are outlined in Article 3(1).

Amendment 255

Dan-Ștefan Motreanu

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 01 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

Justification

A clear timeframe for the adoption of delegated acts is needed to provide legal certainty and predictability

Amendment 256**Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton****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

After consulting and in close cooperation with industry representatives, 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. ***From the adoption of the delegated acts, operators will be granted a transitional period of five years before the measure enters into force.***

Or. it

Amendment 257
Daniela Rondinelli

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 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 258
Krzysztof Jurgiel

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

5 years after the adoption of the delegated act laying down design for recycling criteria pursuant to paragraph 4, packaging shall not be considered recyclable if it corresponds to performance grade E for the packaging category, to which the packaging belongs.

Or. en

Amendment 259
Krzysztof Jurgiel

Proposal for a regulation
Article 6 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

These criteria shall be based at least on the parameters as listed in Table 2 of Annex II.

deleted

Or. en

Amendment 260
Dan-Ştefan Motreanu

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. 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 **by 01 January 2028**. That methodology shall be based at least on the following elements:

Or. en

Justification

A clear timeframe for the adoption of delegated acts is needed to provide legal certainty and predictability

Amendment 261
Martin Hlaváček

Proposal for a regulation
Article 6 – paragraph 7 – point a

Text proposed by the Commission

Amendment

(a) the manner in which to express the result of the recyclability assessment in recyclability performance grades from A to E, as described in Table 3 of Annex II, based on the percentage of the packaging unit, in weight, which is recyclable according to paragraph 1;

(a) the manner in which to express the result of the recyclability assessment, ***evaluated directly or through mass balance as material yield from waste input achieved in commercially operated and available recycling technology***, in recyclability performance grades from A to E, as described in Table 3 of Annex II, based on the percentage of the packaging unit, in weight, which is recyclable according to paragraph 1;

Or. en

Amendment 262
Nicola Procaccini

Proposal for a regulation
Article 6 – paragraph 7 – point a

Text proposed by the Commission

(a) the manner in which to express the result of the recyclability assessment in recyclability performance grades from A to E, as described in Table 3 of Annex II, based on the percentage of the packaging unit, in weight, which is recyclable according to paragraph 1;

Amendment

(a) the manner in which to express the result of the recyclability assessment in recyclability performance grades from A to E, as described in Table 2 of Annex II, based on the percentage of the packaging unit, in weight, which is recyclable according to paragraph 1;

Or. en

Amendment 263
Daniel Buda

Proposal for a regulation
Article 6 – paragraph 9 – subparagraph 1

Text proposed by the Commission

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market ***for a maximum period of 5 years after the end of the calendar year when it***

Amendment

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market.

has been placed on the market.

Or. ro

Amendment 264

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 6 – paragraph 9 – subparagraph 1

Text proposed by the Commission

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market *for a maximum period of 5 years after the end of the calendar year when it has been placed on the market.*

Amendment

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market.

Or. it

Amendment 265

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 9 – subparagraph 1

Text proposed by the Commission

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market for a maximum period of 5 years after the end of the calendar year when it has been placed on the market.

Amendment

From 1 January 2030, and by way of derogation from paragraphs 2 and 3, innovative packaging may be placed on the market for a maximum period of 3 years after the end of the calendar year when it has been placed on the market.

Or. en

Amendment 266

Daniel Buda

Proposal for a regulation

Article 6 – paragraph 9 – subparagraph 3

Text proposed by the Commission

Amendment

After the period referred to in the first sub-paragraph, such packaging shall be accompanied by the technical documentation referred to in paragraph 8.

deleted

Or. ro

Amendment 267

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 6 – paragraph 9 – subparagraph 3

Text proposed by the Commission

Amendment

After the period referred to in the first sub-paragraph, such packaging shall be accompanied by the technical documentation referred to in paragraph 8.

deleted

Or. it

Amendment 268

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 6 – paragraph 10 – introductory part

Text proposed by the Commission

Amendment

10. Until 31 December 2034, this Article shall not apply to the following:

10. ***There shall be a transition period*** until 31 December 2034 ***whereby*** this Article shall not apply to the following:

Or. en

Justification

Complete exemption forever for the sectors listed below this header is not appropriate given advances in technologies, innovation, plus the volume of waste generated.

Amendment 269
Krzysztof Jurgiel

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). ***Financial contributions shall be earmarked to finance the net cost of collection, sorting and recycling infrastructures of the packaging type it is paid for, following the categories set in Annex II, Table 1.***

Or. en

Justification

Financial contributions collected for a particular type of packaging should be used to finance infrastructure for that particular type of packaging. Only such a solution will ensure an equitable approach to the costs borne by entrepreneurs and enable adequate financing of infrastructure.

Amendment 270
Anne Sander

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

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).***

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.

Or. fr

Amendment 271 **Krzysztof Jurgiel**

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 paragraph 7 of Article 7, the economic operators shall ensure*** the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***as an average of the overall portfolio of plastic packaging of the economic operator placed on the Union market that falls under the scope of these requirements:***

Or. en

Justification

Maintaining the approach of Directive 2019/904 (SUP) which states that the recycled content should be calculated as an average, rather than for each unit of packaging. Changing the approach would have significant implications for the industry and the EU market. The current market for recycled PET (polyethylene terephthalate) is very limited, causing serious problems with access to this raw material. An average-per-entity methodology limits the potential supply problems that some companies may face.

Amendment 272

Martin Hlaváček

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, packaging ***where plastics is the predominant material*** shall contain the following minimum percentage of recycled ***or sustainable renewable*** content, ***either mechanically or chemically*** recovered from post-consumer plastic waste ***calculated as an average of the plastic*** packaging placed to the market on the territory of a Member State:

Or. en

Amendment 273

Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans

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, packaging ***where plastics is the predominant material*** shall contain the following minimum percentage of recycled ***or sustainable renewable*** content, ***either mechanically or chemically*** recovered from post-consumer plastic waste ***calculated as an average of the plastic*** packaging placed by a producer on the territory of a Member State:

Or. en

Justification

The parts defined as plastic in packaging, should be left out of the requirement due to food safety and hygiene reasons and technical unfeasibility. A target on each packaging unit would considerably reduce flexibility as well as manufacturing optimization. Sustainable renewable materials should be seen equal and complementary solution with recycled plastic material to fulfil the targets for recycled material due to the difficult availability of high quality recycled plastic and to reduce fossil materials.

Amendment 274

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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 **2040**, the plastic part in packaging shall contain the following minimum percentage of recycled content, ***calculated based on the average of all plastic packaging placed on the market by each company:***

Or. it

Amendment 275

Pär Holmgren

on behalf of the Verts/ALE Group

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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, ***to be calculated*** per unit of packaging:

Or. en

Justification

it is important this is calculated per unit, otherwise the ambition of the proposal is lost and it will not incentivise increased recycling and re-use across all types of packaged products in the EU market.

Amendment 276

Clara Aguilera

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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per **manufacturer or operator**:

Or. en

Amendment 277**Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno****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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per **batch** of packaging:

Or. en

Amendment 278**Daniel Buda****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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per **producer**:

Or. ro

Amendment 279
Ivan David

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, per unit of packaging:

Or. en

Amendment 280
Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) 30 % for contact sensitive packaging made from polyethylene terephthalate (PET) as the major component;

Amendment

(a) 30 % for contact sensitive **plastic** packaging made from polyethylene terephthalate (PET) as the major component;

Or. en

Justification

A reference to 'plastic' shall be included to ensure consistency of the Article 7.

Amendment 281
Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) **30** % for contact sensitive

Amendment

(a) **10** % for contact sensitive **plastic**

packaging made from polyethylene terephthalate (PET) as the major component;

packaging made from polyethylene terephthalate (PET) as the major component;

Or. en

Amendment 282
Anne Sander

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) 10 % for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles;

deleted

Or. fr

Amendment 283

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) 10 % for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles;

deleted

Or. en

(See amendment on Article 7 Paragraph 9a(new).)

Justification

To date, guidance on recyclate suitable for most contact sensitive packaging materials other than PET, particularly food contact-grade, is not available. Therefore, it is entirely uncertain if suitable recyclates and relevant volumes will be available to allow for the achievement of the proposed targets. Before setting such targets, the Commission should carry out an assessment and should be empowered to set targets under Paragraph 2 of this Article on this

basis.

Amendment 284

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) 10 % for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles;

Amendment

(b) 10 % for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles, *including where made of plastic with paper or other materials, or made entirely of plastic;*

Or. en

Amendment 285

Elsi Katainen, Asger Christensen, Martin Hlaváček

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) 10 % for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles;

Amendment

(b) 10 % for contact sensitive *plastic* packaging made from plastic materials other than PET, except single use plastic beverage bottles;

Or. en

Justification

A reference to ‘plastic’ shall be included to ensure consistency of the Article 7.

Amendment 286

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

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) and (c), **except for contact sensitive plastic packaging made from plastic materials other than PET.**

Or. en

Justification

Necessary adjustment in line with the amendment on Paragraph 1 (b).

Amendment 287

Krzysztof Jurgiel

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. en

Amendment 288

Ivan David

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. en

Amendment 289

Clara Aguilera

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Recycled content targets shall be calculated as an average of the overall portfolio of plastic packaging of the manufacturer or operator placing products on the Union market

Or. en

Amendment 290

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The targets shall be calculated per unit of plastic packaging placed on the Union market.

Or. en

Amendment 291

Pär Holmgren

on behalf of the Verts/ALE Group

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 **2035**, the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging, ***shall apply for the plastic part, per unit, in packaging, including where made of plastic with***

paper or other materials, or made entirely of plastic:

Or. en

Justification

This aligns with other targets for exemptions to the 2030 date. It should also apply on a per unit basis.

Amendment 292

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

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, packaging ***where plastics is the predominant material*** shall contain the following minimum percentage of recycled ***or sustainable renewable*** content, ***either mechanically or chemically*** recovered from post-consumer plastic waste ***calculated as an average of the plastic*** packaging ***placed by a producer on the territory of a Member State:***

Or. en

Justification

The parts defined as plastic in packaging, should be left out of the requirement due to food safety and hygiene reasons and technical unfeasibility. A target on each packaging unit would considerably reduce flexibility as well as manufacturing optimization. Sustainable renewable materials should be seen equal and complementary solution with recycled plastic material to fulfil the targets for recycled material due to the difficult availability of high quality recycled plastic and to reduce fossil materials.

Amendment 293

Krzysztof Jurgiel

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, the **economic operators** shall **ensure** the following minimum percentage of recycled content recovered from post-consumer plastic waste, **as an average of the overall portfolio of plastic packaging of the economic operator placed on the Union market that falls under the scope of these requirements**:

Or. en

Amendment 294
Martin Hlaváček

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, the plastic part in packaging **placed on the market**, shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging:

Or. en

Amendment 295
Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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, the plastic part in packaging shall contain the following minimum percentage of recycled content, **calculated based on the average of all plastic packaging placed on the market by each company**:

Or. it

Amendment 296
Clara Aguilera

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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per ***manufacturer or operator***:

Or. en

Amendment 297
Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno

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, the plastic part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per ***batch*** of packaging:

Or. en

Amendment 298
Daniel Buda

Proposal for a regulation
Article 7 – paragraph 2 – introductory part

Text proposed by the Commission

2. From 1 January 2040, the plastic

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***:

part in packaging shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per ***producer***:

Or. ro

Amendment 299
Ivan David

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 shall contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per unit of packaging:

Or. en

Amendment 300
Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) ***50 % for contact sensitive plastic packaging, except single use plastic beverage bottles;***

deleted

Or. en

(See amendment on Article 7 Paragraph 9a(new).)

Justification

To date, guidance on recyclate suitable for most contact sensitive packaging materials other than PET, particularly food contact-grade, is not available. Therefore, it is entirely uncertain if suitable recyclates and relevant volumes will be available to allow for the achievement of the proposed targets. Before setting such targets, the Commission should carry out an

assessment and should be empowered to set targets under Paragraph 2 of this Article on this basis.

Amendment 301

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation

Article 7 – paragraph 2 – point c

Text proposed by the Commission

(c) 65 % for plastic packaging other than those referred to in *points (a) and (b)*;

Amendment

(c) 65 % for plastic packaging other than *contact sensitive packaging made from plastic materials other than PET and* those referred to in *point (b)*;

Or. en

Justification

Necessary adjustment in line with the amendment on Paragraph 2 (a).

Amendment 302

Clara Aguilera

Proposal for a regulation

Article 7 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Recycled content targets shall be calculated as an average of the overall portfolio of plastic packaging of the manufacturer or operator placing products on the Union market

Or. en

Amendment 303

Dan-Ștefan Motreanu

Proposal for a regulation

Article 7 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) packaging for non-medical products which should be manufactured to ISO standard 15378 to ensure the safety and quality of the product for consumer health.

Or. en

Justification

Packaging made to this ISO 5378 standard meets the requirements for use in pharmaceutical and medical applications. Certain products that are not medicinal apply this standard to ensure the highest level of health protection for users.

Amendment 304

Elsi Katainen, Asger Christensen, Ulrike Müller, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation

Article 7 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) packaging for infants, 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. en

Justification

Foods for infants and young children as well as foods for special medical purposes are concerning vulnerable consumer groups whose health requires specific protection. Regulation (EU) No 10/2011 sets out safety requirements for plastic materials and articles intended to come into contact with food.

Amendment 305

Krzysztof Jurgiel

Proposal for a regulation

Article 7 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) varnishes with food contact in cans;

Or. en

Justification

Some packages are coated with varnishes or coatings containing plastics for technological reasons. Without the coating, food/beverages in metal packaging would not retain a shelf life of many years. Plastics in coatings and varnishes are a minimal percentage of the total package and do not compromise the recyclability of the package.

Amendment 306
Krzysztof Jurgiel

Proposal for a regulation
Article 7 – paragraph 3 – point d b (new)

Text proposed by the Commission

Amendment

(db) packaging of which the plastic with food contact represents less than 5% to a maximum of 3 g in weight;

Or. en

Justification

Cap seals must be made of food-grade plastic to ensure a full tight seal on the bottle and thus ensure product safety. In this case, there are no feasible materials yet that use recycled material. According to manufacturers, it is currently not technologically feasible to produce recycled coatings/paint or caps with recycled plastic seals.

Amendment 307
Krzysztof Jurgiel

Proposal for a regulation
Article 7 – paragraph 3 – point d d (new)

Text proposed by the Commission

Amendment

(dd) reusable and refillable packaging placed on the EU market prior to the entry into force of the regulation.

Justification

Already marketed reusable and refillable packaging should be excluded, as it is no longer possible to change its composition.

Amendment 308
Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. (da) packaging for infants, baby food, food for special medical purposes or packaging for drinks or foods typically used for young children as defined in Article 1 point (a), (b) and (c) of Regulation (EU) No 609/2013.

Amendment 309
Nicola Procaccini

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 **packaging where plastic is not predominant material and to compostable plastic packaging as well as to bio-based plastic packaging, inks, adhesives, varnishes and coatings used on packaging.**

Compostable packaging can be placed on the market providing the presence of a minimum content of renewable raw material determined as percentage of carbon of biological origin present in packaging compared to the total carbon

present therein and using for this purpose the current European standard on the subject based on radiocarbon methods EN 16640.

Agricultural biomass used for the manufacture of compostable packaging complies with the criteria laid down in Article 29, paragraphs 2 to 5, of Directive (EU) 2018/2001. Forest biomass used for the manufacture compostable packaging complies with the criteria laid down in Article 29, paragraphs 6 and 7 of that Directive.

Or. en

Justification

It is considered necessary to define a minimum content of renewable raw materials for compostable packaging. For this reason, an amendment is proposed that takes into account the requirement by specifying the sustainability requirements of the biomass from which the renewable raw materials are obtained. These requirements are the same as those requested by the EU Taxonomy 2021/2139 in chapter 3.17 manufacture of plastics in primary form. Furthermore, the role of bio-based materials should be equally recognised vis-à-vis recycled materials.

