**EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE 94/62/EC**

**of 20 December 1994**

on packaging and packaging waste

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ([1](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0001)),

Having regard to the opinion of the Economic and Social Committee ([2](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0002)),

Acting in accordance with the procedure laid down in Article 189b of the Treaty ([3](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0003)),

Whereas the differing national measures concerning the management of packaging and packaging waste should be harmonized in order, on the one hand, to prevent any impact thereof on the environment or to reduce such impact, thus providing a high level of environmental protection, and, on the other hand, to ensure the functioning of the internal market and to avoid obstacles to trade and distortion and restriction of competition within the Community;

Whereas the best means of preventing the creation of packaging waste is to reduce the overall volume of packaging;

Whereas it is important, in relation of the objectives of this Directive, to respect the general principle that measures taken in one Member State to protect the environment should not adversely affect the ability of other Member States to achieve the objectives of the Directive;

Whereas the reduction of waste is essential for the sustainable growth specifically called for by the Treaty on European Union;

Whereas this Directive should cover all types of packaging placed on the market and all packaging waste; whereas; therefore, Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption ([4](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0004)) should be repealed;

Whereas packaging has a vital social and economic function and therefore measures provided for in this Directive should apply without prejudice to other relevant legislative requirements affecting quality and transport of packaging or packaged goods;

Whereas, in line with the Community strategy for waste management set out in Council resolution of 7 May 1990 on waste policy ([5](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0005)) and Council Directive 75/442/EEC of 15 July 1975 on waste ([6](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0006)), the management of packaging and packaging waste should include as a first priority, prevention of packaging waste and, as additional fundamental principles, reuse of packaging, recycling and other forms of recovering packaging waste and, hence, reduction of the final disposal of such waste;

Whereas, until scientific and technological progress is made with regard to recovery processes, reuse and recycling should be considered preferable in terms of environmental impact; whereas this requires the setting up in the Member States of systems guaranteeing the return of used packaging and/or packaging waste; whereas life-cycle assessments should be completed as soon as possible to justify a clear hierarchy between reusable, recyclable and recoverable packaging;

Whereas prevention of packaging waste shall be carried out through appropriate measures, including initiatives taken within the Member States in accordance with the objectives of this Directive;

Whereas Member States may encourage, in accordance with the Treaty, reuse systems of packaging which can be reused in an environmentally sound manner, in order to take advantage of the contribution of such systems to environmental protection;

Whereas from an environmental point of view recycling should be regarded as an important part of recovery with a particular view to reducing the consumption of energy and of primary raw materials and the final disposal of waste;

Whereas energy recovery is one effective means of packaging waste recovery;

Whereas targets set in Member States for the recovery and recycling of packaging waste should be confined within certain ranges so as to take account of the different situations in Member States and to avoid creating barriers to trade and distortion of competition;

Whereas, in order to achieve results in the medium term and to give economic operators, consumers and public authorities the necessary perspective for the longer term, a medium-term deadline should be set for attaining the aforementioned targets and a long-term deadline set for targets to be determined at a later stage with a view to substantially increasing those targets;

Whereas the European Parliament and the Council should, on the basis of reports by the Commission, examine the practical experience gained in Member States in working towards the aforementioned targets and the findings of scientific research and evaluation techniques such as eco-balances;

Whereas Member States which have, or will set, programmes going beyond such target ranges should be permitted to pursue those targets in the interest of a high level of environmental protection on condition shat such measures avoid disturbances on the internal market and do not prevent other Member States from complying with this Directive; whereas the Commission should confirm such measures after appropriate verification;

Whereas, on the other hand, certain Member States may be allowed to adopt lower targets because of the specific circumstances in those Member States, on condition that they achieve a minimum target for recovery within the standard deadline, and the standard targets by a later deadline;

Whereas the management of packaging and packaging waste requires the Member States to set up return, collection and recovery systems; whereas such systems should be open to the participation of all interested parties and be designed to avoid discrimination against imported products and barriers to trade or distortions of competition and to guarantee the maximum possible return of packaging and packaging waste, in accordance with the Treaty;

Whereas the issue of Community marking of packaging requires further study, but should be decided by the Community in the near future;

Whereas, in order to minimize the impact of packaging and packaging waste on the environment and to avoid barriers to trade and distortion of competition, it is also necessary to define the essential requirements governing the composition and the reusable and recoverable (including recyclable) nature of packaging;

Whereas the presence of noxious metals and other substances in packaging should be limited in view of their environmental impact (in particular in the light of their likely presence in emissions or ash when packaging is incinerated, or in leachate when packaging is landfilled); whereas it is essential, as a first step towards reducing the toxicity of packaging waste, to prevent the addition of noxious heavy metals to packaging and ensure that such substances are not released into the environment, with appropriate exemptions which should be determined by the Commission in specific cases under a Committee procedure;

Whereas, if a high level of recycling is to be attained and health and safety problems are to be avoided by those employed to collect and process packaging waste, it is essential for such waste to be sorted at source;

Whereas the requirements for the manufacturing of packaging should not apply to packaging used for a given product before the date of entry into force of this Directive; whereas a transition period for the marketing of packaging is also required;

Whereas the timing of the provision on the placing on the market of packaging which meets all essential requirements should take account of the fact that European standards are being prepared by the competent standardization body; whereas, however, the provisions on means of proof of conformity of national standards should apply without delay;

