















Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2022/0396(COD)	Awaiting Council's 1st reading position
Packaging and packaging waste Repealing Directive 1994/62 1992/0436(COD) Amending Regulation 2019/1020 2017/0353(COD) Amending Directive 2019/904 2018/0172(COD)	
Subject 3.70.12 Waste management, domestic waste, packaging, light industrial waste	
Legislative priorities Joint Declaration 2022 Joint Declaration 2023-24	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Environment, Public Health and Food Safety	 RIES Frédérique	11/01/2023
		Shadow rapporteur	
		 SALINI Massimiliano	
		 BURKHARDT Delara	
		 O'SULLIVAN Grace	
		 FIOCCHI Pietro	
		 SARDONE Silvia	
		 PIMENTA LOPES João	
		Committee for opinion	Rapporteur for opinion
	 Industry, Research and Energy (Associated committee)	 TOIA Patrizia	25/01/2023
	 Internal Market and Consumer Protection (Associated committee)	 JORON Virginie	09/02/2023
	 Agriculture and Rural Development	 DE MEO Salvatore	16/02/2023

Council of the European Union
European Commission

European Economic and
Social Committee

JURI [Legal Affairs](#)

Commission DG



[Environment](#)

The committee decided not to
give an opinion.

Commissioner

SINKEVIČIUS Virginijus

Key events

30/11/2022	Legislative proposal published	COM(2022)0677	Summary
13/03/2023	Committee referral announced in Parliament, 1st reading		
15/06/2023	Referral to associated committees announced in Parliament		
24/10/2023	Vote in committee, 1st reading		
06/11/2023	Committee report tabled for plenary, 1st reading	A9-0319/2023	Summary
21/11/2023	Debate in Parliament		
22/11/2023	Results of vote in Parliament		
22/11/2023	Decision by Parliament, 1st reading	T9-0425/2023	Summary
22/11/2023	Matter referred back to the committee responsible		
19/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE760.975 GEDA/A/(2024)001591	
24/04/2024	Decision by Parliament, 1st reading	T9-0318/2024	Summary

Technical information

Procedure reference	2022/0396(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 1994/62 1992/0436(COD) Amending Regulation 2019/1020 2017/0353(COD) Amending Directive 2019/904 2018/0172(COD)
Legal basis	Rules of Procedure EP 57_o; Treaty on the Functioning of the EU TFEU 114
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	ENVI/9/10820

Documentation gateway					
Legislative proposal		COM(2022)0677	30/11/2022	EC	Summary
Document attached to the procedure		SEC(2022)0425	01/12/2022	EC	
Document attached to the procedure		SWD(2022)0384	01/12/2022	EC	
Document attached to the procedure		SWD(2022)0385	01/12/2022	EC	
Committee draft report		PE742.297	11/04/2023	EP	
Economic and Social Committee: opinion, report		CES6037/2022	27/04/2023	ESC	
Amendments tabled in committee		PE749.032	12/05/2023	EP	
Amendments tabled in committee		PE749.033	12/05/2023	EP	
Amendments tabled in committee		PE749.034	12/05/2023	EP	
Amendments tabled in committee		PE749.035	12/05/2023	EP	
Amendments tabled in committee		PE749.036	12/05/2023	EP	
Amendments tabled in committee		PE749.037	12/05/2023	EP	
Amendments tabled in committee		PE749.039	12/05/2023	EP	
Amendments tabled in committee		PE745.447	15/05/2023	EP	
Amendments tabled in committee		PE749.038	26/05/2023	EP	
Committee opinion	ITRE	PE746.712	19/07/2023	EP	
Committee opinion	IMCO	PE746.894	20/07/2023	EP	
Committee opinion	AGRI	PE745.499	21/08/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0319/2023	06/11/2023	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		T9-0425/2023	22/11/2023	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2024)001591	15/03/2024	CSL	
Text agreed during interinstitutional negotiations		PE760.975	15/03/2024	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0318/2024	24/04/2024	EP	Summary

Additional information		
Research document	Briefing	04/04/2024

Packaging and packaging waste

PURPOSE: to update the EU legislative framework for packaging and packaging waste.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: packaging is necessary to protect and to transport goods. The manufacturing of packaging is also a major economic activity

in the EU. However, regulatory approaches differ from one Member State to another, which creates obstacles that prevent the internal market for packaging from fully functioning. Such discrepancies create legal uncertainty for businesses, leading to lower investment in innovative and environment-friendly packaging and new circular business models.