Amendment 310 **Ivan David**

Proposal for a regulation **Article 7 – paragraph 4**

Text proposed by the Commission

4. Paragraphs 1 and 2 shall not apply to compostable plastic packaging.

Amendment

4. Paragraphs 1 and 2 shall not apply to compostable plastic packaging *as well as to plastic packaging based on renewable raw materials, to inks, adhesives, varnishes, and coatings used on packaging.*

Or. en

Amendment 311

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. Paragraphs 1 and 2 shall not apply to compostable plastic packaging.

Amendment

4. Paragraphs 1 and 2 shall not apply to compostable ***or bio-based*** plastic packaging, ***as well as inks, adhesives, varnishes and coatings used on packaging.***

Or. en

Justification

Clarification that certain components of packaging are not considered plastic under the obligations of this Article.

Amendment 312
Nicola Procaccini

Proposal for a regulation
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. By [OP: please insert the date = 24 months from the entry into force of this Regulation] compostable packaging shall contain a minimum content of renewable raw material of at least 60%.

Or. en

Amendment 313
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation
Article 7 – paragraph 6

Text proposed by the Commission

Amendment

6. By 1 January 2030, the financial contributions paid by producers to comply with their extended producer responsibility

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.

obligations as laid down in Article 40 shall be modulated based on the percentage of recycled content *or bio-based content* used in the packaging.

Or. en

Amendment 314 **Krzysztof Jurgiel**

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. **Within 12 months from the date of entry into force of this Regulation**, the Commission **shall** 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. ***An EU harmonized mass balance method shall be specified as part of all these implementing acts***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 59(3).

Or. en

Amendment 315 **Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno**

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. 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).

verification of the percentage of recycled content recovered from post-consumer plastic waste, per **batch** 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).

Or. en

Amendment 316

Pär Holmgren

on behalf of the Verts/ALE Group

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 **per unit of plastic packaging** 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

Justification

it is important this is calculated per unit, otherwise the ambition of the proposal is lost and it will not incentivise increased recycling and re-use across all types of packaged products in the EU market.

Amendment 317

Clara Aguilera

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**Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans****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

*Justification**Deletion in line and to ensure the coherence in Article 7 paragraphs 1 and 2.*

Amendment 319
Krzysztof Jurgiel

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 **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

Amendment 320
Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation
Article 7 – paragraph 9 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

By 1 January 2030, the Commission shall assess the market availability at scale of high quality recyclates for contact sensitive plastic packaging. Based on this assessment, the Commission is empowered to adopt delegated acts in accordance with Article 58 to amend Paragraph 2 of this article in order to establish a minimum percentage of recycled content from post-consumer plastic waste for contact sensitive plastic packaging, except single use plastic beverage bottles.

Or. en

(See amendments on Paragraph 1(b) and 2(a).)

Justification

To date, guidance on recyclate suitable for most contact sensitive packaging materials other

than PET, particularly food contact-grade, is not available. Therefore, it is entirely uncertain if suitable recyclates and relevant volumes will be available to allow for the achievement of the proposed targets. Before setting such targets, the Commission should carry out an assessment and should be empowered to set targets under Paragraph 2 of this Article on this basis.

Amendment 321
Krzysztof Jurgiel

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 322
Pär Holmgren
on behalf of the Verts/ALE Group

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 *its* assessment, the Commission is empowered to adopt delegated acts in accordance with Article 58 to amend this Regulation in order to:

Or. en

Amendment 323
Pär Holmgren
on behalf of the Verts/ALE Group

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 ***granted by the Commission justified with evidence and scientifically and statistically representative assessments following all stages of the life cycle***, 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,

Or. en

Amendment 324
Krzysztof Jurgiel

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 b and ***paragraph 2 point a***, for specific plastic packaging, and, as appropriate,

Or. en

Amendment 325
Daniela Rondinelli

Proposal for a regulation
Article 7 – paragraph 9 – subparagraph 2 – subparagraph 1

Text proposed by the Commission

where suitable recycling technologies to recycle plastic packaging are not available because they are not authorised under the relevant Union rules or are not sufficiently installed in practice.

Amendment

where suitable recycling technologies to recycle plastic packaging are not available because they are not authorised under the relevant Union rules or are not sufficiently installed in practice ***or where there is no sufficient availability of recycled plastic***

on the market suitable for contact with food.

Or. en

Amendment 326

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 7 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

11a. By 31 December 2026, the Commission shall publish a report assessing:

(a) the possibility to introduce bio-based feedstock targets for plastic packaging, considering their potential contribution to meet the targets set out in Article 7(1) and (2);

(b) sustainability requirements for bio-based feedstock; the Commission shall consider the existing sustainable criteria laid down in Article 29 of Directive (EU) 2018/2001 when assessing requirements for non-fossil bio-based feedstock.

2. Based on the assessment set out in the report referred to in paragraph 1, the Commission is empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to:

(a) establish bio-based targets used in plastic packaging towards achievements of the recycled content targets under Article 7(1) and (2);

(b) establish sustainability requirements for bio-based feedstocks to be eligible to contribute towards the targets.

Or. en

Amendment 327
Petri Sarvamaa

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities. *deleted*

Or. en

Amendment 328
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables **and** very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables, very lightweight plastic carrier bags, ***bags for fruits and vegetables or for other food sold loose, required for hygiene reasons or where it is demonstrated that contribute to prevent food waste***, shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. en

Amendment 329**Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans****Proposal for a regulation****Article 8 – paragraph 1***Text proposed by the Commission*

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), **points (f) and (g)**, sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), **point (f)**, sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities ***in line with the standard EN 13432:2000 to not to affect the quality of compost or pose contamination risks.***

Or. en

Justification

Clarity in the definition and categorization is necessary to ensure freedom of material choice to deliver on the circular economy objectives.

The concrete requirements for the compostability of packaging are regulated in the EN 13432 standard.

Amendment 330**Martin Hlaváček****Proposal for a regulation****Article 8 – paragraph 1***Text proposed by the Commission*

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), **points (f) and (g), sticky labels** attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), **point (f)** attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities ***in line with the standard EN 13432:2000 to not to affect the quality of compost or pose***

contamination risks.

Or. en

Amendment 331

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By *[OP: please insert the date = 24 months from the entry into force of this Regulation]*, packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By **2030**, packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. it

Amendment 332

Anne Sander

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), ***sticky labels attached to fruit and vegetables and*** very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. fr

Amendment 333

Carmen Avram

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

Text proposed by the Commission

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), ***sticky labels attached to fruit and vegetables and*** very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. en

**Amendment 334
Clara Aguilera**

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

Text proposed by the Commission

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), ***sticky labels attached to fruit and vegetables*** and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g) and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. en

**Amendment 335
Daniel Buda**

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

Text proposed by the Commission

Amendment

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), ***sticky labels attached to fruit and vegetables*** and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

1. By [OP: please insert the date = 24 months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. ro

Amendment 336

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By [OP: please insert the date = **24** months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Amendment

1. By [OP: please insert the date = **12** months from the entry into force of this Regulation], packaging referred to in Article 3(1), points (f) and (g), sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.

Or. en

Amendment 337

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. So that the organic waste management stream is not impacted negatively, and to maintain the quality of compost according to standard EN 13432:2000 and to avoid contamination

risks, the Commission shall, no later than 31 May 2026, request the European standardisation organisations to update the standard EN 13432:2000.

Or. en

Amendment 338
Nicola Procaccini

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. *Where* appropriate waste collection schemes and waste treatment infrastructure are *available to ensure that packaging referred to in paragraph 1 enters the organic waste management stream, Member States are* empowered to require that lightweight plastic carrier bags shall be *made available on their market for the first time only if it can be demonstrated that those lightweight plastic carrier bags have been entirely manufactured from biodegradable plastic polymers, which are* compostable in industrially controlled conditions.

Amendment

2. *Member States which have transposed art. 22 of Directive 2008/98 and have* appropriate waste collection schemes and waste treatment infrastructure are empowered to require that lightweight plastic carrier bags shall be compostable in industrially controlled conditions. *The same provision shall apply to compostable packaging formats mentioned in Annex V, nn. 1, 2, 3 and 4.*

Or. en

Amendment 339
Nicola Procaccini

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. By [OP: Please insert the date = 24 months from the date of entry into force of this Regulation], packaging other than that referred to in paragraphs 1 and 2, *including* packaging made of

Amendment

3. By [OP: Please insert the date = 24 months from the date of entry into force of this Regulation], packaging *labelled as compostable* other than that referred to in paragraphs 1 and 2, *shall comply with the*

biodegradable plastic polymers, shall allow material recycling ***without affecting the recyclability of other waste streams.***

criteria listed in Annex III. Packaging made ***with compostable material that is not labelled as compostable***, shall allow material recycling.

Or. en

Justification

The EC has set out specific criteria in Appendix 3 on the eco-design of compostable packaging and its organic recycling, so it is these criteria that should be referred to when assessing the recyclability of compostable packaging. Consequently, it is requested to amend Art. 8 para. 3 to provide as a closing rule that all other bioplastic packaging (other than those in par. 1 and 2) must be recyclable in order to be circulated.

Amendment 340 Nicola Procaccini

Proposal for a regulation Article 8 – paragraph 5

Text proposed by the Commission

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.

Amendment

5. ***After an assessment of the expert group***, the Commission shall be empowered to adopt delegated acts in accordance with Article 58 to ***add*** other types of packaging to the types of packaging covered by paragraphs ***1 and 2 of this Article*** 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. ***A public register containing the lists of such applications should be established and updated by the Commission.***

Or. en

Amendment 341 Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation Article 8 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. *The Commission shall, no later than 31 May 2026, request the European standardisation organisations to update the harmonised standard on the requirements for packaging recoverable through composting and biodegradation - test schemes and evaluation criteria. This standard shall consider the composting times, admissible levels of visual contamination and other requirements needed to reflect the actual conditions in the bio-waste treatment facilities, including anaerobic digestion processes, in line with the scientific and technological developments.*

Or. en

Amendment 342
Álvaro Amaro

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

Amendment

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.

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:

(a) the material that the packaging is made of;

(b) a particular shape or design protected by intellectual property rights, to help distinguish and protect a product, and;

(c) the preservation of a high standard of quality to ensure the safety of the consumer and to protect the reputation and market differentiation of products bearing geographical indications or designations of origin or are considered

*as Traditional Specialities Guaranteed,
protected under Union law.*

Or. en

Amendment 343

**Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle,
Hilde Vautmans**

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 functionality *as listed in the definition of packaging set out in Article 3(1)* taking account of the material that the packaging is made of, *a specific shape or design protected by intellectual property rights, to help distinguish and protect a product to ensure the safety of the consumer and to protect the GIs and other products of distinctive origin protected under Union law.*

Or. en

Justification

Packaging shall be designed so that its weight and volume is reduced to the minimum necessary for ensuring its functionality. In this respect it is necessary to recall the essential functions of packaging so that this is not lost sight of as packaging is reduced. This is clearly outlined in Article 3, paragraph 1 and should be referenced in this article to ensure these key functions for the products that agri-food sectors produce.

Amendment 344

Daniel Buda

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 functionality, ***without damaging the products for which it is intended***, taking account of the material that the packaging is made of.

Or. ro

Amendment 345**Pär Holmgren**

on behalf of the Verts/ALE Group

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 it is fully recyclable at the end of life and*** 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.

Or. en

Amendment 346

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

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.

Amendment 347**Álvaro Amaro****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, and unnecessary layers, shall not be placed on the market, unless the *product or packaging design is subject to intellectual property protection, or the product benefits from the Union's geographical indications or designations of origin or is considered as Traditional Speciality Guaranteed, which apply to EU and third country geographical indications and TSGs registered in the Union*.

Amendment 348**Pär Holmgren**

on behalf of the Verts/ALE Group

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

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 protected under Union legislation.

be placed on the market, unless the packaging design is subject to geographical indications of origin protected under Union legislation. ***Protected products shall strive to optimise their packaging design in line with the conformity assessment procedure provided in this regulation and the performance criteria as listed in Annex IV.***

Or. en

Amendment 349

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

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 packaging design is subject to geographical indications of origin ***and/or intellectual property right*** protected under Union legislation.

Or. en

Amendment 350

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

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

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 protected under Union legislation.

in Annex IV and packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls 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.

Or. it

Amendment 351
Carmen Avram

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, 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.

Or. en

Amendment 352
Daniel Buda

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

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 protected under Union legislation.

characteristics that are only aimed to increase the perceived volume of the product, including double walls 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.

Or. ro

Amendment 353
Annie Schreijer-Pierik

Proposal for a regulation
Article 9 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Food packaging must be designed in such a way that it can ensure the quality and shelf life of the packaged product, thereby preventing unnecessary food waste, regardless of the size or weight of the product being packaged.

Or. nl

Amendment 354
Tom Vandenkendelaere

Proposal for a regulation
Article 9 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

For the purpose of assessing the compliance with this paragraph, space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials shall be considered as empty space.

For the purpose of assessing the compliance with this paragraph, space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials shall be considered as empty space. ***For sales packaging for agrifood products that are subject to settlement during***

transportation or where headspace is required to protect the product, compliance with this paragraph shall be assessed as the pack-fill level at the point of filling.

Or. en

Amendment 355

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 2

Text proposed by the Commission

For the purpose of assessing the compliance with this paragraph, space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials shall be considered as empty space.

Amendment

For the purpose of assessing the compliance with this paragraph, space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials shall be considered as empty space. *Air between or within particles of packed foodstuff or protective gases are not considered an empty space.*

Or. en

Justification

Empty space minimisation within food packaging should not compromise the quality of foodstuff or properties of product.

Amendment 356

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 1 – point b

Text proposed by the Commission

(b) the identification *of the* design requirements which prevent further

Amendment

(b) the identification *purely* design requirements which prevent further

reduction of the packaging weight or volume, for each of these performance criteria;

reduction of the packaging weight or volume, for each of these performance criteria;

Or. en

Amendment 357

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 2

Text proposed by the Commission

For reusable packaging, the assessment of compliance with the requirements set out in paragraph 1 shall take into account the function of reusable packaging as referred to in Article 10.

Amendment

For reusable packaging, the assessment of compliance with the requirements set out in paragraph 1 shall take into account the function of reusable packaging as referred to in Article 10. ***Micro-enterprises as defined in Article 22(3) first half-sentence are exempt from the obligations in this paragraph.***

Or. de

Justification

These obligations affect producers. Consequently, an exemption for micro-enterprises is necessary, in particular for direct marketers, provided they are “producers” of packaging pursuant to Article 3(9) of the draft regulation.

Amendment 358

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation

Article 9 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Paragraph 4 shall not apply to micro, small and medium sized economic operators that are not part of a large group, in line with Article 3 (1), (2), (3) and (7) of Directive 2013/34/EU.

Justification

Requirements regarding technical documentation of compliance with provisions under paragraphs 1 and 2 would put undue administrative burden on SME, particularly in the food sector.

Amendment 359

Anne Sander

Proposal for a regulation**Article 10 – paragraph 2***Text proposed by the Commission*

2. Compliance with the requirements set out in paragraph 1 shall be demonstrated in the technical information concerning the packaging referred to in Annex VII.

Amendment

2. Compliance with the requirements set out in paragraph 1 shall ***apply only to packaging placed on the market for the first time after the entry into force of the Regulation and must*** be demonstrated in the technical information concerning the packaging referred to in Annex VII.

Amendment 360

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation**Article 10 – paragraph 2***Text proposed by the Commission*

2. Compliance with the requirements set out in paragraph 1 shall be demonstrated in the technical information concerning the packaging referred to in Annex VII.

Amendment

2. Compliance with the requirements set out in paragraph 1 shall be demonstrated in the technical information concerning the packaging referred to in Annex VII. ***Micro-enterprises as defined in Article 22(3) first half-sentence are exempt from the obligations in this paragraph.***

Justification

These obligations affect producers. Consequently, an exemption for micro-enterprises is necessary, in particular for direct marketers, provided they are “producers” of packaging pursuant to Article 3(9) of the draft regulation.