Whereas the preparation of European standards for essential requirements and other related issues should be promoted;

Whereas the measures provided for in this Directive imply the development of recovery and recycling capacities and market outlets for recycled packaging materials;

Whereas the inclusion of recycled material in packaging should not contradict relevant provisions on hygiene, health and consumer safety;

Whereas Community-wide data on packaging and packaging waste are needed in order to monitor the implementation of the objectives of this Directive;

Whereas it is essential that all those involved in the production, use, import and distribution of packaging and packaged products become more aware of the extent to which packaging becomes waste, and that in accordance with the polluter-pays principle they accept responsibility for such waste; whereas the development and implementation of the measures provided for in this Directive should involve and require the close cooperation of all the partners, where appropriate, within a spirit of shared responsibility;

Whereas consumers play a key role in the management of packaging and packaging waste and thus have to be adequately informed in order to adapt their behaviour and attitudes;

Whereas the inclusion of a specific chapter on the management of packaging and packaging waste in the waste management plans required pursuant to Directive 75/442/EEC will contribute to the effective implementation of this Directive;

Whereas, in order to facilitate the achievement of the objectives of this Directive, it may be appropriate for the Community and the Member States to use economic instruments in accordance with the provisions of the Treaty, so as to avoid new forms of protectionism;

Whereas Member States should, without prejudice to 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 ([7](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0007)), notify the Commission of drafts of any measures they intend to adopt before adopting them, so that it can be established whether or not they comply with the Directive;

Whereas the adaptation to scientific and technical progress of the packaging identification system and the formats relating to a database system should be ensured by the Commission under a committee procedure;

Whereas it is necessary to provide for specific measures to be taken to deal with any difficulties encountered in the implementation of this Directive in accordance, where appropriate, with the same committee procedure,

HAVE ADOPTED THIS DIRECTIVE:

*Article 1*

**Objectives**

1.  This Directive aims to harmonize national measures concerning the management of packaging and packaging waste in order, on the one hand, to prevent any impact thereof on the environment of all Member States as well as of third countries or to reduce such impact, thus providing a high level of environmental protection, and, on the other hand, to ensure the functioning of the internal market and to avoid obstacles to trade and distortion and restriction of competition within the Community.

2.  To this end this Directive lays down measures aimed, as a first priority, at preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste.

*Article 2*

**Scope**

1.  This Directive covers all packaging placed on the market in the Community 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.

2.  This Directive shall apply without prejudice to existing quality requirements for packaging such as those regarding safety, the protection of health and the hygiene of the packed products or to existing transport requirements or to the provisions of Council Directive 91/689/EEC of 12 December 1991 on hazardous waste ([8](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0008)).

*Article 3*

**Definitions**

For the purposes of this Directive:

1. ‘packaging’ shall mean all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer. ‘Non-returnable’ items used for the same purposes shall also be considered to constitute packaging.

‘Packaging’ consists only of:

(a) sales packaging or primary packaging, i. e. packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase;

(b) grouped packaging or secondary packaging, i. e. packaging conceived so as to constitute at the point of purchase a grouping of a certain number of sales units whether the latter is sold as such to the final user or consumer or whether it serves only as a means to replenish the shelves at the point of sale; it can be removed from the product without affecting its characteristics;

(c) transport packaging or tertiary packaging, i. e. packaging conceived so as to facilitate handling and transport of a number of sales units or grouped packagings in order to prevent physical handling and transport damage. Transport packaging does not include road, rail, ship and air containers.

The definition of ‘packaging’ shall be further based on the criteria set out below. The items listed in Annex I are illustrative examples of the application of these criteria.

(i) Items shall be considered to be packaging if they fulfil the abovementioned definition without prejudice to other functions which the packaging might also perform, unless the item is an integral part of a product and it is necessary to contain, support or preserve that product throughout its lifetime and all elements are intended to be used, consumed or disposed of together.

(ii) Items designed and intended to be filled at the point of sale and ‘disposable’ items sold, filled or designed and intended to be filled at the point of sale shall be considered to be packaging provided they fulfil a packaging function.

(iii) Packaging components and ancillary elements integrated into packaging shall be considered to be part of the packaging into which they are integrated. Ancillary elements hung directly on, or attached to, a product and which perform a packaging function shall be considered to be packaging unless they are an integral part of this product and all elements are intended to be consumed or disposed of together.

**[▼M6](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32015L0720" \o "32015L0720: INSERTED)**

1a. ‘plastic’ shall mean a polymer within the meaning of Article 3(5) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council ([9](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0009)), to which additives or other substances may have been added, and which is capable of functioning as a main structural component of carrier bags;

1b. ‘plastic carrier bags’ shall mean carrier bags, with or without handle, made of plastic, which are supplied to consumers at the point of sale of goods or products;

1c. ‘lightweight plastic carrier bags’ shall mean plastic carrier bags with a wall thickness below 50 microns;

1d. ‘very lightweight plastic carrier bags’ shall mean plastic carrier bags with a wall thickness below 15 microns which are required for hygiene purposes or provided as primary packaging for loose food when this helps to prevent food wastage;

1e. ‘oxo-degradable plastic carrier bags’ shall mean plastic carrier bags made of plastic materials that include additives which catalyse the fragmentation of the plastic material into micro-fragments;

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

'2. ‘packaging waste’ shall mean any packaging or packaging material covered by the definition of waste laid down in Article 3(1) of Directive 2008/98/EC of the European Parliament and of the Council(\*);

(\*) Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).’;

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11. ‘economic operators’ in relation to packaging shall mean suppliers of packaging materials, packaging producers and converters, fillers and users, importers, traders and distributors, authorities and statutory organizations;

12. ‘voluntary agreement’ shall mean the formal agreement concluded between the competent public authorities of the Member State and the economic sectors concerned, which has to be open to all partners who wish to meet the conditions of the agreement with a view to working towards the objectives of this Directive.