Moreover, the amount of packaging waste is growing, frequently at a faster pace than GDP. Packaging waste increased by more than 20% over the last 10 years in the EU and is forecast to soar by another 19% until 2030, if no action is taken.

The regulatory failures of the current Directive (e.g. poorly designed essential requirements for packaging and difficulties encountered by Member States in enforcing them) has made it clear that harmonisation is necessary, and that the harmonised rules should take the form of a regulation, rather than a revision of the current Directive.

CONTENT: therefore, the Commission proposes this regulation to update the EU legislative framework for packaging and packaging waste by giving Member States and businesses adequate support to achieve waste reduction targets. As an integral part of the European Green Deal and the new EU circular economy action plan, it will contribute to the EU's growth strategy for a modern, resource-efficient, clean and competitive economy with no net emissions of greenhouse gases by 2050 and with economic growth decoupled from resource use. In line with the new approach to products announced in the European Green Deal and the circular economy action plan, the proposal covers the entire life cycle of packaging.

Sustainability requirements for packaging

The proposal lays down requirements for substances in packaging, in particular a restriction on the concentration level of lead, cadmium, mercury and hexavalent chromium. The Commission is empowered to adopt delegated acts lowering the level of this restriction as well as laying down exemptions from it.

As of 1 January 2030, the proposal considers that plastic packaging should contain certain minimum amount of recycled content recovered from post-consumer plastic waste, per unit of plastic packaging; specific packaging has been exempted, as appropriate. These amounts should increase by 1 January 2040 and the derogations should be revised.

The proposed regulation defines conditions for packaging to be considered compostable and prescribes that filter coffee pods, sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags should be compostable by 24 months after the entry into force of this Regulation. Moreover, the weight and volume of packaging should be minimised with due account taken of the packaging's safety and functionality. Requirements for reusable packaging has also been introduced.

Labelling, marking and information requirements

The proposal requires that packaging is marked with a label containing information on its material composition in order to facilitate consumer sorting. The same labels should be placed on waste receptacles for the consumer to easily identify the appropriate disposal route. Harmonised labels should be designed also to inform, at the choice of the manufacturer, about the recycled content in plastic packaging. Reusable packaging shall bear a QR code or other type of data carrier giving access to the relevant information facilitating its re-use.

It is proposed that economic operators that supply products to final distributors or end users in grouped, transport or e-commerce packaging must ensure that the ratio of empty space in the packaging in relation to the packaged product(s) is maximum 40 %. A number of targets on re-use and refill for different sectors and packaging formats has been specified.

As for lightweight plastic carrier bags, the annual consumption of these bags cannot exceed 40 such bags per person by the 31st December 2025. Member States can exclude very lightweight plastic carrier bags, which are required for hygiene purposes or provided as sales packaging for loose food to prevent food wastage, from the obligation to meet the target.

Management of packaging and of packaging waste

The proposal requires each Member State to progressively reduce the packaging waste generated per capita as compared to the packaging waste generated per capita in 2018, by 5 % by 2030, 10 % by 2035 and 15 % by 2040. Member States should establish a register which should serve to monitor the compliance of producers of packaging with the requirements laid down in the proposed Regulation.

In addition, the draft requires a deposit and return system (DRS) for single-use plastic beverage bottles with the capacity of up to three litres and single-use metal and aluminium beverage containers with a capacity of up to three litres. By 1 January 2029, Member States must ensure that all DRS follow the minimum requirements set out in Annex X. Member States are also allowed to include glass in the DRS and should ensure that DRS for single-use packaging formats, in particular for single-use glass beverage bottles, where technically and economically feasible, are equally available for reusable packaging.

Recycling targets of packaging waste that Member States must meet by 31 December 2025 and by 31 December 2030 are set out.

Packaging and packaging waste

The Committee on the Environment, Public Health and Food Safety adopted the report by Frédérique RIES (Renew, BE) on the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Minimum recycled content in plastic packaging

The amended text stipulated that from 1 January 2030, the plastic part in packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging format, calculated as an average per manufacturing plant, per year:

- 30 % for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component;

- 7.5 % (compared to 10% proposed by the Commission) for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles.

