



Notification Number: 1999/464/F

Draft Decree amending Decree no. 92-377 of 1 April 1992 implementing the amended Law no. 75-633 of 15 July on waste disposal and material recovery, with regard to the dumping of packaging.

Date received : 04/10/1999

End of Standstill : Closed

Message

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Message 002

Communication from the Commission - SG(1999) D/52244
Directive 98/34/EC
Translation of the message 001
Notification: 1999/464/F

(MSG: 199902244.EN)

1. Structured Information Line

MSG 002 IND 1999 0464 F EN 04-10-1999 F NOTIF

2. Member State

FRANCE

3. Department Responsible

Secrétariat Général du Comité Interministériel pour les Questions de Coopération Economique Européenne - 2,
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3. Originating Department

Ministère de l'aménagement du territoire et de l'environnement - Direction de la prévention des pollutions et des
risques - Sous-direction des produits et des déchets - 20, avenue de Ségur - 75302 PARIS 07 SP

4. Notification Number

99/464/F

5. Title

Draft Decree amending Decree no. 92-377 of 1 April 1992 implementing the amended Law no. 75-633 of 15
July on waste disposal and material recovery, with regard to the dumping of packaging.

6. Products Concerned

Domestic packaging waste

7. Notification Under Another Act

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8. Main Content

Decree no. 92-377 of 1 April 1992 placed upon manufacturers the responsibility of contributing to or providing
for the disposal of packaging waste originating from the consumption of their products by households. Article 10,
paragraph a of this Decree provides firms with the possibility of setting up a return system or an individual bring

system, authorised and controlled by the public authorities.

In this event, they are under obligation to indicate this return system clearly on the packaging in question. This obligation is a technical regulation under Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations, and Decree no. 92-377 of 1 April 1992 was never notified to the European Commission at the draft stage. For this reason the technical regulation in question cannot be opposed by third parties.

The Commission thus issued a reasoned opinion to the French Republic on 17 December 1998.

This draft Decree is therefore intended to remove the marking obligation laid down in Decree no. 92-377 of 1 April 1992 and to fulfil the Commission's request. It has been approved by the Ministries which have signed it.

9. Brief Statement of Grounds

This draft is intended to remove the marking obligation laid down in article 10, paragraph a of Decree no. 92-377 of 1 April 1997 and thus to fulfil the Commission's request.

10. Reference Documents - Basic Texts

List of base texts:

[illegible]

11. Invocation of the Emergency Procedure

12. Grounds for the Emergency

[illegible]

[illegible]

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13. Confidentiality

14. Fiscal measures