'2. In addition, the definitions of ‘waste’, ‘waste producer’, ‘waste holder’, ‘waste management’, 'collection', 'separate collection', ‘prevention’, ‘re-use’, 'treatment', ‘recovery’, ‘preparing for re-use’, ‘recycling’, 'final recycling process' and ‘disposal’ laid down in Article 3 of Directive 2008/98/EC shall apply.';

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: REPLACED)**

*Article 4*

**Prevention**

1.  Member States shall ensure that, in addition to the measures to prevent the formation of packaging waste taken in accordance with Article 9, other preventive measures are implemented.

'Such other measures may consist of national programmes, incentives through extended producer responsibility schemes to minimise the environmental impact of packaging or similar actions adopted, if appropriate, in consultation with economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention. They shall comply with the objectives of this Directive as defined in Article 1(1).';

**[▼M6](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32015L0720" \o "32015L0720: INSERTED)**

1a.  Member States shall take measures to achieve a sustained reduction in the consumption of lightweight plastic carrier bags on their territory.

Those measures may include the use of national reduction targets, maintaining or introducing economic instruments as well as marketing restrictions in derogation from Article 18, provided that these restrictions are proportionate and non-discriminatory.

Such measures may vary depending on the environmental impact of lightweight plastic carrier bags when they are recovered or disposed of, their composting properties, durability or specific intended use.

The measures taken by Member States shall include either or both of the following:

(a) the adoption of measures ensuring that the annual consumption level does not exceed 90 lightweight plastic carrier bags per person by 31 December 2019 and 40 lightweight plastic carrier bags per person by 31 December 2025, or equivalent targets set in weight. Very lightweight plastic carrier bags may be excluded from national consumption objectives;

(b) the adoption of instruments ensuring that, by 31 December 2018, lightweight plastic carrier bags are not provided free of charge at the point of sale of goods or products, unless equally effective instruments are implemented. Very lightweight plastic carrier bags may be excluded from those measures.

From 27 May 2018 Member States shall report on the annual consumption of lightweight plastic carrier bags when providing data on packaging and packaging waste to the Commission in accordance with Article 12.

By 27 May 2016, the Commission shall adopt an implementing act laying down the methodology for the calculation of the annual consumption of lightweight plastic carrier bags per person and adapting the reporting formats adopted under Article 12(3). That implementing act shall be adopted in accordance with the regulatory procedure referred to in Article 21(2).

1b.  Without prejudice to Article 15, Member States may take measures such as economic instruments and national reduction targets, as regards any kind of plastic carrier bags, regardless of their wall thickness.

1c.  The Commission and the Member States shall, at least during the first year following the 27 November 2016, actively encourage public information and awareness campaigns concerning the adverse environmental impact of the excessive consumption of lightweight plastic carrier bags.

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: REPLACED)**

2.  The Commission shall help to promote prevention by encouraging the development of suitable European standards, in accordance with Article 10. The standards shall aim to minimise the environmental impact of packaging in accordance with Articles 9 and 10.

3.  The Commission shall, as appropriate, present proposals for measures to strengthen and complement the enforcement of the essential requirements and to ensure that new packaging is put on the market only if the producer has taken all necessary measures to minimise its environmental impact without compromising the essential functions of the packaging.

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*Article 5*

Member States may encourage reuse systems of packaging, which can be reused in an environmentally sound manner, in conformity with the Treaty.

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*Article 6*

**'Recovery, re-use and recycling** 1.  In order to comply with the objectives of this Directive, Member States shall take the necessary measures to attain the following targets covering the whole of their territory:

(a) no later than 30 June 2001 between 50 % as a minimum and 65 % as a maximum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery;

(b) no later than 31 December 2008 60 % as a minimum by weight of packaging waste will be recovered or incinerated at waste incineration plants with energy recovery;

(c) no later than 30 June 2001 between 25 % as a minimum and 45 % as a maximum by weight of the totality of packaging materials contained in packaging waste will be recycled with a minimum of 15 % by weight for each packaging material;

(d) no later than 31 December 2008 between 55 % as a minimum and 80 % as a maximum by weight of packaging waste will be recycled;

(e) no later than 31 December 2008 the following minimum recycling targets for materials contained in packaging waste will be attained:

(i) 60 % by weight for glass;

(ii) 60 % by weight for paper and board;

(iii) 50 % by weight for metals;

(iv) 22,5 % by weight for plastics, counting exclusively material that is recycled back into plastics;

(v) 15 % by weight for wood.