Economic operators should be exempted from the obligation to meet the targets if, during a calendar year, they fall within the definition of microenterprise.

Labelling of packaging

Members suggested that 24 months after the adoption of the implementing acts, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting. The label should be exclusively based on pictograms and be easily understandable, including for persons with disabilities. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging.

The label may be accompanied by a QR code or other type of digital data carrier placed on the packaging that contains information on the destination of each separate component of the packaging in order to facilitate consumer sorting.

Packaging forum

As regards the establishment of the packaging forum, Members called on the Commission to ensure that there is a balanced participation of Member States representatives and all interested parties involved with the packaging industry, including waste treatment industry representatives, manufacturers and packaging suppliers, distributors, retailers, importers, SMEs, environmental protection groups and consumer organisations.

Obligations related to refill

From 1 January 2030, final distributors with an area, excluding all storage and dispatch areas, of more than 400m² shall endeavour to dedicate 10% of their sales area to refill stations for both food and non-food products.

Re-use and refill targets

Economic operators, including online platforms, making large household appliances available on the market for the first time within the territory of a Member State should ensure that from:

- 1 January 2030, 50% of those products are made available in reusable transport packaging within a system for reuse;
- 1 January 2040, 90% of those products are made available in reusable transport packaging within a system for reuse.

Requirements for substances in packaging

Members suggested that food contact packaging containing intentionally added per- and polyfluorinated alkyl substances (PFASs) or Bisphenol A (BPA, CAS 80-05-7) should not be placed on the market from 18 months from the date of entry into force of this Regulation.

Plastic carrier bags

Very lightweight plastic carrier bags, below 15 microns, have a high potential to become waste and contribute to marine pollution, therefore Members considered that measures should be taken to restrict their placing on the market except for strictly necessary uses. Those plastic bags should not be placed on the market as packaging for bulk foodstuffs, except for hygienic reasons or for packaging wet bulk foodstuffs such as raw meat, fish or dairy products.

By 31 December 2027, the Commission should prepare a report on the need and feasibility of reducing the use of paper carrier bags and, where appropriate, submit a legislative proposal setting out targets for a paper carrier bags reduction and measures to achieve these targets.

Mandatory separate collection for packaging

The report proposed a separate collection target of 90% for 2029 regarding all types of packaging covered by the legislative proposal and no longer only for plastic beverage bottles under the single use plastics directive, in a bid to increase recycling rates and content in line with the wishes of the sectors concerned.

Packaging and packaging waste

The European Parliament adopted, by 426 votes to 125, with 74 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

The matter has been referred back to the committee responsible for interinstitutional negotiations.

Subject matter

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, reduction in unnecessary packaging, reuse or refill of packaging, collection, treatment and recycling of packaging waste.

Requirements relating to substances contained in packaging

Members called for food contact packaging containing intentionally added per- and polyfluorinated alkyl substances (PFAS) or bisphenol A not to be placed on the market within 18 months of the date of entry into force of the regulation.

Recyclable packaging

The new rules require all packaging to be recyclable, meeting strict criteria to be defined by secondary legislation. Some temporary exemptions are foreseen, for example for wood and wax food packaging.

By 1 January 2029, the Commission should adopt delegated acts to resolve the problems encountered in applying the provisions of the

regulation, in particular to inert packaging materials placed on the market in the Union in very small quantities (i.e. around 0.1% by weight).

Minimum recycled content in plastic packaging

The amended text stipulated that from 1 January 2030, the plastic part in packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging format, calculated as an average per manufacturing plant, per year:

- 30% for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component;

- 7.5% (compared to 10% proposed by the Commission) for contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles.

Economic operators should be exempted from the obligation to meet the targets if, during a calendar year, they fall within the definition of microenterprise.

Contact-sensitive plastic packaging for foods intended for infants and young children and foods for special medical purposes covered by Regulation (EU) No 609/2013 would be excluded from the minimum recycled content requirement for plastic packaging. That exclusion should apply to inks, adhesives, paints, varnishes and lacquers used on packaging and for any plastic part representing less than 5% of the total weight of the whole packaging unit.

