

Free movement of packaging?!

The EU regulatory framework for packaging

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European Commission
Enterprise and Industry

The Packaging and Packaging Waste Directive

- The centrepiece, but also the masterpiece?
- Two goals in one Directive
- Compliance with the Directive = Freedom to place on the market
- Essential requirements (Article 9)
- New approach: Standardisation
- Minimum levels of heavy metals

Accompanying measures

- Decision 768/2008/EC on a common framework for the marketing of products
- Directive 2007/45/EC laying down rules on nominal quantities for prepackaged products
- Horizontal legislation: e.g. Directive 2005/29/EC concerning unfair business to consumer practices in the internal market

Articles 28-30 EC – The safety net

- Guarantees free movement of goods in non-harmonised areas
- Mutual recognition – Mutual Trust
- Member States may adopt/maintain restrictive measures for overriding reasons (e.g. protection of environment or public health)

The role of the Commission

- Screening of draft national legislation under Directive 98/34/EC (ec.europa.eu/enterprise/tris)
- Monitoring the correct application of internal market legislation/principles, including launch of infringement proceedings
- Proposing new legislation
- Publishing guidance documents, e.g. Communication on “Beverage packaging, deposit systems and free movement of goods” (OJ 2009, C 107, p.1)

Current and future challenges

- Sustainability agenda
- Reconciling environmental goals with internal market needs
- Avoiding the fragmentation of the internal market
- Voluntary versus mandatory measures

Any questions?

Many thanks for your attention.
Happy to answer any questions
you may have.