(f) no later than 31 December 2025 a minimum of 65% by weight of all packaging waste will be prepared for reuse and recycled;

(g) no later than 31 December 2025 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

(i) 55 % of plastic;

(ii) 60% of wood;

(iii) 75% of ferrous metal;

(iv) 75% of aluminium;

(v) 75% % of glass;

(vi) 75% of paper and cardboard;

(h) no later than 31 December 2030 a minimum of 75% by weight of all packaging waste will be prepared for reuse and recycled;

(i) no later than 31 December 2030 the following minimum targets by weight for preparing for reuse and recycling will be met regarding the following specific materials contained in packaging waste:

(i) 75% of wood;

(ii) 85% of ferrous metal;

(iii) 85% of aluminium;

(iv) 85% of glass;

(v) 85% of paper and cardboard.';

'2. Packaging waste exported from the Union shall only be counted towards the attainment of the targets laid down in paragraph 1 by the Member State in which the packaging waste was collected if the requirements of Article 6a (4) are met and if, in accordance with Regulation (EC) No 1013/2006 of the European Parliament and of the Council(\*), the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the treatment of waste outside the Union took place in conditions that are equivalent to the requirements of the relevant Union environmental legislation.

'3. Packaging waste sent to another Member State for the purposes of preparing for reuse, recycling or recovery in that other Member State may only be counted towards the attainment of the targets laid down in paragraph 1(f) to (i) by the Member State in which the packaging waste was collected.

(\*) Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).’;

4.  Member States shall, where appropriate, encourage the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:

(a) improving market conditions for such materials;

(b) reviewing existing regulations preventing the use of those materials.

6.  The measures and targets referred to in paragraph 1 shall be published by the Member States and shall be the subject of an information campaign for the general public and economic operators.

7.  Greece, Ireland and Portugal may, because of their specific situations, namely respectively the large number of small islands, the presence of rural and mountain areas and the current low level of packaging consumption, decide to:

(a) attain, no later than 30 June 2001, lower targets than those fixed in paragraphs 1(a) and (c), but shall at least attain 25 % for recovery or incineration at waste incineration plants with energy recovery;

(b) postpone at the same time the attainment of the targets in paragraphs 1(a) and (c) to a later deadline which shall not, however, be later than 31 December 2005;

(c) postpone the attainment of the targets referred to in paragraphs 1(b), (d) and (e) until a date of their own choice which shall not be later than 31 December 2011.

10.  Member States which have, or will, set programmes going beyond the maximum targets of paragraph 1 and which provide to this effect appropriate capacities for recycling and recovery shall be permitted to pursue those targets in the interest of a high level of environmental protection, on condition that these measures avoid distortions of the internal market and do not hinder compliance by other Member States with this Directive. Member States shall inform the Commission of such measures. The Commission shall confirm these measures, after having verified, in cooperation with the Member States, that they are consistent with the abovementioned considerations and do not constitute an arbitrary means of discrimination or a disguised restriction on trade between Member States.

**[▼M3](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32005L0020" \o "32005L0020: INSERTED)**

11.  Member States having acceded to the European Union by virtue of the Accession Treaty of 16 April 2003 may postpone the attainment of the targets referred to in paragraph 1(b), (d) and (e) until a date of their own choosing which shall not be later than 31 December 2012 for the Czech Republic, Estonia, Cyprus, Lithuania, Hungary, Slovenia and Slovakia; 31 December 2013 for Malta; 31 December 2014 for Poland; and 31 December 2015 for Latvia.

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'*Article 6a*

**Rules on the calculation of the attainment of the targets laid down in Article 6**

'1. For the purpose of calculating whether the targets laid down in Article 6(1)(f) to (i) have been attained,

(a) the weight of the packaging waste recycled shall be understood as the weight of the input waste entering the final recycling process;

(b) the weight of the packaging waste prepared for reuse shall be understood as the weight of packaging waste that has been recovered or collected by a recognised preparation for re-use operator and has undergone all necessary checking, cleaning and repairing operations to enable re-use without further sorting or pre-processing;

(c) Member States may include products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes. For the calculation of the adjusted rate of packaging waste prepared for re-use and recycled taking into account the weight of the products and components prepared for re-use, Member States shall use verified data from the operators and apply the formula set out in Annex IV.

2. In order to ensure harmonised conditions for the application of paragraph 1(b) and (c) and of Annex IV, the Commission shall adopt delegated acts in accordance with Article 21a establishing minimum quality and operational requirements for the determination of recognised preparation for re-use operators and deposit-refund schemes, including specific rules on data collection, verification and reporting.

3. By way of derogation from paragraph 1, the weight of the output of any sorting operation may be reported as the weight of the packaging waste recycled provided that:

(a) such output waste is sent into a final recycling process;

(b) the weight of materials or substances that are not subject to a final recycling process and that are disposed or subject to energy recovery remains below 10% of the total weight to be reported as recycled.

4. Member States shall establish an effective system of quality control and traceability of the packaging waste to ensure that conditions laid down in paragraph 3(a) and (b) are met. The system may consist of either electronic registries set up pursuant to Article 35(4) of Directive 2008/98/EC, technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste.

5. For the purposes of calculating whether the targets laid down in Article 6(1)(f) to (i) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration in proportion to the share of the packaging waste incinerated provided that the recycled metals meet certain quality requirements. Member States shall use the common methodology established in accordance with Article 11a(6) of Directive 2008/98/EC.';

'*Article 6b*

**Early warning report**

1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the achievement of the targets laid down in Article 6(1)(f) to (i) three years before each time-limit laid down in those provisions at the latest.