Amendment 361**Clara Aguilera****Proposal for a regulation****Article 11 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

From [OP: Please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

Amendment

From [OP: Please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. ***The label on the packaging shall be easily understood and without the need for a national text.*** This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

Or. en

Amendment 362**Daniel Buda****Proposal for a regulation****Article 11 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

From [OP: please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

Amendment

From [OP: please insert the date = 42 months after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition, ***the label on the packaging must be easy to understand.*** This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

Or. ro

Amendment 363
Krzysztof Jurgiel

Proposal for a regulation
Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

From [OP: Please insert the date = **42 months** after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

Amendment

From [OP: Please insert the date = **5 years** after the entry into force of this Regulation], packaging shall be marked with a label containing information on its material composition. This obligation does not apply to **packaging covered by a deposit or return system and** transport packaging. However, it applies to e-commerce packaging.

Or. en

Amendment 364
Krzysztof Jurgiel

Proposal for a regulation
Article 11 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Packaging subject to deposit and return systems referred to in Article 44(1) **shall, in addition to the labelling referred to in the first subparagraph**, be marked with a harmonised label established in the relevant implementing act adopted pursuant to paragraph 5.

Amendment

Packaging subject to deposit and return systems referred to in Article 44(1) **and set up after the entry into force of this Regulation shall** be marked with a harmonised label established in the relevant implementing act adopted pursuant to paragraph 5.

Or. en

Amendment 365
Annie Schreijer-Pierik

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. From [OP: Please insert the date = 48 months after the date of entry into force of this Regulation], packaging shall bear a label on packaging reusability and a QR code or other type of digital data carrier that provides further information on packaging reusability including the availability of a system for re-use and of collection points, and that facilitates the tracking of the packaging and the calculation of trips and rotations. In addition, reusable sales packaging shall be clearly identified and distinguished from single use packaging at the point of sale.

Amendment

2. From [OP: Please insert the date = 48 months after the date of entry into force of this Regulation], packaging shall bear a label on packaging reusability and a QR code or other type of digital data carrier that provides further information on packaging reusability including the availability of a system for re-use and of collection points, and that facilitates the tracking of the packaging and the calculation of trips and rotations. ***All information that consumers can find through the QR code should be available in all EU languages, so that every consumer in Europe receives the correct information.*** In addition, reusable sales packaging shall be clearly identified and distinguished from single use packaging at the point of sale.

Or. nl

Amendment 366
Krzysztof Jurgiel

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. From [OP: Please insert the date = ***48 months*** after the date of entry into force of this Regulation], packaging shall bear a label on packaging reusability ***and*** a QR code or other type of digital data carrier that provides further information on packaging reusability including the availability of a system for re-use and of collection points, ***and that facilitates the tracking of the packaging and the calculation of trips and rotations.*** In addition, reusable sales packaging shall be

Amendment

2. From [OP: Please insert the date = ***5 years*** after the date of entry into force of this Regulation], ***reusable*** packaging shall bear a label on packaging reusability ***or*** a QR code or other type of digital data carrier that provides further information on packaging reusability including the availability of a system for re-use and of collection points. In addition, reusable sales packaging shall be clearly identified and distinguished from single use packaging at the point of sale.

clearly identified and distinguished from single use packaging at the point of sale.

Or. en

Amendment 367

Clara Aguilera

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. From [OP: Please insert the date = 48 months after the date of entry into force of this Regulation], packaging shall bear **a** label on packaging reusability **and** a QR code or other type of digital data carrier that provides further information on packaging reusability including the availability of a system for re-use and of collection points, **and that facilitates the tracking of the packaging and the calculation of trips and rotations**. In addition, reusable sales packaging shall be clearly identified and distinguished from single use packaging at the point of sale.

Amendment

2. From [OP: Please insert the date = 48 months after the date of entry into force of this Regulation], packaging shall bear **an easily understood** label on packaging reusability **and/or** a QR code or other type of digital data carrier **without the need for a national text** that provides further information on packaging reusability including the availability of a system for re-use and of collection points. In addition, reusable sales packaging shall be clearly identified and distinguished from single use packaging at the point of sale.

Or. en

Amendment 368

Clara Aguilera

Proposal for a regulation

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Packaging placed on the market before the dates mentioned in paragraphs 1, 2 and 3 may be marketed until their end of life.

Or. en

Amendment 369

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation

Article 11 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Where Union legislation requires information on the packaged product to be provided via a data carrier, a single data carrier shall be used for providing the information required for both the packaged product and the packaging.

Amendment

Where Union legislation requires information on the packaged product to be provided via a data carrier, a single data carrier shall be used for providing the information required for both the packaged product and the packaging. ***The obligations referred to in paragraphs 1 to 3 shall not apply to micro-enterprises as defined in Article 22(1), first half-sentence.***

Or. de

Justification

There is an urgent need for an exemption for micro-enterprises, especially for direct agricultural marketers, with regard to labelling, marking and information requirements.

Amendment 370

Krzysztof Jurgiel

Proposal for a regulation

Article 11 – paragraph 4 – subparagraph 2

Text proposed by the Commission

Where Union legislation requires information on the packaged product to be provided via a data carrier, a single data carrier ***shall*** be used for providing the information required for both the packaged product and the packaging.

Amendment

Where Union legislation requires information on the packaged product to be provided via a data carrier, a single data carrier ***may*** be used for providing the information required for both the packaged product and the packaging.

Or. en

Amendment 371

Krzysztof Jurgiel

Proposal for a regulation

Article 11 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. Packaging put on the market before the dates mentioned in paragraphs 1, 2, 5 and 6 may be marketed until their end of life.

Or. en

Amendment 372

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation

Article 13 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

(9a) The obligations referred to in paragraphs 1 to 9 shall not apply to micro-enterprises as defined in Article 22(3), first half-sentence.

Or. de

Amendment 373

Clara Aguilera

Proposal for a regulation

Article 16 – paragraph 5

Text proposed by the Commission

Amendment

5. Importers shall ensure that, while the packaging is under their responsibility, storage or transport conditions **do not jeopardise its compliance** with the applicable requirements set out in Articles 5 to 11.

5. Importers shall ensure that, while the packaging is under their responsibility, storage or transport conditions **complies** with the applicable requirements set out in Articles 5 to 11.

Or. en

Amendment 374
Clara Aguilera

Proposal for a regulation
Article 16 – paragraph 6

Text proposed by the Commission

6. Importers who ***consider or have reason to believe that packaging, which they*** have placed on the market, is not in conformity with the applicable requirements set out in Articles 5 to 11, shall immediately take the corrective measures necessary to bring that packaging into conformity, to withdraw it or recall it, as appropriate.

Amendment

6. Importers who have placed ***packaging*** on the market ***that*** is not in conformity with the applicable requirements set out in Articles 5 to 11, shall immediately take the corrective measures necessary to bring that packaging into conformity, to withdraw it or recall it, as appropriate.

Or. en

Amendment 375
Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation
Article 17 – paragraph 2 – point c

Text proposed by the Commission

(c) the manufacturer and the importer have complied with the requirements set out in Article 13(5) and (6) and Article 16(3) respectively.

Amendment

(c) the manufacturer and the importer have complied with the requirements set out in Article 13(5) and (6) and Article 16(3) respectively. ***These inspection obligations do not apply to micro-enterprises as defined in Article 22(3), 1st half-sentence.***

Or. de

Justification

Exemption for micro-enterprises, in particular for direct marketers, provided that they are obliged to conduct inspections as “distributors” of packaging pursuant to Article 3(13) of the draft regulation. The inspection requirement should not apply to micro-enterprises.

Amendment 376
Clara Aguilera

Proposal for a regulation
Article 17 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Distributors shall ensure that, while the packaging is under their responsibility, storage or transport conditions **do not jeopardise its compliance** with the requirements set out in Articles 5 to 11.

Amendment

Distributors shall ensure that, while the packaging is under their responsibility, storage or transport conditions **complies** with the requirements set out in Articles 5 to 11.

Or. en

Amendment 377
Martin Hlaváček

Proposal for a regulation
Article 21 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

For the purpose of this calculation:

Amendment

For the purpose of this calculation, '**empty space**' means:

Or. en

Amendment 378
Martin Hlaváček

Proposal for a regulation
Article 21 – paragraph 2 – subparagraph 1 – point a

Text proposed by the Commission

(a) **empty space shall mean** the difference between the total volume of **grouped packaging, transport packaging or e-commerce** packaging and the volume of **sales packaging contained therein**;

Amendment

(a) **with respect to sales packaging:** the difference between the total volume of **sales** packaging and the **total** volume of **goods in this** packaging;

Or. en

Amendment 379
Martin Hlaváček

Proposal for a regulation
Article 21 – paragraph 2 – subparagraph 1 – point b

Text proposed by the Commission

(b) *empty space ratio shall mean the ratio of the empty space as defined in point (a) of this paragraph and the total volume of the grouped packaging, transport packaging or e-commerce packaging.*

Amendment

(b) *with respect to grouped packaging, transport packaging and e-commerce packaging: the difference between the total volume of grouped packaging, transport packaging or e-commerce packaging and the volume of sales packaging contained therein;*

Or. en

Amendment 380
Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation
Article 21 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Space filled by filling materials such as paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene or Styrofoam chips, shall be considered as empty space.

Amendment

Space filled by filling materials such as paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene or Styrofoam chips, shall be considered as empty space. *In addition, if the shape of the product causes a situation where minimizing the empty space would lead to an increase of the amount of packaging material, it is possible to deviate from the principle of an empty space by minimizing the amount of packaging material.*

Or. en

Justification

Due to the shape of many agricultural food products, empty space in the packaging will exceed 40%, for example egg carton.

Amendment 381

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation**Article 22***Text proposed by the Commission**Amendment***Article 22*****deleted******Restrictions on use of certain packaging formats***

- 1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.***
- 2. By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2030.***
- 3. Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.***
- 4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into***

account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Or. it

Amendment 382
Nicola Procaccini

Proposal for a regulation
Article 22 – title

Text proposed by the Commission

Restrictions on use of certain packaging formats

Amendment

Restrictions on use of certain packaging formats *that are not compostable or fibre-based*

Or. en

Amendment 383
Petri Sarvamaa

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Amendment

deleted

Or. en

Amendment 384
Nicola Procaccini

Proposal for a regulation

Article 22 – paragraph 1*Text proposed by the Commission*

1. ***Economic operators shall not place on the market*** packaging in the formats and for the purposes listed in Annex V.

Amendment

1. ***Member States which have transposed art. 22 of Directive 2008/98 and have appropriate waste collection schemes and waste treatment infrastructure, may exempt from restrictions compostable*** packaging ***complying with Annex III*** in the formats and for the purposes listed in ***point 1, 2, 3 and 4 of*** Annex V.

Or. en

Justification

Member States which have transposed art. 22 of Directive 2008/98 and have appropriate waste collection schemes and waste treatment infrastructure, should have the flexibility in order to exempt from restriction of article 22 compostable packaging complying with Annex III in the formats and for the purposes listed in point 1, 2, 3 and 4 of Annex V. These are applications in direct contact with food for which organic recycling appears to be the ideal solution.

Amendment 385

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

Proposal for a regulation**Article 22 – paragraph 1***Text proposed by the Commission*

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Amendment

1. ***Without prejudice to traceability requirements laid down in Article 18 of the Regulation n. 178/2002***^{1a}, economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

^{1a} Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down

procedures in matters of food safety (OJ L 31, 1.2.2002).

Or. en

Amendment 386

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Amendment

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V, ***unless such placing on the market is in line with paragraph 2 of Article 4 of Directive 2008/98/EC.***

Or. en

Justification

Further restrictions should be proportionate and aimed at encouraging the options that deliver the best overall environmental outcome. There is a clear need for different types of packaging and the packaging materials should be chosen to fit the purpose. The Regulation should make clear that such packaging formats can still be used where it is beneficial from the life cycle perspective.

Amendment 387

Krzysztof Jurgiel

Proposal for a regulation

Article 22 – paragraph 1

Text proposed by the Commission

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Amendment

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V, ***in line with Article 4 paragraph 2 of Waste Framework Directive.***

Or. en

Amendment 388
Anne Sander

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Amendment

1. ***If they are not able to demonstrate their usefulness***, economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.

Or. fr

Amendment 389
Petri Sarvamaa

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. ***By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2030.***

Amendment

deleted

Or. en

Amendment 390
Krzysztof Jurgiel

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point

Amendment

2. By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point

3 of Annex V as of 1 January 2030.

1 and 3 of Annex V as of 1 January 2030.

Or. en

Justification

Compatible with Annex V. The intention of the Ams is to exclude shrink wrap from the scope. A carbon footprint study covering the entire life cycle of a beverage can shows that the use of 100% recycled shrink films has the smallest carbon footprint compared to available alternatives (including paper packaging) due to its low weight. On top, plastic shrink films are fully recyclable and can be made from 100% recycled plastic.

Amendment 391
Nicola Procaccini

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2030.

Amendment

2. By way of derogation from paragraph 1, economic operators shall not place on the market packaging in the formats and for the purposes listed in point **3 and 4** of Annex V as of 1 January 2030.

Or. en

Amendment 392
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno

Proposal for a regulation
Article 22 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Without prejudice to Article 8 of this Regulation, economic operator shall not place on the market packaging in the formats and for the purposes listed in point 2 of Annex V as of 18 months after the adoption of the delegated act laid down in paragraph 2b.

Amendment 393**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno****Proposal for a regulation****Article 22 – paragraph 2 b (new)***Text proposed by the Commission**Amendment*

2b. The Commission shall adopt delegated acts in accordance with Article 58 in order to supplement the provisions laid down in point 2 of Annex V. The Commission shall consider the list of fresh fruit and vegetables laid down in part IX of Annex I of Regulation No 1308/2013^{1a} and assess where the restriction on the market of the packaging in the format and for the purposes listed in point 2 of Annex V would create water loss or turgidity loss, microbiological hazards or physical shocks. In this regards the Commission should take into consideration the provisions laid down in Article 76 of Regulation No 1308/2013.

^{1a} 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)

Amendment 394**Petri Sarvamaa****Proposal for a regulation****Article 22 – paragraph 3**

Text proposed by the Commission

Amendment

3. *Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.*

deleted

Or. en

Amendment 395
Daniela Rondinelli

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

Amendment

3. Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.

3. Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], ***namely farms and agricultural businesses engaged in direct sales activities in farmers' markets regulated by national or regional law***, and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.

Or. it

Amendment 396
Nicola Procaccini

Proposal for a regulation
Article 22 – paragraph 3

Text proposed by the Commission

3. Member States may exempt economic operators from point 3 of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.

Amendment

3. Member States may exempt economic operators from point 3 **and 4** of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.

Or. en

Amendment 397
Anne Sander

Proposal for a regulation
Article 22 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By 1 January 2027 at the latest, the Commission shall define the characteristics of useful single-use packaging after carrying out an impact assessment taking into account the availability of alternative packaging solutions, the levels of food waste generation resulting from bulk sales, and the economic sustainability, in particular in comparison with other less restrictive measures.

By 1 January 2027 at the latest, the Commission shall establish a single system of exceptions to the prohibitions in Annex V, based on the abovementioned

impact assessment.

Or. fr

Amendment 398
Nicola Procaccini

Proposal for a regulation
Article 22 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Moreover, this Article does not apply to packaging intended as part of the specifications for Geographical Indications, as per Regulations No 1151/2012, No 1308/2013 and 2019/787 and subsequent modifications.

Or. en

Justification

Where envisaged, the type of packaging for products recognised as Geographical Indications responds to specific characteristics of preservation of the integrity, wholesomeness and quality of the products themselves and should therefore be preserved.

Amendment 399
Anne Sander

Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the ***deleted***

packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Or. fr

Amendment 400
Petri Sarvamaa

Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

Amendment

4. *The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.*

deleted

Or. en

Amendment 401

Nicola Procaccini

Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. ***When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.***

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing ***the environmental impact of*** packaging waste. The Commission shall ***not restrict a specific packaging format to a greater extent than an alternative format unless doing so would achieve demonstrably better environmental outcomes, taking into account the overall environmental impact of the full lifecycle of the packaging formats in question assessed according to prevailing state of the art technologies. The Commission shall also*** take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Or. en

Justification

Two different recent studies undertaken by Kearney (“No Silver Bullet - Why a mix of solutions will achieve circularity in Europe’s IEO sector”, 2023) and Ramboll (LCA study, 2022) show that mandating reusable packaging is likely to be counter-productive to the EU Green Deal objectives and will be damaging for the economy, environment, food safety and consumers. Data from the independent study by Kearney specifically shows that a shift to 100% reusable packaging by 2030 would increase greenhouse emissions by nearly 50% for dine-in restaurants.