Labelling of packaging

Members suggested that 24 months after the adoption of the implementing acts, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting. The label should be exclusively based on pictograms and be easily understandable, including for persons with disabilities. This obligation does not apply to transport packaging. However, it applies to e-commerce packaging. However, it applies to e-commerce packaging.

The label may be accompanied by a QR code or other type of digital data carrier placed on the packaging that contains information on the destination of each separate component of the packaging in order to facilitate consumer sorting.

Reduce packaging, restrict certain types of use

Besides the overall packaging reduction targets proposed in the regulation (5% by 2030, 10 % by 2035 and 15 % by 2040), Members want to set specific targets to reduce plastic packaging (10% by 2030, 15% by 2035 and 20% by 2040).

Members proposed to ban the sale of very lightweight plastic carrier bags (below 15 microns), unless required for hygiene reasons or provided as primary packaging for loose food to help prevent food wastage. They also proposed to heavily restrict the use of certain single use packaging formats, such as hotel miniature packaging for toiletry products and shrink-wrap for suitcases in airports.

Refill obligations

From 1 January 2030, final distributors with an area, excluding all storage and dispatch areas, of more than 400m² should endeavour to dedicate 10% of their sales area to refill stations for both food and non-food products.

By 24 months from the date of entry into force of this Regulation, the 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 cold or hot beverages filled into a container at the point of sale for take-away should provide a system for consumers to bring their own container to be filled.

Mandatory separate collection

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 should ensure that separate collection systems are set up for the different fractions of packaging waste materials, to help the consumer to sort packaging waste.

Members want EU countries to ensure that 90% of materials contained in packaging (plastic, wood, ferrous metals, aluminium, glass, paper and cardboard) is collected separately by 2029.

Packaging and packaging waste

The European Parliament adopted by 476 votes to 129, with 24 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject matter

The proposed Regulation establishes requirements for the entire life cycle of packaging as regards environmental sustainability and labelling, to allow its placing on the market. It also establishes requirements for extended producer responsibility, packaging waste prevention, such as the reduction of unnecessary packaging and the reuse or refill of packaging, as well as collection and treatment, including recycling, of packaging waste.

Requirements for substances in packaging

Packaging placed on the market should be manufactured in such a way as to minimise the presence and concentration of substances of concern in the composition of packaging materials, as well as the adverse environmental effects associated with microplastics. The Commission will monitor the presence of substances of concern in packaging and packaging components and take appropriate follow-up action.

From 18 months from the date of entry into force of this Regulation, food contact packaging should not be placed on the market if it contains

per- and polyfluorinated alkyl substances (PFAS) in a concentration of or above certain limit values.

Minimum recycled content in plastic packaging

Under the new rules, all packaging (except for lightweight wood, cork, textile, rubber, ceramic, porcelain and wax) will have to be recyclable by fulfilling strict criteria. The amended text also includes minimum recycled content targets for plastic packaging and minimum recycling targets by weight of packaging waste.

By 1 January 2040, any plastic part of packaging placed on the market should contain the following minimum percentage of recycled content recovered from post-consumer plastic waste, per packaging type and format as referred to in Table 1 of Annex II, calculated as an average per manufacturing plant and year: (a) 50 % for contact sensitive packaging, except single use beverage bottles, made from polyethylene terephthalate (PET) as the major component; (b) 25% for contact sensitive packaging made from plastic materials other than PET; (c) 65 % for single use plastic beverage bottles; (d) 65 % for plastic packaging other than referred to before.

By 1 January 2030, the manufacturer or importer should ensure that the packaging placed on the market is designed so that its weight and volume is reduced to the minimum necessary for ensuring its functionality taking account of the shape and material that the packaging is made of.

Labelling of packaging

From 42 months from the date of the entry into force of this Regulation, packaging placed on the market should be marked with a label containing information on its material composition in order to facilitate consumer sorting.

Excessive packaging

By 1 January 2030, or 36 months after the entry into force of the delegated acts adopted pursuant to the second sub-paragraph, whichever is the latest, economic operators who fills the packaging in grouped packaging, transport packaging or e-commerce packaging, should ensure that the empty space ratio is maximum 50 %.