2. The reports referred to in paragraph 1 shall include the following:

(a) an estimation of the achievement of the targets by each Member State;

(b) a list of Member States at risk of not achieving the targets within the respective time limits accompanied by appropriate recommendations for the Member States concerned.';

*Article 7*

**Return, collection and recovery systems**

1.  Member States shall take the necessary measures to ensure that systems are set up to provide for:

(a) the return and/or collection of used packaging and/or packaging waste from the consumer, other final user, or from the waste stream in order to channel it to the most appropriate waste management alternatives;

(b) the reuse or recovery including recycling of the packaging and/or packaging waste collected,

in order to meet the objectives laid down in this Directive.

These systems shall be open to the participation of the economic operators of the sectors concerned and to the participation of the competent public authorities. They shall also apply to imported products under non-discriminatory conditions, including the detailed arrangements and any tariffs imposed for access to the systems, and shall be designed so as to avoid barriers to trade or distortions of competition in conformity with the Treaty.

2.  The measures referred to in paragraph 1 shall form part of a policy covering all packaging and packaging waste and shall take into account, in particular, requirements regarding the protection of environmental and consumer health, safety and hygiene; the protection of the quality,the authenticity and the technical characteristics of the packed goods and materials used; and the protection of industrial and commercial property rights.

*Article 8*

**Marking and identification system**

1.  The Council shall, in accordance with the conditions laid down in the Treaty, decide no later than two years after the entry into force of this Directive on the marking of packaging.

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: REPLACED)**

2.  To facilitate collection, reuse and recovery including recycling, packaging shall indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC ([13](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0013)).

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3.  Packaging shall bear the appropriate marking either on the packaging itself or on the label. It shall be clearly visible and easily legible. The marking shall be appropriately durable and lasting, including when the packaging is opened.

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*Article 8a*

**Specific measures for biodegradable and compostable plastic carrier bags**

By 27 May 2017, the Commission shall adopt an implementing act laying down the specifications of labels or marks to ensure Union-wide recognition of biodegradable and compostable plastic carrier bags and to provide consumers with the correct information about the composting properties of such bags. That implementing act shall be adopted in accordance with the regulatory procedure referred to in Article 21(2).

18 months after the adoption of that implementing act, at the latest, Member States shall ensure that biodegradable and compostable plastic carrier bags are labelled in accordance with the specifications provided for in that implementing act.

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

*Article 9*

**Essential requirements**

1.  Member States shall ensure that three years from the date of the entry into force of this Directive, packaging may be placed on the market only if it complies with all essential requirements defined by this Directive including Annex II.

2.  Member States shall, from the date set out in Article 22 (1), presume compliance with all essential requirements set out in this Directive including Annex II in the case of packaging which complies:

(a) with the relevant harmonized standards, the reference numbers of which have been published in the *Official Journal of the European Communities*. Member States shall publish the reference numbers of national standards transposing these harmonized standards;

(b) with the relevant national standards referred to in paragraph 3 in so far as, in the areas covered by such standards, no harmonized standards exist.

3.  Member States shall communicate to the Commission the text of their national standards, as referred to in paragraph 2 (b), which they deem to comply with the requirements referred to in this Article. The Commission shall forward such texts forthwith to the other Member States.

Member States shall publish the references of these standards. The Commission shall ensure that they are published in the *Official Journal of the European Communities*.

4.  Where a Member State or the Commission considers that the standards referred to in paragraph 2 do not entirely meet the essential requirements referred to in paragraph 1, the Commission or the Member State concerned shall bring the matter before the Committee set up by Directive 83/189/EEC giving the reasons therefor. This Committee shall deliver an opinion without delay.

In the light of the Committee's opinion, the Commission shall inform Member States whether or not it is necessary to withdraw those standards from the publications referred to in paragraphs 2 and 3.

*Article 10*

**Standardization**

The Commission shall promote, as appropriate, the preparation of European standards relating to the essential requirements referred to in Annex II.

The Commission shall promote, in particular, the preparation of European standards relating to:

— criteria and methodologies for life-cycle analysis of packaging,

— the methods for measuring and verifying the presence of heavy metals and other dangerous substances in the packaging and their release into the environment from packaging and packaging waste,

— criteria for a minimum content of recycled material in packaging for appropriate types of packaging,

— criteria for recycling methods,

— criteria for composting methods and produced compost,

— criteria for the marking of packaging.

*Article 11*

**Concentration levels of heavy metals present in packaging**

1.  Member States shall ensure that the sum of concentration levels of lead, cadmium, mercury and hexavalent chromium present in packaging or packaging components shall not exceed the following:

— 600 ppm by weight two years after the date referred to in Article 22 (i);

— 250 ppm by weight three years after the date referred to in Article 22 (i);

— 100 ppm by weight five years after the date referred to in Article 22 (i).

2.  The concentration levels referred to in paragraph 1 shall not apply to packaging entirely made of lead crystal glass as defined in Directive 69/493/EEC ([14](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "E0014)).

**[▼M4](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009R0219" \o "32009R0219: REPLACED)**

'3. The Commission shall be empowered to adopt delegated acts in accordance with Article 21a to determine the conditions under which the concentration levels referred to in paragraph 1 are not to apply to recycled materials and to product loops which are in a closed and controlled chain, as well as to determine the types of packaging which are exempted from the requirement laid down in the third indent of paragraph 1.';

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

*Article 12*

Information systems and reporting 1.  Member States shall take the necessary measures to ensure that databases on packaging and packaging waste are established, where not already in place, on a harmonized basis in order to contribute to enabling Member States and the Commission to monitor the implementation of the objectives set out in this Directive.

