



Notification Number: 1997/769/F

**Decree no..... amending Decree no 92-377 of 1 April 1992
implementing, with regard to waste arising from the disposal
of packaging, amended Law no. 75-633 of 15 July 1975
relating to the elimination of waste and the recovery of
materials.**

Date received : 16/10/1997

End of Standstill : 19/01/1998

Message

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ATT. MS. NIEMINEN

EUROPEAN FREE TRADE ASSOCIATION SURVEILLANCE AUTHORITY

EUROPEAN FREE TRADE ASSOCIATION
ATT. MS. BAKKE-D'ALOYA



TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (97) D/52926/2
DIRECTIVES 83/189/EEC, 88/182/EEC AND 94/10/EC
TRANSLATION OF TELEX 001
NOTIFICATION 97/0769/F

- 3B1 : 9702926.EN

1. Structured Information Line

TLX 002 IND- 97 0769 F-- EN ----- 971016 --- ---

2. Member State

France

3. Department Responsible

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3. Originating Department

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4. Notification Number

97/0769/F et 97/6014/F

5. Title

Decree no..... amending Decree no 92-377 of 1 April 1992
implementing, with regard to waste arising from the disposal
of packaging, amended Law no. 75-633 of 15 July 1975 relating
to the elimination of waste and the recovery of materials.

6. Products Concerned

Household waste packaging.

7. Notification Under Another Act

Directive no. 94-62 relating to packaging and waste
packaging.

8. Main Content

The draft Decree has three aims:

- to specify the concept of producer responsible for the



elimination of waste from products which he places on the market, in order to include especially herewith, unambiguously and in conformity with the principle of the polluter pays, the distributors for their proprietary brand products;

- to adapt the wording used in the original Decree to the new concepts of importer and introducer resulting from the implementation of the single market, subsequent to the publication of the 1992 Decree;

- to place in conformity the consignment rules stipulated in article 10a of the initial Decree (absence of marking obligation).

9. Brief Statement of Grounds

Adapt the text to the principle of polluter pays and to the terminology used within the framework of the single market.

10. Reference Documents - Basic Texts

- Directive (EEC) no. 75-442 of the Council of the European Communities of 15 July 1975 relating to waste, amended by Directive (EEC) no. 91-156 of 18 March 1991;
- Directive (EEC) no. 83-189 of the Council of the European Communities of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations;
- Directive (EEC) no. 94-62/EC of the European Parliament and Council of the European Union of 20 December 1994 relating to packaging and waste packaging;
- the general code for territorial communities, particularly articles L 2224.13 and L 2224.16 thereof;
- amended Law no 75-633 of 15 July 1975, relating to the elimination of waste and recovery of materials;
- law no. 89-421 of 23 June 1989 relating to consumer information and protection as well as to various commercial

brands, particularly article 7 thereof;

- Decree no. 92-377 of 1 April 1992 implementing, with regard to waste resulting from the disposal of packaging, amended law no. 75-633 of 15 July 1975 relating to the elimination of waste and the recovery of materials.

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

Dispute by the producers and introducers of the terminology of the Decree which weakens the operation of the mechanism;

13. Confidentiality

No



14. Fiscal measures

No

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COMEUR
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