Prevention of packaging waste and reuse

Each Member State should reduce the amount of packaging waste produced per inhabitant, compared to the amount produced in 2018, by at least: a) 5% by 2030; b) 10% by 2035; c) 15% by 2040.

Certain types of single-use plastic packaging should be banned from 1 January 2030. These include packaging for unprocessed fresh fruit and vegetables, packaging for foods and drinks packaged and consumed in the hotel and catering sector, and packaging for individual portions (e.g. condiments, sauces, cream or sugar), miniature packaging for toiletries and very light plastic bags (with a thickness of less than 15 microns), with the exception of very light plastic bags required for reasons of hygiene or supplied as packaging for bulk wet foodstuffs such as raw meat, fish or dairy products.

The new rules set specific 2030 reuse targets are foreseen for alcoholic and non-alcoholic beverages packaging (except e.g. milk, wine, aromatised wine, spirits), transport and sales packaging, as well as grouped packaging. Member States may grant a five-year derogation from these requirements under certain conditions.

Consumers should always have the opportunity to purchase takeaway foodstuffs and beverages in reusable containers or in containers belonging to them, under conditions that are no less favourable than for foodstuffs and beverages offered in single-use packaging. Economic operators selling takeaway foodstuffs or beverages should give consumers the option of buying these foodstuffs or beverages in their own containers or in reusable packaging.

Final distributors of beverages and takeaways must also endeavour to offer 10% of their products in reusable packaging by 2030.

Deposit and return systems

By 1 January 2029, Member States should take the necessary measures to ensure the separate collection of at least 90% per year by weight of single use plastic beverage bottles with the capacity of up to three litres; and single use metal beverage containers with a capacity of up to three litres. They should also take the necessary measures to ensure that deposit return systems are set up for the relevant packaging formats and to ensure that a deposit has to be charged at the point of sale.

Transparency				
TOIA Patrizia	Rapporteur for opinion	ITRE	16/04/2024	Consorzio Nazionale per la Raccolta il Riciclo e il Recupero degli imballaggi in plastica
TOIA Patrizia	Rapporteur for opinion	ITRE	11/04/2024	Federazione italiana industriali produttori esportatori ed importatori di vini, acquaviti, liquori, sciroppi, aceti ed affini
BURKHARDT Delara	Shadow rapporteur	ENVI	22/02/2024	Deutscher Brauer-Bund e.V. Genossenschaft Deutscher Brunnen eG
BURKHARDT Delara	Shadow rapporteur	ENVI	14/02/2024	DPG Deutsche Pfandsystem GmbH

KATAINEN Elsi	Shadow rapporteur for opinion	AGRI	06/02/2024	S Group
KATAINEN Elsi	Shadow rapporteur for opinion	AGRI	01/02/2024	Kamupak
TOIA Patrizia	Rapporteur	ITRE	30/01/2024	L'Oreal
TORVALDS Nils	Shadow rapporteur for opinion	ITRE	29/01/2024	IKEA Foundation
TORVALDS Nils	Shadow rapporteur for opinion	ITRE	29/01/2024	Fibre Packaging Europe
TORVALDS Nils	Shadow rapporteur for opinion	ITRE	29/01/2024	S-Group (S-ryhmä)
FUGLSANG Niels	Member	12/04/2024	Dansk Bryggeriforening	
VAN BREMPT Kathleen	Member	22/03/2024	Kellanova Pringles	
GLÜCK Andreas	Member	14/03/2024	IK Industrievereinigung Kunststoffverpackungen e.V.	
TORVALDS Nils	Member	14/03/2024	Finnish Forest Industries Federation (Metsäteollisuus ry)	
LIESE Peter	Member	13/03/2024	IK Industrievereinigung Kunststoffverpackungen e.V.	
TORVALDS Nils	Member	08/03/2024	Embassy of Japan in Belgium	
TORVALDS Nils	Member	05/03/2024	Metal Packaging Europe External Affairs ASBL	
LIESE Peter	Member	04/03/2024	McDonald's Global Franchising Limited	
DANTI Nicola	Member	28/02/2024	Confederazione dell'Industria Manifatturiera Italiana e dell'Impresa Privata	
KUMPULA-NATRI Miapetra	Member	27/02/2024	Finnish Permanent Representation in the EU	