2.  The databases provided for in paragraph 1 shall include the data listed in Annex III and shall provide in particular information on the magnitude, characteristics and evolution of the packaging and packaging waste flows, including information on the toxicity or danger of packaging materials and components used for their manufacture at the level of individual Member States.';

**[▼M4](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009R0219" \o "32009R0219: REPLACED)**

'3a. Member States shall report the data concerning the attainment of the targets laid down in Article 6(1)(a) to (i) for each calendar year to the Commission. They shall report this data electronically within 18 months of the end of the reporting year for which the data are collected.

The data shall be reported in the format established by the Commission in accordance with paragraph 3d. The first reporting shall cover data for the period from 1 January [*enter year of entry into force of this Directive + 1 year*] to 31 December [*enter year of entry into force of this Directive + 1 year*].

3b. The data reported by the Member States in accordance with this Article shall be accompanied by a quality check report and a report on the implementation of Article 6a(4).

3c. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall cover an assessment of the organisation of the data collection, the sources of data and the methodology used in Member States as well as the completeness, reliability, timeliness and consistency of that data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.

3d. The Commission shall adopt implementing acts laying down the format for reporting data in accordance with paragraph 3a. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).';

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

4.  Member States shall take into account the particular problems of small and medium-sized enterprises in providing detailed data.

6.  Member States shall require all economic operators involved to provide competent authorities with reliable data on their sector as required in this Article.

*Article 13*

**Information for users of packaging**

Member States shall take measures, within two years of the date referred to in Article 22 (1), to ensure that users of packaging, including in particular consumers, obtain the necessary information about:

— the return, collection and recovery systems available to them,

— their role in contributing to reuse, recovery and recycling of packaging and packaging waste,

— the meaning of markings on packaging existing on the market,

— the appropriate elements of the management plans for packaging and packaging waste as referred to in Article 14.

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: INSERTED)**

Member States shall also promote consumer information and awareness campaigns.

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

*Article 14*

**Management Plans**

In pursuance of the objectives and measures referred to in this Directive, Member States shall include in the waste management plans required pursuant to Article 17 of Directive 75/442/EEC, a specific chapter on the management of packaging and packaging waste, including measures taken pursuant to Articles 4 and 5.

*Article 15*

**Economic instruments**

Acting on the basis of the relevant provisions of the Treaty, the Council adopts economic instruments to promote the implementation of the objectives set by this Directive. In the absence of such measures, the Member States may, in accordance with the principles governing Community environmental policy, *inter alia*, the polluter-pays principle, and the obligations arising out of the Treaty, adopt measures to implement those objectives.

*Article 16*

**Notification**

1.  Without prejudice to Directive 83/189/EEC, before adopting such measures, Member States shall notify the drafts of measures which they intend to adopt within the framework of this Directive to the Commission, excluding measures of a fiscal nature, but including technical specifications linked to fiscal measures which encourage compliance with such technical specifications, in order to permit the latter to examine them in the light of existing provisions following in each case the procedure under the above Directive.

2.  If the proposed measure is also a technical matter within the meaning of Directive 83/189/EEC, the Member State concerned may indicate, when following the notification procedures referred to in this Directive, that the notification is equally valid for Directive 83/189/EEC.

*Article 18*

**Freedom to place on the market**

Member States shall not impede the placing on the market of their territory of packaging which satisfies the provisions of this Directive.

**[▼M4](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32009R0219" \o "32009R0219: REPLACED)**

*Article 19*

**Adaptation to scientific and technical progress**

'1. The Commission shall adopt implementing acts necessary for adapting the identification system referred to in Article 8(2) and Article 10, second paragraph, sixth indent, to scientific and technical progress. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 21(2).

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 21a to amend the illustrative examples for the definition of packaging listed in Annex I.';

[**▼B**](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062)

'*Article 20*

**Specific measures**

The Commission shall be empowered to adopt delegated acts in accordance with Article 21a necessary to deal with any difficulties encountered in applying the provisions of this Directive, in particular, to inert packaging materials placed on the market in very small quantities (i.e. approximately 0.1 % by weight) in the Union, primary packaging for medical devices and pharmaceutical products, small packaging and luxury packaging.';

**[▼M6](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32015L0720" \o "32015L0720: INSERTED)**

*Article 20a*

**Reporting on plastic carrier bags**

1.  By 27 November 2021, the Commission shall present a report to the European Parliament and to the Council, assessing the effectiveness of measures in Article 4(1a) at Union level, in combating littering, changing consumer behaviour and promoting waste prevention. If the assessment shows that the measures adopted are not effective, the Commission shall examine other possible ways to achieve a reduction in the consumption of lightweight plastic carrier bags, including the setting of realistic and achievable targets at Union level, and present a legislative proposal, if appropriate.

2.  By 27 May 2017, the Commission shall present a report to the European Parliament and to the Council, examining the impact of the use of oxo-degradable plastic carrier bags on the environment and present a legislative proposal, if appropriate.

3.  By 27 May 2017, the Commission shall assess the life cycle impacts of different possibilities to reduce the consumption of very lightweight plastic carrier bags, and present a legislative proposal, if appropriate.