Amendment 402

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Article 22 – paragraph 4*Text proposed by the Commission*

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste **and improving the overall environmental outcome in line with paragraph 2 of Article 4 of Directive 2008/98/EC**. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Or. en

Justification

To ensure coherence with Article 22(1).

Amendment 403**Clara Aguilera****Proposal for a regulation****Article 22 – paragraph 4***Text proposed by the Commission*

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall

consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions **and raw materials** that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination, **cross contamination with allergens, hygroscopic characteristics and food waste** of the packaged product.

Or. en

Amendment 404
Annie Schreijer-Pierik

Proposal for a regulation
Article 22 – paragraph 4

Text proposed by the Commission

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Amendment

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and **eliminating unnecessary food waste, and** shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.

Or. nl

Justification

Certain fresh foods need to be packaged in larger or smaller containers in order to preserve and/or improve its quality.

Amendment 405

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation**Article 22 – paragraph 4***Text proposed by the Commission*

4. *The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste. When adopting those delegated acts, the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product.*

Amendment

4. *By [OP: Please insert the date = 8 years after the date of entry into force of this Regulation] the Commission shall consider the potential of the restrictions on the use of specific packaging formats to reduce the packaging waste generated while ensuring an overall positive environmental impact, and shall take into account the availability of alternative packaging solutions that meet requirements set out in legislation applicable to contact sensitive packaging, as well as their capability to prevent microbiological contamination of the packaged product. **To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if the Commission finds it appropriate, by a legislative proposal.***

Or. en

Amendment 406

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation**Article 25 – paragraph 4 a (new)***Text proposed by the Commission**Amendment*

4a. *Economic operators shall bear no liability for hygiene or food safety issues that may arise from the use of containers*

provided by the end user.

Or. en

Amendment 407
Atidzhe Alieva-Veli

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

deleted

Or. en

Amendment 408
Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use *or in single-use transport packaging with a minimum of 90% recycled content.*

Or. en

Justification

The Waste Framework Directive explicitly foresees that making the choice that delivers the best overall environmental outcome justified by life-cycle thinking may require specific waste streams to depart from the hierarchy. In contrast to the waste hierarchy as defined by the WFD, this proposal takes a very rigid approach to the hierarchy and prioritises re-use over recycling, without due consideration to the overall environmental performance.

Amendment 409**Elsi Katainen****Proposal for a regulation****Article 26 – paragraph 1***Text proposed by the Commission*

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging, ***excluding fiber-based cardboard***, within a system for re-use.

Or. en

Justification

Considering the diversity of characteristics between appliances, millions of reusable plastic packaging units will be needed to account for different sizes, models and brands. For example, corrugated cardboard packaging is already a circular solution and contains on average 89% recycled content. It is based on a renewable source, is fully recyclable and is recycled at scale in an economically viable way across

Amendment 410**Benoît Lutgen****Proposal for a regulation****Article 26 – paragraph 1***Text proposed by the Commission*

1. From 1 January 2030, economic

Amendment

1. From 1 January 2030, economic

operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

operators making large household appliances listed in point **I** of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging, **excluding corrugated cardboard**, within a system for re-use.

Or. en

Amendment 411
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for **re-use**.

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point **I** of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging, **excluding cardboard**, within a system for **reuse**.

Or. en

Amendment 412
Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point **I** of Annex II to Directive 2012/19/EU available on the market for the first time within the territory

of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

Or. en

Justification

Point 2 of Annex II of Directive 2012/19/EU applies to small household appliances, point 1 applies to large household appliances as meant by the Commission.

Amendment 413

Ivan David

Proposal for a regulation

Article 26 – paragraph 1

Text proposed by the Commission

1. From 1 January 2030, economic operators making large household appliances listed in point 2 of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

Amendment

1. From 1 January 2030, economic operators making large household appliances listed in point **I** of Annex II to Directive 2012/19/EU available on the market for the first time within the territory of a Member State shall ensure that 90 % of those products are made available in reusable transport packaging within a system for re-use.

Or. en

Amendment 414

Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. This provision shall not apply to highly recyclable packaging collected and recycled or to well-functioning national deposit and return system defined in the Article 3(51).

Amendment 415**Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton****Proposal for a regulation****Article 26 – paragraph 2***Text proposed by the Commission**Amendment*

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that:

(a) from 1 January 2030, 20 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill.

Or. it

Amendment 416**Petri Sarvamaa****Proposal for a regulation****Article 26 – paragraph 2***Text proposed by the Commission**Amendment*

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that:

(a) from 1 January 2030, 20 % of those beverages are made available in reusable packaging within a system for re-use or by

enabling refill;

(b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 417

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation Article 26 – paragraph 2

Text proposed by the Commission

Amendment

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that: *deleted*

(a) from 1 January 2030, 20 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

The Commission's impact assessment does not cover benefits of reuse in the food and drink takeaway sector to be better from the environmental outcome perspective. Specific targets for reuse in these sectors cannot be set without a prior analysis by taking also into account the absence of large scale reuse system within the Member states which would also need expensive investments.

Amendment 418 Martin Hlaváček

Proposal for a regulation**Article 26 – paragraph 2 – introductory part***Text proposed by the Commission**Amendment*

2. *The final distributor making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that:* **deleted**

Or. en

Amendment 419**Daniela Rondinelli****Proposal for a regulation****Article 26 – paragraph 2 – introductory part***Text proposed by the Commission**Amendment*

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that:

2. The final distributor, ***with the exception of the economic operators referred to in Article 22(3)***, making available on the market within the territory of a Member State in sales packaging cold or hot beverages filled into a container at the point of sale for take-away shall ensure that:

Or. it

Amendment 420**Nicola Procaccini****Proposal for a regulation****Article 26 – paragraph 2 – introductory part***Text proposed by the Commission**Amendment*

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold

2. The final distributor making available on the market within the territory of a Member State in sales packaging cold

or hot beverages filled into a container at the point of sale for take-away shall ensure that:

or hot beverages filled into a container at the point of sale for take-away *in sales packaging that is not [recyclable] fibre-based packaging* shall ensure that:

Or. en

Amendment 421
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) *from 1 January 2030, 20 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill;*

deleted

Or. en

Amendment 422
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) from 1 January 2030, 20 % of those beverages are *made available in reusable packaging* within a system for re-use or by enabling refill;

(a) from 1 January 2030, 20 % of those beverages are *filled into reusable cups* within a system for re-use or by enabling refill;

Or. en

Justification

It should be made clear that the purpose of reuse refers to the takeaway beverage cup, not the container in which the beverage is stored on the premises, i.e., the keg.

Amendment 423

Nicola Procaccini

**Proposal for a regulation
Article 26 – paragraph 2 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

**Amendment 424
Martin Hlaváček**

**Proposal for a regulation
Article 26 – paragraph 2 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 80 % of those beverages are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

**Amendment 425
Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton**

**Proposal for a regulation
Article 26 – paragraph 3**

Text proposed by the Commission

Amendment

3. A final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further *deleted*

preparation, and typically consumed from the receptacle, shall ensure that:

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. it

Amendment 426
Petri Sarvamaa

Proposal for a regulation
Article 26 – paragraph 3

Text proposed by the Commission

Amendment

3. A final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

deleted

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 427

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Atidzhe Alieva-Veli, Hilde Vautmans

**Proposal for a regulation
Article 26 – paragraph 3**

Text proposed by the Commission

Amendment

3. A final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

deleted

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

The Commission's impact assessment does not cover benefits of reuse in the food and drink takeaway sector to be better from the environmental outcome perspective. Specific targets for reuse in these sectors cannot be set without a prior analysis by taking also into account the absence of large scale reuse system within the Member states which would also need expensive investments.

**Amendment 428
Martin Hlaváček**

**Proposal for a regulation
Article 26 – paragraph 3 – introductory part**

Text proposed by the Commission

Amendment

3. A final distributor that is conducting its business activity in the

3. deleted

HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

Or. en

Amendment 429
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 3 – introductory part

Text proposed by the Commission

3. A final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

Amendment

3. A final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, ***in sales packaging that is in the case of single-portion food packaging not compostable packaging and in the case of all other packaging not [recyclable] fibre-based packaging***, shall ensure that:

Or. en

Amendment 430
Daniela Rondinelli

Proposal for a regulation
Article 26 – paragraph 3 – introductory part

Text proposed by the Commission

3. A final distributor that is

Amendment

3. A final distributor, ***with the***

conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

exception of the economic operators referred to in Article 22(3), that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State in sales packaging take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall ensure that:

Or. it

Amendment 431
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

deleted

Or. en

Amendment 432
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

deleted

Or. en

Amendment 433
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) *from 1 January 2040, 40 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.* **deleted**

Or. en

Amendment 434
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 40 % of those products are *made available in reusable packaging* within a system for re-use or by enabling refill.

(b) from 1 January 2040, 40 % of those products are *filled into reusable cups* within a system for re-use or by enabling refill.

Or. en

Justification

It should be made clear that the purpose of reuse refers to the takeaway beverage cup, not the container in which the beverage is stored on the premises, i.e., the keg.

Amendment 435
Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation
Article 26 – paragraph 4

Text proposed by the Commission

Amendment

4. The manufacturer and the final distributor making available on the market within the territory of a Member **deleted**

State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. it

Amendment 436
Daniel Buda

Proposal for a regulation
Article 26 – paragraph 4

Text proposed by the Commission

Amendment

4. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

deleted

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for

re-use or by enabling refill.

Or. ro

Amendment 437

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 4

Text proposed by the Commission

Amendment

- 4. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:**
- (a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;**
- (b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.**
- deleted*

Or. en

Amendment 438

Paolo De Castro, Achille Variati

Proposal for a regulation

Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

- 4. The manufacturer and the final distributor making available on the market**
- 4. The manufacturer and the final distributor making available on the market**

within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than *wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice*, shall ensure that:

within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than products *falling under Nomenclature codes 2204 (wine of fresh grapes, incl. fortified wines; grape must, partly fermented and of an actual alcoholic strength of > 0,5% vol or grape must with added alcohol of an actual alcoholic strength of > 0,5% vol), 2205 (vermouth and other wine of fresh grapes, flavoured with plants or aromatic substances) and 2208 (undenatured ethyl alcohol of an alcoholic strength of < 80%; spirits, liqueurs and other spirituous beverages)*, other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Or. en

Amendment 439
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

deleted

Or. en

Amendment 440

Krzysztof Jurgiel

Proposal for a regulation

Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

4. The **manufacturer and the final distributor** making available on the market within the territory of **a Member State** in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Amendment

4. The **producer** making available on the market within the territory of **the European Union** in sales packaging alcoholic beverages in the form of beer, **wine, spirits**, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, **and non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat** shall ensure that:

Or. en

Justification

The draft provision, excluding certain sectors, is discriminatory. Such discrimination contradicts the draft's environmental goals, which include reducing as much as possible the total amount of packaging put on the EU market, and thus packaging waste. In line with this ambition, it makes no sense to exclude certain sectors from meeting reuse targets, unless this would have a negative impact on the environment.

Amendment 441

Daniela Rondinelli

Proposal for a regulation

Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

4. The manufacturer and the final distributor making available on the market

Amendment

4. The manufacturer and the final distributor, **with the exception of the**

within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

economic operators referred to in Article 22(3), making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Or. it

Amendment 442
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

4. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages ***other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine*** or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Amendment

4. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Or. en

Justification

In order to avoid misunderstandings and legal uncertainties, the scope of paragraph 4 should be clarified with regard to wine and aromatised wine products. The proposal aims to ensure that existing constraints on these products are taken into account. It should be remembered that the wine sector is an export-focused industry, mostly composed of small and medium-sized enterprises (SMEs), with most of the products consumed outside the production area, making the reuse scheme particularly inappropriate and inefficient.

Amendment 443

Achille Variati, Paolo De Castro, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

4. ***The manufacturer and*** the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Amendment

4. The final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice, shall ensure that:

Or. en

Amendment 444

Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 4 – point a

Text proposed by the Commission

(a) ***from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;***

Amendment

deleted

Or. en

Amendment 445

Nicola Procaccini

Proposal for a regulation

Article 26 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

Amendment 446
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

Amendment 447

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Atidzhe Alieva-Veli, Hilde Vautmans

Proposal for a regulation
Article 26 – paragraph 4 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

This provision shall not apply to highly recyclable packaging collected and recycled in close loop or to well-functioning national deposit and return system defined in the Article 3(51).

Or. en

Justification

The regulation should safeguard practices, which deliver good results. Some national solutions are delivering good results when it comes to recycling rates. The lack of flexibility affects companies and governments that have invested heavily in fully recyclable beverage packaging and are committed to ensuring that their collection rate is already over 90%.

Amendment 448
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The obligation laid down in paragraph 4 does not apply to packaging for wines, aromatized wine products and spirituous beverages as defined by the nomenclature codes:

ex 2204 Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009;

ex 2205 Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances;

ex 2208 Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages.

Or. en

Justification

In order to avoid misunderstandings and legal uncertainties, the scope of paragraph 4 should be clarified with regard to wine and aromatised wine products. The proposal aims to ensure that existing constraints on these products are taken into account. It should be remembered that the wine sector is an export-focused industry, mostly composed of small and medium-sized enterprises (SMEs), with most of the products consumed outside the production area, making the reuse scheme particularly inappropriate and inefficient.

Amendment 449
Pär Holmgren
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Paragraphs 2, 3 and 4 shall apply to economic operators identified in paragraph 3 of Article 22, notwithstanding exemptions and flexibilities outlined in article 26(14).

Or. en

Amendment 450

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

deleted

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. it

Amendment 451

Daniel Buda

Proposal for a regulation

Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the

deleted

market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. ro

Amendment 452

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno, Carmen Avram

Proposal for a regulation

Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

deleted

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 453
Petri Sarvamaa

Proposal for a regulation
Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that: **deleted**

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 454
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that: **deleted**

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

Mandatory reuse targets for glass bottles are structurally impractical for the wine industry. It should be remembered that the wine sector is an export-focused industry, mostly consisting of small and medium-sized enterprises (SMEs), with most of the products consumed outside the production area, making the reuse system particularly inappropriate and inefficient. Any introduction or development of the reuse model for wine and aromatised wine products must be based on a voluntary basis and supported by government resources and incentives.

**Amendment 455
Krzysztof Jurgiel**

**Proposal for a regulation
Article 26 – paragraph 5**

Text proposed by the Commission

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that: ***deleted***

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

Categories moved to Art. 4, to be treated in non-discriminatory manner.

Amendment 456

Elsi Katainen, Asger Christensen, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation**Article 26 – paragraph 5***Text proposed by the Commission**Amendment*

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

(a) from 1 January 2030, 5 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 15 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

Due to wine being produced and exported across the globe, reuse bottle collection is hard to achieve. In wine sector, the reuse also poses hygiene risks for food safety.

Amendment 457

Clara Aguilera

Proposal for a regulation**Article 26 – paragraph 5 – introductory part***Text proposed by the Commission**Amendment*

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of

5. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall **contribute to the**

sparkling wine, shall *ensure that*:

attainment of the following targets, unless they can demonstrate recyclable single-use packaging is a better alternative from an environmental footprint and/or food safety perspective:

Or. en

Amendment 458

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 5 – introductory part

Text proposed by the Commission

5. The manufacturer and the final distributor making available on the market within the territory of a Member State *in* sales packaging alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

Amendment

5. The manufacturer and the final distributor making available on the market within the territory of a Member State *of* sales packaging *of* alcoholic beverages in the form of wine, with the exception of sparkling wine, shall ensure that:

Or. en

Amendment 459

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 5 – point a

Text proposed by the Commission

(a) from 1 January 2030, **5** % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

Amendment

(a) from 1 January 2030, **10** % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

Or. en

Amendment 460

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 5 – point b

Text proposed by the Commission

(b) from 1 January 2040, **15** % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Amendment

(b) from 1 January 2040, **20** % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 461

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 6

Text proposed by the Commission

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Amendment

deleted

Or. it

Amendment 462
Daniel Buda

Proposal for a regulation
Article 26 – paragraph 6

Text proposed by the Commission

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that: **deleted**

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. ro

Amendment 463
Petri Sarvamaa

Proposal for a regulation
Article 26 – paragraph 6

Text proposed by the Commission

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic **deleted**

beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Amendment 464
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 6

Text proposed by the Commission

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

deleted

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill;

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill.

