



Notification Number: 2008/591/UK

The quality protocol for the manufacture of secondary raw materials from waste non-packaging plastics

Date received : 22/12/2008

End of Standstill : 23/03/2009

Message

Message 001

Communication from the Commission - SG(2008) D/52539

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 : 2008/0591/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 késések - 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: 200802539.EN)

1. Structured Information Line

MSG 001 IND 2008 0591 UK EN 23-03-2009 22-12-2008 UK NOTIF 23-03-2009

2. Member State

UK

3. Department Responsible

Department for Innovation, Universities and Skills
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3. Originating Department

Department for Environment, Food and Rural Affairs

4. Notification Number

2008/591/UK -S20E



5. Title

The quality protocol for the manufacture of secondary raw materials from waste non-packaging plastics

6. Products Concerned

Secondary raw materials produced from waste non-packaging plastics

7. Notification Under Another Act

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8. Main Content

The waste non-packaging plastics quality protocol has three main purposes: – (1) to clarify the point at which secondary raw materials from waste non-packaging plastics have undergone a complete recovery operation, have been fully recovered and have ceased to be waste within the meaning of Article 1(1)(a) of the Waste Framework Directive (2006/12/EC); (2) to provide users with confidence that the secondary raw material they purchase conforms to their agreed specification; and (3) to protect human health and the environment (including groundwater) by setting standards for producing secondary raw materials. Secondary raw materials from waste non-packaging plastics will normally be regarded as having been fully recovered and ceased to be waste, and therefore no longer subject to waste management controls, only when a) they have been processed in accordance with all the requirements of the relevant European and British Standards listed in Appendix B, b) they meet any additional requirements specified by the customer, c) they have been supplied to the customer for use in an identified plastics manufacturing process, and d) they have been supplied to the customer with a Quality Protocol compliant safety data sheet. Producers must demonstrate that these criteria have been met by producing and keeping copies of customer supply documentation, including a declaration of conformance with the protocol and a protocol compliant safety data sheet. Where these conditions are met, the secondary raw materials will be regarded as having ceased to be waste when despatched to the customer.

9. Brief Statement of Grounds

The Waste Framework Directive requires Member States to encourage the use of waste as a resource and the Landfill Directive (Directive 1999/31/EC) sets stringent targets to reduce the amount of municipal waste that is disposed of by landfilling. The interpretation of EU legislation is ultimately a matter for the European Court of Justice (ECJ) and there is now a substantial body of case law on the interpretation of the definition of waste in Article 1(1)(a) of the Waste Framework Directive. Subject to ECJ case law, it rests with Member States' competent authorities to determine on a case-by-case basis when substances or objects are discarded and become waste, and when waste has been fully recovered and ceases to be waste. Based on the principles set by the ECJ in case law, the waste non-packaging plastics Quality Protocol seeks to identify with greater certainty the point at which secondary raw materials produced from waste non-packaging plastics have been fully recovered and ceased to be waste. In so doing, the waste non-packaging plastics Quality Protocol's objective is to provide greater certainty for both establishments or undertakings producing secondary raw materials from waste non-packaging plastics under the terms of a permit issued by the competent authority under Article 10 of the Waste Framework Directive, or a permit exemption registered under Article 11 of the Directive, and to users of secondary raw materials produced by such waste recovery operations. The greater certainty provided by the waste non-packaging plastics Quality Protocol will fulfil not only the objectives of the Waste Framework Directive by making more effective use of waste as a resource, but also those of the Landfill Directive by reducing the amount of waste disposed of by landfilling.



10. Reference Documents - Basic Texts

e) No basic texts.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

The impact assessment is attached.

16. TBT and SPS aspects

TBT Aspect

No

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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Prevention of Technical Barriers

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