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: REPLACED)**

'*Article 21*

**Committee procedure**

1. For the purposes of Articles 12(3d) and 19(1), the Commission shall be assisted by the Committee, established by Article 39 of Directive 2008/98/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council(\*).

2. When reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

(\*) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (OJ L 55, 28.02.2011, p. 13).';

'*Article 21a*

**Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 6a(2), Article 11(3), Article 19(2) and Article 20 shall be conferred on the Commission for an indeterminate period of time from [*enter date of entry into force of this Directive*].

3. The delegation of power referred to in Article 6a(2), Article 11(3), Article 19(2) and Article 20 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 6a(2), Article 11(3), Article 19(2) and Article 20 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.'.

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

*Article 22*

**Implementation in national law**

1.  Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 30 June 1996. They shall immediately inform the Commission thereof.

2.  When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. the methods for making such reference shall be laid down by the Member States.

3.  In addition, Member States shall communicate to the Commission all existing laws, regulations and administrative provisions adopted within the scope of this Directive.

**[▼M6](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32015L0720" \o "32015L0720: REPLACED)**

3a.  Provided that the objectives set out in Article 4 and Article 6 are achieved, Member States may transpose the provisions set out in Articles 4(1a) and 7 by means of agreements between the competent authorities and the economic sectors concerned.

**[▼M2](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32004L0012" \o "32004L0012: INSERTED)**

Such agreements shall meet the following requirements:

(a) agreements shall be enforceable;

(b) agreements shall specify objectives with the corresponding deadlines;

(c) agreements shall be published in the national official journal or an official document equally accessible to the public, and transmitted to the Commission;

(d) the results achieved shall be monitored regularly, reported to the competent authorities and the Commission and made available to the public under the conditions set out in the agreement;

(e) the competent authorities shall ensure that the progress achieved under the agreement is examined;

(f) in the event of non-compliance with the agreement, Member States shall implement the relevant provisions of this Directive by legislative, regulatory or administrative measures.

**[▼B](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062" \o "31994L0062)**

4.  The requirements for the manufacturing of packaging shall in no case apply to packaging used for a given product before the date of entry into force of this Directive.

5.  Member States shall, for a period not exceeding five years from the date of the entry into force of the present Directive, allow the placing on the market of packaging manufactured before this date and which is in conformity with their existing national law.

*Article 23*

Directive 85/339/EEC is hereby repealed with effect from the date referred to in Article 22 (1).

*Article 24*

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

*Article 25*

This Directive is addressed to the Member States.

[**▼M5**](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:32013L0002)

*ANNEX I*

**ILLUSTRATIVE EXAMPLES FOR THE CRITERIA REFERRED TO IN ARTICLE 3(1)**

***Illustrative examples for criterion (i)***

***Packaging***

Sweet boxes

Film overwrap around a CD case

Mailing pouches for catalogues and magazines (with a magazine inside)

Cake doilies sold with a cake

Rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound, except rolls, tubes and cylinders intended as parts of production machinery and not used to present a product as a sales unit

Flower pots intended to be used only for the selling and transporting of plants and not intended to stay with the plant throughout its life time

Glass bottles for injection solutions

CD spindles (sold with CDs, not intended to be used as storage)

Clothes hangers (sold with a clothing item)

Matchboxes

Sterile barrier systems (pouches, trays and materials necessary to preserve the sterility of the product)

Beverage system capsules (e.g. coffee, cacao, milk) which are left empty after use

Refillable steel cylinders used for various kinds of gas, excluding fire extinguishers

***Non-packaging***

Flower pots intended to stay with the plant throughout its life time

Tool boxes

Tea bags

Wax layers around cheese

Sausage skins

Clothes hangers (sold separately)

Beverage system coffee capsules, coffee foil pouches, and filter paper coffee pods disposed together with the used coffee product

Cartridges for printers

CD, DVD and video cases (sold together with a CD, DVD or video inside)

CD spindles (sold empty, intended to be used as storage)

Soluble bags for detergents

Grave side lights (containers for candles)

Mechanical quern (integrated in a refillable recipient, e.g. refillable pepper mill)

***Illustrative examples for criterion (ii)***

***Packaging, if designed and intended to be filled at the point of sale***

Paper or plastic carrier bags

Disposable plates and cups

Cling film

Sandwich bags

Aluminium foil

Plastic foil for cleaned clothes in laundries

***Non-packaging***

Stirrer

Disposable cutlery

Wrapping paper (sold separately)

Paper baking cases (sold empty)

Cake doilies sold without a cake

***Illustrative examples for criterion (iii)***

***Packaging***

Labels hung directly on or attached to a product

***Part of packaging***

Mascara brush which forms part of the container closure

Sticky labels attached to another packaging item

Staples

Plastic sleeves

Device for measuring dosage which forms part of the container closure for detergents

Mechanical quern (integrated in a non-refillable recipient, filled with a product, e.g. pepper mill filled with pepper)

***Non-packaging***

Radio frequency identification (RFID) tags

[**▼B**](http://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=celex:31994L0062)

*ANNEX II*

**ESSENTAIL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING**

**1.   Requirements specific to the manufacturing and composition of packaging**

— Packaging shall be so manufactured 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.

— Packaging shall be designed, produced and commercialized in such a way as to permit its reuse or recovery, including recycling, and to minimize its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.

— Packaging shall be so manufactured 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 with regard to their presence in emissions, ash or leachate when packaging or residues from management operations or packaging waste are incinerated or landfilled.