Or. en

Justification

Categories moved to Art. 4, to be treated in non-discriminatory manner.

Amendment 465
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that: **deleted**

Or. en

Amendment 466
Clara Aguilera

Proposal for a regulation
Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

Amendment

6. The manufacturer and the final distributor making available on the market

6. The manufacturer and the final distributor making available on the market

within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ***ensure that***:

within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ***contribute to the attainment of the following targets, unless they can demonstrate recyclable single-use packaging is a better alternative from an environmental footprint and/or food safety perspective***:

Or. en

Amendment 467

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, ***pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat***, shall ensure that:

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink shall ensure that:

Or. en

Justification

Milk and juice are sensitive products which can lose their quality vitamins and nutrients if not properly treated or sorted. Attention should be paid to the food safety and potential increase

of food waste. Liquid cardboard packaging also circulates efficiently in the current recycling system.

Amendment 468

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, ***pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic*** beverages ***containing milk fat***, shall ensure that:

Amendment

6. The manufacturer and the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, ***with the exception of drinks and beverages that are highly perishable in line with Regulation (EU) 1169/2011 such as fruit juices, smoothies, milk and plant-based drinks***, shall ensure that:

Or. en

Justification

For highly perishable drinks and beverages, certain single use packaging has a superior performance in extending shelf life and preserving nutrients and vitamins, therefore helping to avoid food waste which is in line with the principle of making the choice that delivers the best overall environmental outcome justified by life-cycle thinking, as defined by Article 4 Paragraph 2 of the Waste Framework Directive.

Amendment 469

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

6. The manufacturer and the final

Amendment

6. The manufacturer and the final

distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, *soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink*, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water, water with added sugar, water with other sweetening matter, flavoured water, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, *soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink*, shall ensure that:

Or. en

Amendment 470

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 26 – paragraph 6 – introductory part

Text proposed by the Commission

6. *The manufacturer and* the final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of **water**, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

Amendment

6. The final distributor making available on the market within the territory of a Member State in sales packaging non-alcoholic beverages in the form of water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat, shall ensure that:

Or. en

Amendment 471

Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) from 1 January 2030, 10 % of those products are made available in reusable packaging within a system for re-use or by enabling refill; *deleted*

Or. en

**Amendment 472
Nicola Procaccini**

**Proposal for a regulation
Article 26 – paragraph 6 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

**Amendment 473
Martin Hlaváček**

**Proposal for a regulation
Article 26 – paragraph 6 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of those products are made available in reusable packaging within a system for re-use or by enabling refill. *deleted*

Or. en

**Amendment 474
Elsi Katainen, Asger Christensen, Ulrike Müller, Atidzhe Alieva-Veli, Hilde Vautmans**

Proposal for a regulation

Article 26 – paragraph 6 – subparagraph 1 (new)*Text proposed by the Commission**Amendment*

This provision shall not apply to highly recyclable packaging collected and recycled in close loop or to well-functioning national deposit and return system defined in the Article 3(51).

Or. en

Justification

The regulation should safeguard practices, which deliver good results. Some national solutions are delivering good results when it comes to recycling rates. The lack of flexibility affects companies and governments that have invested heavily in fully recyclable beverage packaging and are committed to ensuring that their collection rate is already over 90%.

Amendment 475**Daniel Buda****Proposal for a regulation****Article 26 – paragraph 7***Text proposed by the Commission**Amendment*

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:

deleted

(a) from 1 January 2030, 30 % of such packaging used is reusable packaging within a system for re-use;

(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use.

Or. ro

Amendment 476**Carmen Avram**

Proposal for a regulation
Article 26 – paragraph 7

Text proposed by the Commission

Amendment

7. *Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:*

deleted

(a) from 1 January 2030, 30 % of such packaging used is reusable packaging within a system for re-use;

(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use.

Or. en

Amendment 477
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 7 – introductory part

Text proposed by the Commission

Amendment

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:

7. ***By January 1st 2030***, economic operators using transport packaging ***within the territory of the European Union*** in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 ***and which are not in direct contact with food*** shall ensure that:

Or. en

Justification

It should be clarified that the requirement does not apply to transport packaging that may come into direct contact with food, such as flexible plastic moulds, as there are food health

safety concerns due to the risk of contamination with foreign bodies, microorganisms and cross-contamination with food allergens if such transport packaging were to be reusable packaging under a reuse system.

Amendment 478

Clara Aguilera

Proposal for a regulation

Article 26 – paragraph 7 – introductory part

Text proposed by the Commission

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:

Amendment

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13, ***and which are not in direct contact with food***, shall ensure that:

Or. en

Amendment 479

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation

Article 26 – paragraph 7 – introductory part

Text proposed by the Commission

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13 shall ensure that:

Amendment

7. Economic operators using transport packaging in the form of pallets, plastic crates, foldable plastic boxes, pails and drums for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13, ***and which are not in direct contact with food*** shall ensure that:

Or. en

Justification

Exemptions must apply for packaging with direct contact with food to avoid risks of

contamination and cross-contamination.

Amendment 480

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 7 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use. **deleted**

Or. it

Amendment 481

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 7 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 90 % of such packaging used is reusable packaging within a system for re-use. **deleted**

Or. en

Amendment 482

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 26 – paragraph 7 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

This obligation shall apply to food businesses as defined in Article 3, point (2), of Regulation (EC) No 178/2002.

Or. en

Amendment 483**Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček****Proposal for a regulation****Article 26 – paragraph 8 – point a***Text proposed by the Commission*

(a) from 1 January 2030, 10 % of such packaging used is reusable packaging within a system for re-use;

Amendment

(a) from 1 January 2030, 10 % of such packaging used is reusable packaging within a system for re-use **or contains a minimum of 90% recycled content;**

Or. en

Justification

The Waste Framework Directive explicitly foresees that making the choice that delivers the best overall environmental outcome justified by life-cycle thinking may require specific waste streams to depart from the hierarchy. In contrast to the waste hierarchy as defined by the WFD, this proposal takes a very rigid approach to the hierarchy and prioritises re-use over recycling, without due consideration to the overall environmental performance.

Amendment 484**Anne Sander****Proposal for a regulation****Article 26 – paragraph 8 – point a***Text proposed by the Commission*

(a) from 1 January 2030, 10 % of such **packaging used is** reusable packaging within a system for re-use;

Amendment

(a) from 1 January 2030, 10 % of such **products are made available in** reusable **transport** packaging within a system for re-use;

Or. fr

Amendment 485**Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton****Proposal for a regulation**

Article 26 – paragraph 8 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use; *deleted*

Or. it

Amendment 486

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 8 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use; *deleted*

Or. en

Amendment 487

Nicola Procaccini

Proposal for a regulation

Article 26 – paragraph 8 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use; *deleted*

Or. en

Amendment 488

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 8 – point b

Text proposed by the Commission

(b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use;

Amendment

(b) from 1 January 2040, 50 % of such packaging used is reusable packaging within a system for re-use **or contains a minimum of 90% recycled content**;

Or. en

Justification

The Waste Framework Directive explicitly foresees that making the choice that delivers the best overall environmental outcome justified by life-cycle thinking may require specific waste streams to depart from the hierarchy. In contrast to the waste hierarchy as defined by the WFD, this proposal takes a very rigid approach to the hierarchy and prioritises re-use over recycling, without due consideration to the overall environmental performance.

Amendment 489

Anne Sander

Proposal for a regulation**Article 26 – paragraph 8 – point b***Text proposed by the Commission*

(b) from 1 January 2040, 50 % of such **packaging used is** reusable packaging within a system for re-use;

Amendment

(b) from 1 January 2040, 50 % of such **products are made available in transport** packaging within a system for re-use;

Or. fr

Amendment 490

Ivan David

Proposal for a regulation**Article 26 – paragraph 8 – point b***Text proposed by the Commission*

(b) from 1 January 2040, **50** % of such packaging used is reusable packaging within a system for re-use;

Amendment

(b) from 1 January 2040, **30** % of such packaging used is reusable packaging within a system for re-use;

Or. en

Amendment 491
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 8 – point b

Text proposed by the Commission

(b) from 1 January 2040, **50** % of such packaging used is reusable packaging within a system for re-use;

Amendment

(b) from 1 January 2040, **30** % of such packaging used is reusable packaging within a system for re-use;

Or. en

Amendment 492
Anne Sander

Proposal for a regulation
Article 26 – paragraph 9 – point a

Text proposed by the Commission

(a) from 1 January 2030, 10 % of such **packaging used is** reusable packaging within a system for re-use;

Amendment

(a) from 1 January 2030, 10 % of such **products are made available in transport** packaging within a system for re-use;

Or. fr

Amendment 493
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 9 – point a

Text proposed by the Commission

(a) from 1 January **2030**, 10 % of such packaging used is reusable packaging within a system for re-use;

Amendment

(a) from 1 January **2035**, 10 % of such packaging used is reusable packaging within a system for re-use;

Or. en

Amendment 494**Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton****Proposal for a regulation****Article 26 – paragraph 9 – point b***Text proposed by the Commission**Amendment*

(b) from 1 January 2040, 30 % of such packaging used for transport is reusable packaging within a system for re-use;

deleted

Or. it

Amendment 495**Petri Sarvamaa****Proposal for a regulation****Article 26 – paragraph 9 – point b***Text proposed by the Commission**Amendment*

(b) from 1 January 2040, 30 % of such packaging used for transport is reusable packaging within a system for re-use;

deleted

Or. en

Amendment 496**Nicola Procaccini****Proposal for a regulation****Article 26 – paragraph 9 – point b***Text proposed by the Commission**Amendment*

(b) from 1 January 2040, 30 % of such packaging used for transport is reusable packaging within a system for

deleted

re-use;

Or. en

Amendment 497

Anne Sander

Proposal for a regulation

Article 26 – paragraph 9 – point b

Text proposed by the Commission

(b) from 1 January 2040, 30 % of such *packaging used for transport is* reusable packaging within a system for re-use;

Amendment

(b) from 1 January 2040, 30 % of such *products are made available in transport* reusable packaging within a system for re-use;

Or. fr

Amendment 498

Krzysztof Jurgiel

Proposal for a regulation

Article 26 – paragraph 9 – point b

Text proposed by the Commission

(b) from 1 January **2040**, 30 % of such packaging used for transport is reusable packaging within a system for re-use;

Amendment

(b) from 1 January **2045**, 30 % of such packaging used for transport is reusable packaging within a system for re-use;

Or. en

Amendment 499

Martin Hlaváček

Proposal for a regulation

Article 26 – paragraph 10 – introductory part

Text proposed by the Commission

10. Economic operators using grouped packaging in the form of boxes, excluding

Amendment

10. Economic operators using grouped packaging in the form of boxes, excluding

cardboard, used outside of sales packaging to group a certain number of products to create a stock-keeping unit shall ensure that:

cardboard, used outside of sales packaging to group a certain number of products to create a stock-keeping *or distribution* unit shall ensure that:

Or. en

Amendment 500
Ivan David

Proposal for a regulation
Article 26 – paragraph 10 – introductory part

Text proposed by the Commission

10. Economic operators using grouped packaging in the form of boxes, excluding cardboard, used outside of sales packaging to group a certain number of products to create a stock-keeping unit shall ensure that:

Amendment

10. Economic operators using grouped packaging in the form of boxes, excluding cardboard, used outside of sales packaging to group a certain number of products to create a stock-keeping *or distribution* unit shall ensure that:

Or. en

Amendment 501
Anne Sander

Proposal for a regulation
Article 26 – paragraph 10 – point a

Text proposed by the Commission

(a) from 1 January 2030, 10 % of such *packaging used is* reusable packaging within a system for re-use;

Amendment

(a) from 1 January 2030, 10 % of such *products are made available in* reusable packaging within a system for re-use;

Or. fr

Amendment 502
Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation
Article 26 – paragraph 10 – point b

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of such packaging they used is reusable packaging within a system for re-use.

deleted

Or. it

**Amendment 503
Petri Sarvamaa**

**Proposal for a regulation
Article 26 – paragraph 10 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of such packaging they used is reusable packaging within a system for re-use.

deleted

Or. en

**Amendment 504
Nicola Procaccini**

**Proposal for a regulation
Article 26 – paragraph 10 – point b**

Text proposed by the Commission

Amendment

(b) from 1 January 2040, 25 % of such packaging they used is reusable packaging within a system for re-use.

deleted

Or. en

**Amendment 505
Anne Sander**

**Proposal for a regulation
Article 26 – paragraph 10 – point b**

Text proposed by the Commission

(b) from 1 January 2040, 25 % of **such packaging they used is** reusable packaging within a system for re-use.

Amendment

(b) from 1 January 2030, 25 % of **products are made available in** reusable packaging within a system for re-use;

Or. fr

Amendment 506
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

11a. By 1 January 2030 or at the latest when carrying out an evaluation of this Regulation as prescribed in Article 63, the Commission shall evaluate the feasibility and need of proposing new reuse targets.

Or. en

Amendment 507
Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation
Article 26 – paragraph 12 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Transport packaging used by an economic operator shall be reusable where it is used for transporting products:

From 1 January 2030, transport packaging used by an economic operator shall be reusable where it is used for transporting products:

Or. en

Justification

To provide legal certainty and a reasonable period to adapt to the obligations, it is appropriate to set a date later than entry into force of the Regulation.

Amendment 508**Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans****Proposal for a regulation****Article 26 – paragraph 12 – subparagraph 2***Text proposed by the Commission*

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials ***not in direct contact with food***, including flexible formats. ***In addition, with accordance with Article 4 paragraph 2 of Directive 2008/98/EC, this obligation shall not apply to economic operators using fully recyclable or recycled transport packaging for which recycling is organized by the economic operator and for which reusable solutions are not economically or technically feasible and whose recycling can be demonstrated that recycling works in practice.***

Or. en

Justification

Exemptions must apply for packaging with direct contact with food to avoid risks of contamination and cross-contamination.

Transport packaging ensures the product to be remained undamaged during transport, in storage, delivery and sale functions. In addition, industrial transport responds to a specific regulatory and safety needs and the packaging sustainability with health and safety compliances should be assessed.

Amendment 509**Clara Aguilera****Proposal for a regulation****Article 26 – paragraph 12 – subparagraph 2***Text proposed by the Commission*

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and

Amendment

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and

canisters, of all sizes and materials, including flexible formats.

canisters, of all sizes and materials, **which are not in direct contact with food**, including flexible formats.

Or. en

Amendment 510
Dan-Ştefan Motreanu

Proposal for a regulation
Article 26 – paragraph 12 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials **not in direct contact with food**, including flexible formats.

Or. en

Amendment 511
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 12 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers **or drums with no food contact** and canisters, of all sizes and materials, including flexible formats.

Or. en

Amendment 512
Ivan David

Proposal for a regulation

Article 26 – paragraph 12 – subparagraph 2*Text proposed by the Commission*

This obligation applies to pallets, boxes, ***excluding cardboard***, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, ***excluding cardboard and*** including flexible formats.

Or. en

Amendment 513
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 12 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, ***excluding cardboard***, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, trays, plastic crates, intermediate bulk containers, drums and canisters, of all sizes and materials, ***excluding cardboard and*** including flexible formats.

Or. en

Amendment 514
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno, Carmen Avram

Proposal for a regulation
Article 26 – paragraph 12 a (new)

*Text proposed by the Commission**Amendment*

12a. The packaging design subject to geographical indications of origin protected under Union legislation shall not comply with paragraphs 4 and 6 of this Article.

Or. en

Amendment 515

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans

Proposal for a regulation**Article 26 – paragraph 13 – subparagraph 1***Text proposed by the Commission*

Economic operators delivering products to another economic operator within the same Member State shall use only reusable transport packaging for the purpose of the transportation of such products.

Amendment

From 1 January 2030, economic operators delivering products to another economic operator within the same Member State shall use only reusable transport packaging for the purpose of the transportation of such products.

Or. en

Justification

To provide legal certainty and a reasonable period to adapt to the obligations, it is appropriate to set a date later than entry into force of the Regulation.

