



Notification Number: 2008/124/UK

The Producer Responsibility Obligations (Packaging Waste) (Amendment No. 2) Regulations 2008

Date received : 27/03/2008

End of Standstill : 30/06/2008

Message

Message 001

Communication from the Commission - SG(2008) D/50609

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification -
Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação -
Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2008/0124/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata -
Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora -
Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéset - Ma' jiftaħ il-perijodi ta' dawmien
- Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud -
Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele
de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200800609.EN)

1. Structured Information Line

MSG 001 IND 2008 0124 UK EN 30-06-2008 27-03-2008 UK NOTIF 30-06-2008

2. Member State

UK

3. Department Responsible

Department for Innovation, Universities and Skills

3. Originating Department

Department for Environment, Food and Rural Affairs,

4. Notification Number

2008/0124/UK – S10E



5. Title

The Producer Responsibility Obligations (Packaging Waste) (Amendment No. 2) Regulations 2008

6. Products Concerned

Packaging and packaging waste

7. Notification Under Another Act

Directive 94/62/EC as amended by Directive 2004/12/EC on Packaging and Packaging Waste only.

8. Main Content

Amendment of Regulations 23 and 24 of the Producer Responsibility Obligations (Packaging Waste) 2007 (as amended). The changes are to revise requirements regarding evidence of broad equivalent conditions for export reprocessing sites.

9. Brief Statement of Grounds

Article 6(2) of Directive 94/62/EC on Packaging and Packaging Waste, as amended, states that packaging waste exported out of the European Community only counts towards recovery and recycling targets if there is sound evidence that the recovery and/or recycling operation took place under conditions broadly equivalent to those prescribed by relevant Community legislation.

Due to the way in which Great Britain has transposed the Directive requirements, exporters of waste packaging are finding it increasingly difficult to obtain evidence of BE conditions from overseas reprocessors, despite significant resource input by both the Environment Agency and exporters.

This is proving to be a particular problem for metals recycling, because of the intrinsic value of the material. In the absence of evidence of broadly equivalent conditions, and subsequent accreditation, exporters will continue to ship waste packaging for recycling outside the EU. The qualifying 'packaging waste' (waste which could count towards the targets is still being exported and reprocessed under BE conditions) but where it is impossible to obtain the evidence required by the regulators or competent authorities to grant accreditation it cannot be officially counted towards the UK's packaging recycling targets. These requirements are without prejudice to the requirements of the Waste Shipments Regulation (EC No. 1013/2006, in particular Articles 18 and 49).

As 50% of the recycling evidence for steel and 23% for aluminium packaging in 2006 was generated from export, these changes are being made to enable the UK Government to have greater confidence that we will meet the Directive targets

10. Reference Documents - Basic Texts

a) Consultation Paper on revising the requirements regarding evidence of broad equivalence for export reprocessing sites: this paper discusses the options in relation to each proposal, which focuses on the environmental, social and economic costs and benefits. Furthermore, proposed guidance on broadly equivalent standards is also included.

11. Invocation of the Emergency Procedure

No



12. Grounds for the Emergency

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

The impact assessment is attached.

16. TBT and SPS aspects

TBT Aspect

Yes

The draft does not have a significant effect on international trade.

SPS Aspect

No

The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

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European Commission

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