

~~EC Directive on~~ Requirements for Packaging waste

~~EC Directive on Packaging waste~~

The EU requirements: Directive 94/62/EC on packaging and packaging waste (the “Packaging Waste Directive-94/62/EC”) deals with the restrictions on ~~the placing on~~ sales of packaging containing certain levels of hazardous substances in the EU-market, the essential requirements on the composition of packaging, the identification requirements of the nature of the packaging, as well as establishes the principles of return, collection and recovery systems, and the information systems.

It is your responsibility to comply with the Packaging Waste Directive and the national laws and regulations implementing the Packaging Waste Directive.

Please see below for further information about EU requirements

UK requirements: UK rules on packaging waste are governed primarily by: (i) the Packaging (Essential Requirements) Regulations 2015 (SI 2015/1640) (“**PERR**”); and (ii) the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (SI 2007/871) (“**PROR**”) (together the “**Packaging Regulations**”).

The PERR deals with the restrictions on sales in the UK of packaging containing certain levels of hazardous substances, the essential requirements on the composition of packaging—and the identification requirements of the nature of the packaging. ~~It also~~ Whereas, PROR establishes the principles of return, collection and recovery systems, and the information systems. Different rules apply to goods you sell in: (1) Great Britain (England, Scotland and Wales); and (2) Northern Ireland.

It is your responsibility to comply with the UK Packaging Regulations if you are selling in the UK. If you are also selling on Amazon EU Stores, then you must also comply with national laws and regulations in EU Member States which implement Directive 94/62/EC—on packaging and packaging waste.

Please see below for further information about UK Requirements.

This material is for informational purposes only. It is not intended as legal advice. We encourage you to consult your legal counsel if you have questions about the laws and regulations concerning your product, ~~as well as consult the national laws and regulations transposing the Directive 2006/66/EC.~~ This material only reflects the position at the date of writing and requirements in the EU and the UK may change. You should refer to current UK guidance on Brexit in relation to changes that may affect your products from 1 January 2021.

I. EU Requirements

What products does the Packaging Waste Directive apply to?

The Packaging Waste Directive 94/62/EC applies to all packaging ~~placed on~~ sold in the European Union-market and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household or any other level, regardless of the material used.

Requirements on the composition of packaging:

All packaging shall be manufactured, designed and commercialized in such a way: (i) that the packaging volume and weight be limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer; (ii) that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimized; (iii) to permit its reuse or recovery, including recycling, and to minimize its impact on the environment. Specific requirements for certain types of packaging are stated in Annex II of [the Packaging Waste Directive-94/62/EC](#), which is available on ~~the~~ European Commission website (see Additional Information below~~).~~).

Labelling:

To facilitate collection, reuse and recovery including recycling, packaging should indicate the nature of the packaging material(s) used in accordance with the provisions of Commission Decision 97/129/EC (available on European Commission website), for the purposes of its identification and classification by the industry concerned. This marking shall bear on the packaging itself or on the label, and shall be clearly visible, ~~;~~ [and](#) easily legible and appropriately durable.

Obligations of collection:

Pursuant to national laws and regulations generally manufacturers of packaging or distributors of <http://www.linguee.es/ingles-espanol/traduccion/packaged+products.html> are responsible for the waste management of packaging that they ~~place on sell in~~ the ~~market~~EU, and for this reason they are obliged to finance any net costs arising from the collection, treatment and recycling of all packaging, through their own schemes or participating in collective schemes.

Provision of Information:

According to national laws and regulations manufacturers of packaging or distributors of <http://www.linguee.es/ingles-espanol/traduccion/packaged+products.html> are generally responsible for communicating to competent authorities the quantities, of packaging consumed, reused, recycled, recovered or disposed.

It is your responsibility to provide accurate and complete product information about packaging. If your products are regulated under [the Packaging Waste Directive-94/62/EC](#), verify that your products are eligible for sale and that ~~they~~ comply with all the requirements regarding packaging matters.

Additional Information

We strongly encourage you to visit the following ~~websites~~[sites](#) for more information on Packaging:

- General information about the Packaging Waste Directive in the European Commission's website: http://ec.europa.eu/environment/waste/packaging/index_en.htm
- National helpdesks in EU Member States about the Packaging Waste Directive: <http://ec.europa.eu/environment/waste/packaging/contact.htm>

II. UK Requirements

Where do the Packaging Regulations apply?

The Packaging Regulations apply to all products sold in the UK, but the provisions apply differently to Great Britain (England, Scotland and Wales, “GB”) and Northern Ireland. You can read more about the position in Northern Ireland (“NI”) below.

What products do the Packaging Regulations apply to?

The Packaging Regulations apply to all packaging sold in the UK and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household or any other level, regardless of the material used.

Requirements on the composition of packaging:

All packaging shall be manufactured, designed and commercialized in such a way: (i) that the packaging volume and weight be limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer; (ii) that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimized; (iii) to permit its reuse or recovery, including recycling, and to minimize its impact on the environment. Specific requirements for certain types of packaging are stated in Schedule I of PERR.

Labelling:

To facilitate collection, reuse and recovery including recycling, packaging should indicate the nature of the packaging material(s) used in accordance with the provisions of Commission Decision 97/129/EC (available on European Commission website) for the purposes of its identification and classification by the industry concerned. This is retained in UK law after Brexit by way of section 3 of the European Union (Withdrawal) Act 2018. This marking shall be on the packaging itself or on the label, and shall be clearly visible and easily legible and appropriately durable.

Obligations of collection:

Manufacturers of packaging or distributors of packaged products are responsible for the waste management of packaging that they sell in the UK, and for this reason they are obliged to finance any net costs arising from the collection, treatment and recycling of all packaging, through their own schemes or participating in collective schemes.

Provision of Information:

Manufacturers of packaging or distributors of packaged products are generally responsible for communicating to Trading Standards the quantities, of packaging consumed, reused, recycled, recovered or disposed.

It is your responsibility to provide accurate and complete product information about packaging. If your products are regulated by the Packaging Regulations, you must verify that your products are eligible for sale and comply with all the requirements regarding packaging matters.

Northern Ireland

Please note that different rules apply in NI from 1 January 2021 as a result of the Northern Ireland Protocol. In particular, you should ensure that packaging meets EU requirements.

Additional Information

We strongly encourage you to visit the following UK Government sites for more information on Packaging in the UK:

General information on PERR:

- <https://www.gov.uk/government/publications/packaging-essential-requirements-regulations-guidance-notes>

General information regarding PROR and packaging waste obligations:

- <https://www.gov.uk/guidance/packaging-producer-responsibilities>
- <https://www.gov.uk/guidance/packaging-waste-become-a-packaging-producer-compliance-scheme-pcs>

We also encourage you to visit the Business Companion website, which contains guidance on UK product compliance rules:

- <https://www.businesscompanion.info/en/quick-guides/miscellaneous/the-composition-and-use-of-packaging>