Amendment 516

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation**Article 26 – paragraph 13 – subparagraph 2***Text proposed by the Commission*

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials ***not in direct contact with food***, including flexible formats. ***In addition, with accordance with Article 4 paragraph 2 of Directive 2008/98/EC, this obligation shall not apply to economic operators using fully recyclable or recycled transport packaging for which recycling is organized by the economic operator and for which reusable solutions are not economically or technically feasible and whose recycling can be demonstrated that recycling works in***

practice.

Or. en

Justification

Exemptions must apply for packaging with direct contact with food to avoid risks of contamination and cross-contamination.

Transport packaging ensures the product to be remained undamaged during transport, in storage, delivery and sale functions. In addition, industrial transport responds to a specific regulatory and safety needs and the packaging sustainability with health and safety compliances should be assessed.

Amendment 517

Clara Aguilera

Proposal for a regulation

Article 26 – paragraph 13 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials, ***which are not in direct contact with food***, including flexible formats.

Or. en

Amendment 518

Dan-Ștefan Motreanu

Proposal for a regulation

Article 26 – paragraph 13 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, excluding cardboard, plastic crates intermediate bulk containers, and drums, of all sizes and materials ***not in direct contact with food***, including flexible formats.

Or. en

Amendment 519
Ivan David

Proposal for a regulation
Article 26 – paragraph 13 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, *excluding cardboard*, plastic crates intermediate bulk containers, and drums, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, plastic crates intermediate bulk containers, and drums, of all sizes and materials, *excluding cardboard and* including flexible formats.

Or. en

Amendment 520
Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 13 – subparagraph 2

Text proposed by the Commission

This obligation applies to pallets, boxes, *excluding cardboard*, plastic crates intermediate bulk containers, and drums, of all sizes and materials, including flexible formats.

Amendment

This obligation applies to pallets, boxes, plastic crates intermediate bulk containers, and drums, of all sizes and materials, *excluding cardboard and* including flexible formats.

Or. en

Amendment 521
Anne Sander

Proposal for a regulation
Article 26 – paragraph 14 – introductory part

Text proposed by the Commission

14. Economic operators shall be exempted from the obligation to meet the

Amendment

14. Economic operators shall be exempted from the obligation to meet the

targets in paragraphs 2 to 10 if, during a calendar year, they:

targets in paragraphs 2 to 10 if **there are health or safety considerations or if**, in the course of a calendar year, they:

Or. fr

Amendment 522
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 14 – point a

Text proposed by the Commission

Amendment

(a) placed not more than **1000** kg of packaging on the market; or

(a) placed not more than **X** kg of **non-reusable** packaging on the market; or

Or. en

Justification

The value to be reassessed by the EC

Amendment 523
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 14 – point b

Text proposed by the Commission

Amendment

(b) complied with the definition of **micro-company** in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation].

(b) complied with the definition of **small company** in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation].

Or. en

Amendment 524
Anne Sander

Proposal for a regulation
Article 26 – paragraph 15

Text proposed by the Commission

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas.

Amendment

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas. ***The obligations referred to in paragraphs 1 to 13 may also be fulfilled by the economic operator if the goods concerned are made available in packaging that has equivalent environmental and economic benefits to reusable packaging.***

Or. fr

Amendment 525

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation
Article 26 – paragraph 15

Text proposed by the Commission

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas.

Amendment

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if:

(a) during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas;

(b) ***reuse is not the option that delivers the best overall environmental outcome justified by life-cycle thinking provided for in paragraph 2 of Article 4 of Directive 2008/98/EC.***

Or. en

Justification

The Waste Framework Directive explicitly foresees that making the choice that delivers the best overall environmental outcome justified by life-cycle thinking may require specific waste streams to depart from the hierarchy. In contrast to the waste hierarchy as defined by the WFD, this proposal takes a very rigid approach to the hierarchy and prioritises re-use over recycling, without due consideration to the overall environmental performance. The proper application of the hierarchy as defined by the WFD should be applied consistently throughout the Regulation.

Amendment 526

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation**Article 26 – paragraph 15***Text proposed by the Commission*

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas.

Amendment

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas, ***and if it is not technically feasible to use reusable packaging or to obtain access to the necessary infrastructure for the operation of a re-use system.***

Or. it

Amendment 527

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Hilde Vautmans

Proposal for a regulation**Article 26 – paragraph 15***Text proposed by the Commission*

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas.

Amendment

15. Economic operators shall be exempted from the obligation to meet the targets in paragraphs 2 to 6 if, during a calendar year, they have a sales area of not more than 100 m², including also all storage and dispatch areas ***or if it is not technically feasible to use reusable***

packaging or to obtain access to the infrastructure necessary for the functioning of a reuse system.

Or. en

Justification

A genuine circular economy turns current packaging waste into a valuable reusable raw material, which supports the goal of reducing the amount of packaging waste. Recyclable packaging must be seen as a complementary solution with reuse, as reuse is not necessarily the best option from an environmental perspective, as reuse increases the use of water and energy and increases emissions.

Amendment 528

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 26 – paragraph 15 a (new)

Text proposed by the Commission

Amendment

15a. Member State will be exempted from the obligation under paragraph 2, 3, 4 and 6 under the following conditions:

(a) the rate of separate collection as required under Article 43(3), (4) (4b) of the respective packaging format as reported to the Commission under Article 50(1) point (c) is above 90 % by weight of such packaging placed on the market on the territory of that Member State in the calendar years 2026 and 2027.

Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

(b) at the latest 24 months before the deadline laid down in paragraphs 2 and 3 of this Article, the Member State notifies the Commission of its request for exemption and submits an

implementation plan showing a strategy with concrete actions, including timeline that ensure the achievement of the 90 % separate collection rate by weight of the packaging.

Or. en

Amendment 529

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 15 a (new)

Text proposed by the Commission

Amendment

15a. Economic operators shall be exempted from the obligation to meet the targets set out in this Article if this is justified by concerns relating to public health, hygiene and food safety, product integrity or environmental issues.

Or. it

Amendment 530

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 15 a (new)

Text proposed by the Commission

Amendment

15a. The requirements for economic operators to achieve the targets specified in this article may not be applied if an economic operator can demonstrate valid reasons related to public health, food safety or hygiene, product integrity, or environmental concerns.

Or. en

Amendment 531

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 15 b (new)

Text proposed by the Commission

Amendment

15b. Economic operators shall be exempted from the obligation to meet the targets set out in this Article if, in accordance with Article 4(2) of Directive 2008/98/EC, they can demonstrate that alternative packaging formats provide a better overall environmental outcome justified by life-cycle thinking, and a better economic and overall human health impact.

Or. it

Amendment 532

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 15 b (new)

Text proposed by the Commission

Amendment

15b. The requirements for economic operators to achieve the targets specified in this article may not be applied if, in accordance with paragraph 2 of Article 4 of Directive 2008/98/EC, they can show that alternative packaging formats deliver a better overall environmental outcome justified by life-cycle thinking, as well as a better overall economic and human health impact.

Or. en

Amendment 533

Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 16

Text proposed by the Commission

Amendment

16. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish:

deleted

(a) targets for other products than those covered by paragraphs 1 to 6 of this Article and other packaging formats than those in paragraphs 7 to 10, based on the positive experiences with measures taken by Member States under Article 45(2),

(b) exemptions for economic operators additional to those listed in points (a) to (c) of paragraph 14 of this Article,

(c) exemptions for specific packaging formats covered by the targets laid down in paragraphs 2 to 6 of this Article in case of hygiene, food safety or environmental issues preventing the achievement of those targets.

Or. en

Amendment 534
Tom Vandenkendelaere

Proposal for a regulation
Article 26 – paragraph 16 – introductory part

Text proposed by the Commission

Amendment

16. The Commission shall be empowered to adopt delegated acts in accordance with Article 58 to supplement this Regulation in order to establish:

16. The Commission shall be empowered to adopt **before 1 January 2028** delegated acts in accordance with Article 58 to supplement this Regulation in order to establish:

Or. en

Amendment 535

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 16 – point a

Text proposed by the Commission

Amendment

(a) targets for other products than those covered by paragraphs 1 to 6 of this Article and other packaging formats than those in paragraphs 7 to 10, based on the positive experiences with measures taken by Member States under Article 45(2), **deleted**

Or. it

Amendment 536

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 16 – point c

Text proposed by the Commission

Amendment

(c) exemptions for specific packaging formats covered by the targets laid down in paragraphs 2 to 6 of this Article in case of hygiene, food safety or environmental issues preventing the achievement of those targets. **deleted**

Or. it

Amendment 537

Tom Vandenkendelaere

Proposal for a regulation

Article 26 – paragraph 16 – point c

Text proposed by the Commission

Amendment

(c) exemptions for specific packaging formats covered by the targets laid down in paragraphs 2 to 6 of this Article in case of hygiene, food safety or environmental

(c) exemptions for specific packaging formats covered by the targets laid down in paragraphs 2 to 6 of this Article in case of hygiene, food safety, *risk of significant*

issues preventing the achievement of those targets.

food waste or environmental issues preventing the achievement of those targets.

Or. en

Amendment 538
Anne Sander

Proposal for a regulation
Article 26 – paragraph 16 – point c a (new)

Text proposed by the Commission

Amendment

(ca) evidence that the obligations referred to in paragraphs 1 to 13 are environmentally beneficial, safe and economically viable, taking into account transport logistics, cleaning and the rate of return and reuse.

Or. fr

Amendment 539
Krzysztof Jurgiel

Proposal for a regulation
Article 26 – paragraph 17

Text proposed by the Commission

Amendment

17. By [OP: Please insert the date = 8 years after the date of entry into force of this Regulation], the Commission shall review the situation regarding reuse of packaging and, on this basis, assess the appropriateness of establishing measures, reviewing the targets laid down in this Article, and setting new targets for the reuse and refill of packaging, and where necessary present a legislative proposal.

17. By **1 January 2030 or at the latest** [OP: Please insert the date = 8 years after the date of entry into force of this Regulation], the Commission shall review the situation regarding reuse of packaging and, on this basis, assess the appropriateness of establishing measures, reviewing the targets laid down in this Article, and setting new targets for the reuse and refill of packaging, and where necessary present a legislative proposal.

Or. en

Amendment 540

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 26 – paragraph 17 a (new)

Text proposed by the Commission

Amendment

17a. Packaging required to guarantee one or more of the following conditions shall be excluded from the framework of this article:

- (a) the wholesomeness and hygiene of products**
- (b) the health safety of consumers**
- (c) food safety**
- (d) cases where the packaging itself is part of the production process**
- (e) prevention of food waste**
- (f) protection of the environment and, in particular, water and the efficient use of energy resources and raw materials.**

Or. it

Amendment 541

Petri Sarvamaa

Proposal for a regulation

Article 26 – paragraph 17 a (new)

Text proposed by the Commission

Amendment

17a. Member States may request an exemption from the beverage packaging targets laid down in paragraphs 2 to 6 of this Article. The exemption may be granted in necessary cases related to hygiene, food safety, environmental issues, or if an alternative circular packaging option is more advantageous. Additionally, if a certain beverage category already has a successful closed-

loop recycling program in place, they may be exempted from the targets set in Article 26(4)-(6).

Or. en

Amendment 542
Nicola Procaccini

Proposal for a regulation
Article 26 – paragraph 17 a (new)

Text proposed by the Commission

Amendment

17a. Packaging necessary to ensure one or more of the following conditions shall be excluded from the framework referred to in this Article:

(a) the health and hygiene of products;

(b) consumer health security;

(c) food safety;

(d) combating food waste;

(e) the protection of the environment and, in particular, of water and the efficient use of energy resources and raw materials.

Or. en

Amendment 543
Ivan David

Proposal for a regulation
Article 26 – paragraph 17 a (new)

Text proposed by the Commission

Amendment

17a. Economic operators shall be exempted from the obligation to meet the targets laid down in paragraphs 1 to 13 provided that the packaging material used, as defined in Annex II:

(a) reaches a minimum recycling rate of 85% at EU level by 2030, as calculated in Article 47 and,

(b) reaches a minimum recycling rate of 90% at EU level by 2040, as calculated in Article 47 and,

(c) is recycled at scale, according to paragraph 6 of Article 6.

Or. en

Amendment 544

Elsi Katainen, Asger Christensen, Ulrike Müller, Martin Hlaváček, Jérémy Decerle, Hilde Vautmans

Proposal for a regulation

Article 26 – paragraph 17 a (new)

Text proposed by the Commission

Amendment

17a. The targets laid down in this Article shall be met by economic operators without prejudice to requirements on health, safety and hygiene, including product safety and provided that this delivers a better overall environmental outcome and is justified by life-cycle thinking, in line with the hierarchy of waste as defined in Article 4 of Directive 2008/98/EC.

Or. en

Justification

Reuse targets should represent the best environmental option considering the whole life cycle of packaging, logistics and infrastructure needed and do not negatively impact the resilience of EU food system and ensures healthy conditions is not compromised.

Amendment 545

Krzysztof Jurgiel

Proposal for a regulation

Article 27 – paragraph 2 – introductory part

Text proposed by the Commission

2. For the purpose of demonstrating the attainment of the targets laid down in Article 26(2) to (6), the ***final distributor, or*** manufacturer, ***as appropriate,*** making available on the market such products within the territory of ***a Member State*** shall calculate, for each target separately, the following:

Amendment

2. For the purpose of demonstrating the attainment of the targets laid down in Article 26(2) to (6), the manufacturer making available on the market such products within the territory of ***the European Union*** shall calculate, for each target separately, the following:

Or. en

Amendment 546
Krzysztof Jurgiel

Proposal for a regulation
Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) the number of units of sales of beverages and food in reusable packaging within a system for re-use made available on the market within the territory of ***a Member State*** in a calendar year;

Amendment

(a) the number of ***equivalent*** units of sales of beverages and food in reusable packaging within a system for re-use made available on the market within the territory of ***the European Union*** in a calendar year;

Or. en

Amendment 547
Clara Aguilera

Proposal for a regulation
Article 27 – paragraph 2 – point a

Text proposed by the Commission

(a) the number of units ***of sales*** of beverages and food in reusable packaging within a system for re-use made available on the market within the territory of a Member State in a calendar year;

Amendment

(a) the number of ***equivalent*** units of beverages and food in reusable packaging within a system for re-use made available on the market within the territory of a Member State in a calendar year;

Or. en

Amendment 548
Krzysztof Jurgiel

Proposal for a regulation
Article 27 – paragraph 2 – point b

Text proposed by the Commission

(b) the number of units of sales of beverages and food made available on the market within the territory of **a Member State** in a calendar year through refill;

Amendment

(b) the number of **equivalent** units of sales of beverages and food made available on the market within the territory of **the European Union** in a calendar year through refill;

Or. en

Amendment 549
Clara Aguilera

Proposal for a regulation
Article 27 – paragraph 2 – point b

Text proposed by the Commission

(b) the number of units **of sales** of beverages and food made available on the market within the territory of a Member State in a calendar year through refill;

Amendment

(b) the number of **equivalent** units of beverages and food made available on the market within the territory of a Member State in a calendar year through refill;

Or. en

Amendment 550
Krzysztof Jurgiel

Proposal for a regulation
Article 27 – paragraph 2 – point c

Text proposed by the Commission

(c) the number of units of sales of beverages and food made available on the market within the territory of **a Member State** by other means than those referred to

Amendment

(c) the number of **equivalent** units of sales of beverages and food made available on the market within the territory of **the European Union** by other means than those referred to in points (a) and (b) in a

in points (a) and (b) in a calendar year.

calendar year.

Or. en

Amendment 551

Ulrike Müller, Elsi Katainen, Asger Christensen, Hilde Vautmans, Martin Hlaváček

Proposal for a regulation

Article 27 – paragraph 4 – subparagraph 1

Text proposed by the Commission

By 31 December **2028**, the Commission shall adopt implementing acts establishing detailed calculation rules and methodology regarding the targets set out in Article 26.

Amendment

By 31 December **2026**, the Commission shall adopt implementing acts establishing detailed calculation rules and methodology regarding the targets set out in Article 26.

