

Packaging and packaging waste

1992/0436(COD) - 28/03/2012 - Follow-up document

Article 3(1) of Directive 94/62/EC defines 'packaging' by setting out a number of criteria. The items listed in Annex I to that Directive are illustrative examples of the application of those criteria.

For reasons of legal certainty and harmonisation of the interpretation of the definition of 'packaging', it is necessary to review and amend the list of illustrative examples to clarify additional cases where the borderline between what is packaging and what is not, remains unclear. The review follows calls from Member States and economic operators to reinforce the implementation of the Directive and create a level playing field in the internal market.

Directive 94/62/EC should therefore be amended accordingly.

The Committee established by Article 21 of Directive 94/62/EC has not delivered an opinion on the measures provided for in this Directive. In the light of the position taken by the Committee, the item 'release paper of self-adhesive labels' has been deleted from the proposal.

Thus, in accordance with the procedure set out in Article 5a of Decision 1999/468/EC a proposal for a Directive 94/62/EC is submitted to Council and forwarded to the European Parliament.