Or. en

Justification

To provide legal certainty and a reasonable period to adapt to the obligations, it is necessary that the Commission adopts the relevant implementing acts earlier than proposed. Economic operators are to comply with obligations under Article 26 as of 2030. An adoption of the implementing acts by 31 December 2028 would only give them one year for implementation, which seems unreasonably short given that the Commission estimates a timeframe of about four years for the development of the rules and methodology.

Amendment 552

Krzysztof Jurgiel

Proposal for a regulation

Article 27 – paragraph 4 – subparagraph 1

Text proposed by the Commission

By 31 December **2028**, the Commission shall adopt implementing acts establishing detailed calculation rules and methodology regarding the targets set out in Article 26.

Amendment

By 31 December **2025**, the Commission shall adopt implementing acts establishing detailed calculation rules and methodology regarding the targets set out in Article 26.

Or. en

Amendment 553
Krzysztof Jurgiel

Proposal for a regulation
Article 27 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

If the absence of implementing acts establishing detailed calculation rules and methodology regarding the targets set out in Article 26 by 31 December 2025, the targets shall be suspended until the Commission delivers the implementing acts foreseen in this paragraph. The targets set out in Article 26 shall apply 5 years after the adoption of the implementing acts of this paragraph.

Or. en

Justification

The year between the determination of the calculation method and the first target date (2030) is insufficient to allow companies to plan ahead and gain the necessary insight into where and how to direct investments in reusable solutions. The regulation should include a clause that provides sufficient time to comply with adopted secondary legislation and achieve the targets. Given the significant amount of secondary legislation, the regulation should provide at least five years between the adoption of the implementing act and the deadline for achieving the goals.

Amendment 554
Annie Schreijer-Pierik

Proposal for a regulation
Article 38 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. For Member States that need additional support in the transition to the harmonised rules on packaging waste, a platform and/or toolbox should be created on the part of the European Commission to help Member States enable the reduction of packaging waste.

Amendment 555**Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider****Proposal for a regulation****Article 39 – paragraph 2***Text proposed by the Commission*

2. Producers shall be obliged to register in the register referred to in paragraph 1. They shall, to that end, submit an application for registration in each Member State where they make packaging available on the market for the first time. Where a producer has appointed a producer responsibility organisation as referred to in Article 41(1), the obligations set out in this Article shall be met by that organisation, unless otherwise specified by the Member State in which the register is established.

Amendment

2. Producers shall be obliged to register in the register referred to in paragraph 1. They shall, to that end, submit an application for registration in each Member State where they make packaging available on the market for the first time. ***Micro-enterprises as defined in Article 22(3) first half-sentence 1 are exempted.*** Where a producer has appointed a producer responsibility organisation as referred to in Article 41(1), the obligations set out in this Article shall be met by that organisation, unless otherwise specified by the Member State in which the register is established.

Justification

Direct marketers / micro-enterprises also fall under the definition of producer if they provide packaging under their own name or brand, and must therefore be explicitly exempted.

Amendment 556**Carmen Avram****Proposal for a regulation****Article 39 – paragraph 2***Text proposed by the Commission*

2. Producers shall be obliged to register in the register referred to in paragraph 1. They shall, to that end, submit an application for registration in each Member State where they make packaging available on the market for the first time.

Amendment

2. Producers shall be obliged to register in the register referred to in paragraph 1. They shall, to that end, submit an application for registration in each Member State where they make packaging available on the market for the first time.

Where a producer has appointed a producer responsibility organisation as referred to in Article 41(1), the obligations set out in this Article shall be met by that organisation, ***unless otherwise specified by the Member State in which the register is established.***

Where a producer has appointed a producer responsibility organisation as referred to in Article 41(1), the obligations set out in this Article shall be met by that organisation.

Or. en

Amendment 557
Clara Aguilera

Proposal for a regulation
Article 43 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and high quality recycling.

Amendment

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and high quality recycling. ***In addition, Member States shall ensure that the systems provide a priority access to recycled plastic feedstock for use in applications where the distinct quality of the plastic recycled material is preserved or recovered so it allows further recyclability and can be re-used in the same way and in a similar application , with minimal loss of quantity, quality or function.***

Or. en

Amendment 558
Pär Holmgren
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 43 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and high quality recycling.

Amendment

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and high quality recycling. ***Incineration and landfill of packaging, complying with design for recycling criteria, shall be prohibited.***

Or. en

Justification

Why burn or bury valuable, high quality material than can be re-used recycled? In addition, incineration produces dioxins which contaminate food via atmospheric deposition (see current ban on eating eggs in the Paris region), and landfill contributes to GHG emission and general pollution including by microplastics.

Amendment 559
Nicola Procaccini

Proposal for a regulation
Article 43 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and **high quality** recycling.

Amendment

1. Member States shall ensure that systems are set up to provide for the return and separate collection of all packaging waste from the end users in order to ensure that it is treated in accordance with Articles 4 and 13 of Directive 2008/98/EC, and to facilitate its preparation for re-use and recycling.

Or. en

Amendment 560
Annie Schreijer-Pierik

Proposal for a regulation

Article 43 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. *The European Commission will ensure that a toolbox is made available to support Member States, where necessary, in setting up systems for the return and separate collection of all end-user packaging waste.*

Or. nl

Amendment 561

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 43 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may allow derogations from paragraph 1 provided that collecting packaging or fractions of packaging waste together or together with other waste does not affect the potential of such packaging or fractions of packaging waste to undergo preparing for re-use, recycling or other recovery operations in accordance with Articles 4 and 13 of Directive 2008/98/EC and generates output from those operations which is of comparable quality to that achieved through separate collection.

2. Member States may allow derogations from paragraph 1 provided that collecting packaging or fractions of packaging waste together or together with other waste does not affect the potential of such packaging or fractions of packaging waste to undergo preparing for re-use, recycling or other recovery operations in accordance with Articles 4 and 13 of Directive 2008/98/EC and generates output from those operations which is of comparable quality to that achieved through separate collection. ***Member States shall notify the Commission of any derogation from paragraph 1 and provide evidence to justify the derogation.***

Or. en

Amendment 562

Nicola Procaccini

Proposal for a regulation

Article 43 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) ensure that all recyclable fibre-based packaging will be collected from the business premises of economic operators in the HORECA sector for the purpose of recycling.

Or. en

Justification

There are significant opportunities to achieve high quality recycling and circularity, especially with fibre-based packaging, if all the actors in the life cycle of packaging work together to design truly effective and efficient circular systems.

**Amendment 563
Martin Hlaváček**

**Proposal for a regulation
Article 43 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. By 1 January 2029, the final distributor making available on the market food and beverages filled and consumed within the premises in the HORECA sector shall ensure that separate collection systems are set up for the different fractions of packaging waste materials, to help the consumer sort packaging waste.

Or. en

**Amendment 564
Martin Hlaváček**

**Proposal for a regulation
Article 43 – paragraph 3 b (new)**

Text proposed by the Commission

Amendment

3b. *By 1 January 2029, Member states shall ensure that, in public spaces, separate collection systems are set up for the different fractions of packaging waste materials used in sales packaging in the market of food and beverages filled and consumed for take-away, to help the consumer sort packaging waste.*

Or. en

Amendment 565

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 43 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. *A final distributor making available on the market food and beverages filled and consumed within the premises of the HORECA sector shall ensure that separate collection systems are set up for the different fractions of packaging waste materials by 2030.*

Or. en

Amendment 566

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. *By 1 January 2029, Member States shall take the necessary measures to ensure that deposit and return systems are set up for:*

1. *The systems referred to in article 43, paragraph 1, may take the form of a deposit and return systems for:*

Or. en

Amendment 567

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) single use plastic beverage bottles with the capacity of up to three litres; **and**

(a) single use plastic beverage bottles with the capacity of up to three litres;

Or. en

Amendment 568

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) **single use glass beverage bottles;**

Or. en

Amendment 569

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(ab) **beverage cartons; and**

Or. en

Amendment 570

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 1 – point a c (new)

Text proposed by the Commission

Amendment

(ac) **reusable packaging.**

Or. en

Amendment 571

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Article 44 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The **obligation** laid down in paragraph 1 **does** not apply to packaging for:

2. The **provisions** laid down in paragraph 1 **do** not apply to packaging for:

Or. en

Amendment 572

Krzysztof Jurgiel

Proposal for a regulation

Article 44 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) **wine, aromatised wine products, and spirit drinks;**

deleted

Or. en

Amendment 573

Paolo De Castro, Achille Variati

Proposal for a regulation

Article 44 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) **wine, aromatised wine products, and spirit drinks;**

(a) products **falling under Nomenclature codes 2204 (wine of fresh**

grapes, incl. fortified wines; grape must, partly fermented and of an actual alcoholic strength of > 0,5% vol or grape must with added alcohol of an actual alcoholic strength of > 0,5% vol), 2205 (vermouth and other wine of fresh grapes, flavoured with plants or aromatic substances) and 2208 (undenatured ethyl alcohol of an alcoholic strength of < 80%; spirits, liqueurs and other spirituous beverages);

Or. en

Amendment 574**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno****Proposal for a regulation
Article 44 – paragraph 3***Text proposed by the Commission**Amendment*

3. Without prejudice to paragraph 1 of this Article, a Member State will be exempted from the obligation under paragraph 1 under the following conditions: **deleted**

(a) the rate of separate collection as required under Article 43(3) and (4) of the respective packaging format as reported to the Commission under Article 50(1) point (c) is above 90 % by weight of such packaging placed on the market on the territory of that Member State in the calendar years 2026 and 2027. Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

(b) at the latest 24 months before the deadline laid down in paragraph 1 of this Article, the Member State notifies the Commission of its request for exemption

and submits an implementation plan showing a strategy with concrete actions, including timeline that ensure the achievement of the 90 % separate collection rate by weight of the packaging referred to in paragraph 1.

Or. en

Amendment 575

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Article 44 – paragraph 3 – point a

Text proposed by the Commission

(a) the rate of separate collection as required under Article 43(3) and (4) of the respective packaging format as reported to the Commission under Article 50(1) point (c) is above **90 %** by weight of such packaging placed on the market on the territory of that Member State in the calendar years 2026 and 2027. Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

Amendment

(a) the rate of separate collection as required under Article 43(3) and (4) of the respective packaging format as reported to the Commission under Article 50(1) point (c) is above **65 %** by weight of such packaging placed on the market on the territory of that Member State in the calendar years 2026 and 2027. Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

Or. it

Amendment 576

Martin Hlaváček

Proposal for a regulation

Article 44 – paragraph 3 – point a

Text proposed by the Commission

(a) the rate of separate collection as required under Article 43(3) and (4) of the

Amendment

(a) the rate of separate collection as required under Article 43(3) and (4) of the

respective packaging format as reported to the Commission under Article 50(1) point (c) is **above** 90 % by weight of such packaging placed on the market on the territory of that Member State in the calendar **years 2026 and 2027**. Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

respective packaging format as reported to the Commission under Article 50(1) point (c) is 90 % by weight of such packaging placed on the market on the territory of that Member State in the calendar **year 2029**. Where such reporting has not yet been submitted to the Commission, the Member State shall provide a reasoned justification, based on validated national data, and description of the implemented measures, that the conditions for the exemption set out in this paragraph are fulfilled;

Or. en

Amendment 577**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno****Proposal for a regulation****Article 44 – paragraph 4***Text proposed by the Commission**Amendment*

4. Within three months of receipt of the implementation plan submitted pursuant to paragraph 3, point (b), the Commission may request a Member State to revise that plan, if it considers that it does not comply with the requirements set out in point (c) of that paragraph. The Member State concerned shall submit a revised plan within 3 months of receipt of the Commission's request.

deleted

Or. en

Amendment 578**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno****Proposal for a regulation****Article 44 – paragraph 5***Text proposed by the Commission**Amendment*

5. If the separate collection rate of the packaging referred to in paragraph 1 in a Member State concerned decreases and remains below 90 % by weight of a given packaging format placed on the market for three consecutive calendar years, the Commission shall notify the Member State concerned that the exemption no longer applies. The deposit and return system shall be established by 1 January in the second calendar year following the year in which the Commission notified the Member State concerned that the exemption no longer applies.

deleted

Or. en

Amendment 579
Martin Hlaváček

Proposal for a regulation
Article 44 – paragraph 5

Text proposed by the Commission

5. If the separate collection rate of the packaging referred to in paragraph 1 in a Member State concerned decreases and remains below 90 % by weight of a given packaging format placed on the market for three consecutive calendar years, the Commission shall notify the Member State concerned that the exemption no longer applies. The deposit and return system shall be established by 1 January in the **second** calendar year following the year in which the Commission notified the Member State concerned that the exemption no longer applies.

Amendment

5. If the separate collection rate of the packaging referred to in paragraph 1 in a Member State concerned decreases and remains below 90 % by weight of a given packaging format placed on the market for three consecutive calendar years, the Commission shall notify the Member State concerned that the exemption no longer applies. The deposit and return system shall be established by 1 January in the **third** calendar year following the year in which the Commission notified the Member State concerned that the exemption no longer applies.

Or. en

Amendment 580
Achille Variati, Paolo De Castro, Daniela Rondinelli, Pina Picierno, Carmen Avram

Proposal for a regulation
Article 44 – paragraph 6

Text proposed by the Commission

Amendment

6. *Member States shall endeavour to establish and maintain deposit and return systems in particular for single use glass beverage bottles, beverage cartons and for reusable packaging. Member States shall endeavour to 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.*

deleted

Or. en

Amendment 581
Krzysztof Jurgiel

Proposal for a regulation
Article 44 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9a. *Deposit and return systems already in operation when this Ordinance enters into force are exempt from the requirements of paragraph 9.*

Or. en

Amendment 582
Pär Holmgren
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 45 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall take measures

1. Member States shall take measures

to encourage the set-up of systems for re-use of packaging and systems for refill in an environmentally sound manner. Those systems shall comply with the requirements laid down in Articles 24 and 25 and Annex VI of this Regulation and shall not compromise food hygiene or the safety of consumers.

to encourage the set-up of systems for re-use of packaging and systems for refill in an environmentally sound manner. Those systems shall comply with the requirements laid down in Articles 24 and 25 and Annex VI of this Regulation and shall not compromise food hygiene or the safety of consumers. ***Incineration and landfill of packaging, complying with design for recycling criteria, shall be prohibited.***

Or. en

Justification

Why burn or bury valuable, high quality material than can be re-used recycled? In addition, incineration produces dioxins which contaminate food via atmospheric deposition (see current ban on eating eggs in the Paris region), and landfill contributes to GHG emission and general pollution including by microplastics.

Amendment 583

Pär Holmgren

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 47 – paragraph 8

Text proposed by the Commission

8. The amount of biodegradable packaging waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output with a similar quantity of recycled content in relation to input, which is to be used as a recycled product, material or substance. Where the output is used on land, Member States may count it as recycled only if this use results in benefits to agriculture or ecological improvement.

Amendment

8. The amount of biodegradable ***and fully compostable*** packaging waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output with a similar quantity of recycled content in relation to input, which is to be used as a recycled product, material or substance. Where the output is used on land, Member States may count it as recycled only if this use results in benefits to agriculture or ecological improvement.

Or. en

Amendment 584

Marlene Mortler, Lena Düpont, Peter Jahr, Norbert Lins, Christine Schneider

Proposal for a regulation

Article 49 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) Micro-enterprises as defined in Article 22(3) first half-sentence are exempt from the obligations set forth in paragraphs 1 to 3.

Or. de

Justification

Exemption for micro-enterprises, in particular for direct marketers, provided they are “producers” of packaging pursuant to Article 3(10) of the draft regulation. The information requirements should not apply to micro-enterprises.

Amendment 585

Annie Schreijer-Pierik

Proposal for a regulation

Article 55 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In order to safeguard the functioning of the internal market, and create a level playing field, it is necessary to ensure that packaging from third countries entering the Union market complies 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 complies with those requirements and that documentation drawn up by manufacturers are available for inspection by the competent national

authorities.

Or. nl

Amendment 586**Pär Holmgren**

on behalf of the Verts/ALE Group

Proposal for a regulation**Article 57 – paragraph 3 – subparagraph 1 – point c a (new)***Text proposed by the Commission**Amendment**(ca) alignment with the waste hierarchy as defined in the waste framework directive*

Or. en

Amendment 587**Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno****Proposal for a regulation****Article 58 – paragraph 2***Text proposed by the Commission**Amendment*

2. The power to adopt delegated acts referred to in Article 5(5), Article 6(4), Article 6(6), Article 7(9), Article 7(10), Article 7(11), Article 8(5), Article **22(4)**, Article 26(16) and Article 57(3) shall be conferred on the Commission for a period of ten years from date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension no later than 3 months before the end of each period.

2. The power to adopt delegated acts referred to in Article 5(5), Article 6(4), Article 6(6), Article 7(9), Article 7(10), Article 7(11), Article **7(11b)**, **Article 8(5)**, Article **22 (2a)**, Article 26(16) and Article 57(3) shall be conferred on the Commission for a period of ten years from date of entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power no later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension no later than 3 months before the end of each period.

Or. en

Amendment 588

Achille Variati, Paolo De Castro, Attila Ara-Kovács, Pina Picierno, Carmen Avram

Proposal for a regulation

Annex I – paragraph 6

Text proposed by the Commission

Flower pots intended to be used only for the selling and transporting of plants ***and not intended to stay with the plant throughout its life time***

Amendment

Flower pots intended to be used only for the selling and transporting of plants

Or. en

Amendment 589

Nicola Procaccini

Proposal for a regulation

Annex I – paragraph 6

Text proposed by the Commission

Flower pots intended to be used only for the selling and transporting of plants ***and not intended to stay with the plant throughout its life time***

Amendment

Flower pots intended to be used only for the selling and transporting of plants, ***unless the manufacturer writes on the label that the pot is not to be removed from the plant***

Or. en

Amendment 590

Daniela Rondinelli

Proposal for a regulation

Annex I – paragraph 6

Text proposed by the Commission

Flower pots intended to be used only for the selling and transporting of plants ***and not intended to stay with the plant***

Amendment

Flower pots intended to be used only for the selling and transporting of plants ***unless the manufacturer writes on the***

throughout its life time

*label that the pot is not to be removed
from the plant*

Or. it

Amendment 591

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation

Annex I – paragraph 6

Text proposed by the Commission

Amendment

Flower pots intended to be used only for the selling and transporting of plants *and not intended to stay with* the plant *throughout its life time*

Flower pots intended to be used only for the selling and transporting of plants, *unless, based on a declaration from the manufacturer, they are essential to the very life of* the plant

Or. it

Amendment 592

Elsi Katainen, Asger Christensen, Ulrike Müller, Hilde Vautmans

Proposal for a regulation

Annex I – paragraph 12

Text proposed by the Commission

Amendment

Beverage system capsules (e.g. coffee, cacao, milk)

Beverage system capsules (e.g. coffee, cacao, milk) *intended to be disposed empty after use*

Or. en

Justification

The specification provides clarity within the text avoiding ambiguity.

Amendment 593

Krzysztof Jurgiel

Proposal for a regulation

Annex I – paragraph 12

Text proposed by the Commission

Beverage system capsules (e.g. coffee, cacao, milk)

Amendment

Beverage system capsules (e.g. coffee, cacao, milk) ***intended to be disposed after use.***

Or. en

Amendment 594 Daniela Rondinelli

Proposal for a regulation Annex I – paragraph 15

Text proposed by the Commission

Flower pots intended to stay with the plant throughout its life time

Amendment

Flower pots intended to stay with the plant throughout its life time ***and that are also used within the production process, in its various stages, as they represent permanent factors of production***

Or. it

Amendment 595 Nicola Procaccini

Proposal for a regulation Annex I – paragraph 15

Text proposed by the Commission

Flower pots intended to stay with the plant throughout its life time

Amendment

Flower pots intended to stay with the plant throughout its life time ***and also to be used within the production process, at its various stages, as they represent long-lasting production factors***

Or. en

Amendment 596

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

**Proposal for a regulation
Annex I – paragraph 15**

Text proposed by the Commission

Amendment

Flower pots *intended to stay with* the plant
throughout its life time

Flower pots *or containers for
transplanting that are an integral part of
the production or sales process for* the
plant

Or. it

Amendment 597

Achille Variati, Paolo De Castro, Pina Picierno, Carmen Avram

**Proposal for a regulation
Annex I – paragraph 15**

Text proposed by the Commission

Amendment

Flower pots intended to *stay* with the plant
throughout its life time

Flower pots *used throughout different
stages of production or* intended to *be sold*
with the plant

Or. en

Amendment 598

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

**Proposal for a regulation
Annex III – paragraph 1 – introductory part**

Text proposed by the Commission

Amendment

Conditions to be considered when
mandating the use of compostable
packaging format:

Conditions to be considered when
mandating *or introducing* the use of
compostable packaging format *on the
market*:

Or. en

Amendment 599
Nicola Procaccini

Proposal for a regulation
Annex III – paragraph 1 – introductory part

Text proposed by the Commission

Conditions to be considered when mandating *the use of* compostable packaging format:

Amendment

Conditions to be considered when mandating *or introducing* compostable packaging format *on the market*:

Or. en

Justification

To make consistent Annex III with the text amendments.

Amendment 600
Elsi Katainen, Asger Christensen, Jérémy Decerle, Ulrike Müller, Hilde Vautmans

Proposal for a regulation
Annex III – paragraph 1 – point c

Text proposed by the Commission

(c) it is of biodegradable nature allowing the packaging to undergo physical, chemical, thermal or biological decomposition, including anaerobic digestion, resulting ultimately in conversion into carbon dioxide or methane, in the absence of oxygen, mineral salts, biomass and water,

Amendment

(c) it is of biodegradable nature allowing the packaging to undergo physical, chemical, thermal or biological decomposition *in line with the standard of EN 13432*, including anaerobic digestion, resulting ultimately in conversion into carbon dioxide or methane, in the absence of oxygen, mineral salts, biomass and water,

Or. en

Justification

In line with Article 3 paragraph 42 and the EN 13432 standard.

Amendment 601
Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Pina Picierno

Proposal for a regulation

Annex III – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) it is compliant with standard EN 13432 or any relevant new EU standard

Or. en

**Amendment 602
Nicola Procaccini**

**Proposal for a regulation
Annex III – paragraph 1 – point d**

Text proposed by the Commission

Amendment

(d) its use significantly increases the collection of organic waste compared to the use of non-compostable packaging materials;

(d) its use significantly increases the collection of organic waste compared to the use of non-compostable packaging materials **or**;

Or. en

Justification

To make consistent Annex III with the text amendments.

**Amendment 603
Elsi Katainen, Asger Christensen, Jérémy Decerle, Ulrike Müller, Hilde Vautmans**

**Proposal for a regulation
Annex III – paragraph 1 – point e**

Text proposed by the Commission

Amendment

(e) its use significantly reduces the contamination of compost with non-compostable packaging; and

(e) its use significantly reduces the contamination of compost with non-compostable packaging **and does not cause any problems in biowaste processing**; and

Or. en

Justification

In line with Article 3 paragraph 42 and the EN 13432 standard.

Amendment 604
Nicola Procaccini

Proposal for a regulation
Annex III – paragraph 1 – point e

Text proposed by the Commission

(e) its use significantly reduces the contamination of compost with non-compostable packaging; **and**

Amendment

(e) its use significantly reduces the contamination of compost with non-compostable packaging;

Or. en

Justification

To make consistent Annex III with the text amendments.

Amendment 605
Nicola Procaccini

Proposal for a regulation
Annex III – paragraph 1 – point f

Text proposed by the Commission

(f) *its use does not increase the contamination of non-compostable packaging waste streams.*

Amendment

deleted

Or. en

Justification

To make consistent Annex III with the text amendments.

Amendment 606
Annie Schreijer-Pierik

Proposal for a regulation
Annex IV – Part I – point 1

Text proposed by the Commission

Amendment

1. Product protection: packaging design shall ensure the product protection from the point of packaging or filling until the end use, with a view to prevent significant product damage, loss, deterioration or waste. Requirements may consist of protection against mechanical or chemical damage, vibration, compression, humidity, light, oxygen, microbiological infection, pest, deterioration of organoleptic properties etc. and include references to specific legislation setting out requirements on product quality.

1. Product protection: packaging design shall ensure the product protection from the point of packaging or filling until the end use, with a view to prevent significant product damage, loss, deterioration or waste ***and ensure that the quality of the product is maintained.*** Requirements may consist of protection against mechanical or chemical damage, vibration, compression, humidity, ***moisture loss***, light, oxygen, microbiological infection, pest, deterioration of organoleptic properties, etc. and include references to specific legislation setting out requirements on product quality.

Or. nl

Amendment 607

Achille Variati, Paolo De Castro, Daniela Rondinelli, Attila Ara-Kovács, Clara Aguilera, Pina Picierno, Carmen Avram

**Proposal for a regulation
Annex IV – Part I – point 6**

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 608**Pär Holmgren**

on behalf of the Verts/ALE Group

**Proposal for a regulation
Annex IV – Part I – point 6**

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 609

Rosanna Conte, Elena Lizzi, Angelo Ciocca, Paola Ghidoni, Gilles Lebreton

Proposal for a regulation**Annex IV – Part II a (new)***Text proposed by the Commission**Amendment****Ila Part III – Design criteria***

1. Design elements required to indicate geographical origin or to distinguish different products, for example distinguishing beverages in glass bottles such as wine from other products;

2. Acceptance by the consumer

Or. it

Amendment 610

Krzysztof Jurgiel

Proposal for a regulation**Annex VI – Part A – paragraph 1 – introductory part***Text proposed by the Commission*

The following requirements apply for all systems for re-use and shall be simultaneously satisfied:

Amendment

The following requirements apply for all ***new developed*** systems for re-use and shall be simultaneously satisfied:

Or. en

Amendment 611

Krzysztof Jurgiel

**Proposal for a regulation
Annex VI – Part A – paragraph 1 – point h**

Text proposed by the Commission

(h) design of the packaging is laid down in *accordance with mutually agreed* specifications or standards;

Amendment

(h) design of the packaging is laid down in *the system* specifications or standards *as mutually agreed by all stakeholders or parties in the system*

Or. en

**Amendment 612
Krzysztof Jurgiel**

**Proposal for a regulation
Annex VI – Part A – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

To mitigate the risks of reducing the effectiveness of well-functioning, existing systems for reuse by introducing new requirements, the existing systems for reuse are excluded from the below requirements.

Or. en

**Amendment 613
Krzysztof Jurgiel**

**Proposal for a regulation
Annex X – paragraph 2 – point d**

Text proposed by the Commission

(d) *a minimum* deposit level is established, *which is sufficient to achieve the required collection rates*;

Amendment

(d) *the structure and value of the* deposit is established *by the operator of the system in a way to encourage consumers to return packaging*;

Or. en

Amendment 614
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point i – point iii a (new)

Text proposed by the Commission

Amendment

(iii a) definition of the obligations on manufacturers covered by the scheme;

Or. en

Amendment 615
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point i – point iii b (new)

Text proposed by the Commission

Amendment

(iii b) definition of the take-back obligation of final distributors;

Or. en

Amendment 616
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point i – point iii c (new)

Text proposed by the Commission

Amendment

(iii c) the measures taken to minimize fraud.

Or. en

Amendment 617
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point j

Text proposed by the Commission

(j) **at least 1%** of the annual turnover of the system operator (**excluding deposits**) **are** used for public awareness campaigns on the **information on** management of packaging waste;

Amendment

(j) **part** of the annual turnover of the system operator **is** used for public awareness campaigns on the management of packaging waste **covered by the DRS**;

Or. en

Justification

The goal of the provision is to guarantee effective information and awareness campaigns to achieve the desired level of collection - specifying the percentage of the company's turnover to be spent is an overregulation.

Amendment 618
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point l – introductory part

Text proposed by the Commission

(l) Member States ensure that final distributors are obligated to accept the deposit bearing packaging and provide end users with redeemed deposits. When implementing this obligation, Member States shall take into account **at least** the following factors:

Amendment

(l) Member States ensure that final distributors are obligated to accept the deposit bearing packaging and provide end users with redeemed deposits. When implementing this obligation, Member States shall take into account the following factors:

Or. en

Amendment 619
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point l – point i

Text proposed by the Commission

Amendment

(i) sales surface area ***allowing end users to return deposit bearing packaging in their local conditions;***

(i) sales surface area;

Or. en

Amendment 620
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point l – point v – point a (new)

Text proposed by the Commission

Amendment

(a) Any exception or partial exemption from point l) should be managed by the system operator, in collaboration with the Member State where the system is operated. The evolutions in the market should be taken into account in this exercise and potential exemptions should be revised on a regular basis;

Or. en

Amendment 621
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point m

Text proposed by the Commission

Amendment

(m) ***deposit is*** exempted from sales taxes;

(m) ***the deposits and the pool of unredeemed deposits are*** exempted from sales taxes;

Or. en

Amendment 622
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point o

Text proposed by the Commission

(o) all deposit bearing packaging is clearly labelled, so that the end users can easily identify the need to return such packaging;

Amendment

(o) all deposit bearing packaging ***that is to be collected by the DRS*** is clearly labelled, so that the end users can easily identify the need to return such packaging;

Or. en

Amendment 623
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q

Text proposed by the Commission

(q) ***all packaging covered by the deposit and return system.***

Amendment

deleted

Or. en

Amendment 624
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q a (new)

Text proposed by the Commission

Amendment

(qa) beverage producers financing the DRS have a priority access to the food-grade recycled feedstock corresponding to the amount of packaging material they put on the market and that was collected via the system. Such material shall be used in priority in applications where the distinct quality of the recycled material is preserved or recovered so it allows further recyclability and can be re-used in the same way and for the same product category it came from, with minimal loss

of quantity, quality or function. Such access is granted on the basis of the data generated by the CDMO in the course of the registration process.

Or. en

Justification

Priority given to access to materials collected under the deposit system as well as to recyclates obtained as a result of processing post-consumer packaging waste is crucial to avoid down-cycling. Currently, the production of food-approved materials is possible only from waste from food-approved materials. Therefore, once an approved food contact material is recycled into non-food contact packaging, such material falls out of the food contact material cycle and the closed loop of such materials is violated.

Amendment 625
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q b (new)

Text proposed by the Commission

Amendment

(qb) the economic operators financing and participating in the system are running the system in a non-for-profit structure;

Or. en

Justification

The industry that finances and participates in the system should play a role in managing it to ensure that it is run in the most efficient, effective and non-profit way. This is already the case in all existing deposit schemes in Europe.

Amendment 626
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q c (new)

Text proposed by the Commission

Amendment

(qc) the deposit and return system is designed to promote recycling of packaging waste which meets the quality standards for the use of recycled materials in the relevant sectors covered by the system;

Or. en

Amendment 627
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q d (new)

Text proposed by the Commission

Amendment

(qd) the deposit and return system is set up with cost efficiency as one of the key principles. All participants in the system collaborate for the most optimal and cost-efficient implementation and are fairly compensated for the net costs incurred from dealing with the logistics of the system.

Or. en

Amendment 628
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 2 – point q e (new)

Text proposed by the Commission

Amendment

(qe) revenues coming from the sales of the collected materials and the unredeemed deposits, stay in the system to cover both setup and operational costs.

Or. en

Amendment 629
Krzysztof Jurgiel

Proposal for a regulation
Annex X – paragraph 3

Text proposed by the Commission

In addition to the minimum requirements, Member States may set additional requirements, as appropriate, in order to ***ensure the fulfilment of the objectives of this Regulation, in particular to*** increase the purity of the collected packaging waste, ***reduce litter or promote other circular economy objectives.***

Amendment

In addition to the minimum requirements, Member States may, ***in collaboration with the operators of the system,*** set additional requirements, as appropriate, in order to increase the purity of the collected packaging waste.

Or. en

Amendment 630
Nicola Procaccini

Proposal for a regulation
Annex XII – subheading 7

Text proposed by the Commission

TABLE 4

Amendment

TABLE 4
Add new element in the table: Plastic, compostables

Or. en

Justification

The reporting of materials sent for recycling must include compostable bioplastics consistent with the provisions of Article Art. 47 (8) which states that “The amount of biodegradable packaging waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output with a similar quantity of recycled content in relation to input, which is to be used as a recycled product, material or substance.