**2.   Requirements specific to the reusable nature of packaging**

The following requirements must be simultaneously satisfied:

— the physical properties and characteristics of the packaging shall enable a number of trips or rotations in normally predictable conditions of use,

— possiblity of processing the used packaging in order to meet health and safety requirements for the workforce,

— fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.

**3.   Requirements specific to the recoverable nature of packaging**

**(a)   Packaging recoverable in the form of material recycling**

Packaging must be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in the Community. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.

**(b)   Packaging recoverable in the form of energy recovery**

Packaging waste processed for the purpose of energy recovery shall have a minimum inferior calorific value to allow optimization of energy recovery.

**(c)   Packaging recoverable in the form of composting**

Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it should not hinder the separate collection and the composting process or activity into which it is introduced.

**(d)   Biodegradable packaging**

Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water.

*ANNEX III*

**DATA TO BE INCLUDED BY MEMBER STATES IN THEIR DATABASES ON PACKAGING AND PACKAGING WASTE (IN ACCORDANCE WITH TABLES 1 TO 4)**

|  |  |
| --- | --- |
| 1. | For primary, secondary and tertiary packaging:  (a) quantities, for each broad category of material, of packaging consumed within the country (produced + imported - exported) (Table 1);  (b) quantities reused (Table 2). |

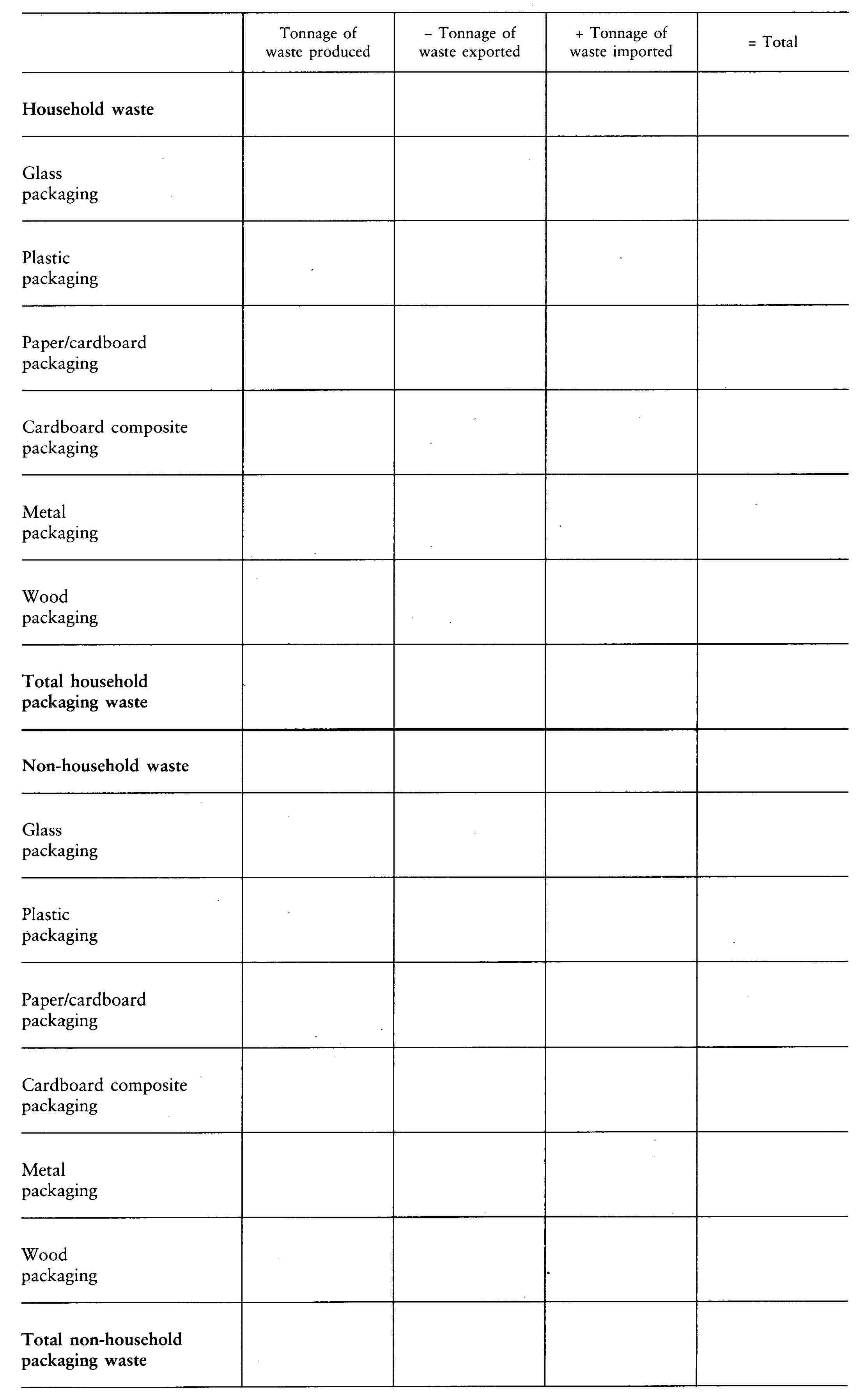
|  |  |
| --- | --- |
| 2. | For household and non-household packaging waste:  (a) quantities for each broad category of material, recovered and disposed of within the country (produced + imported - exported) (Table 3);  (b) quantities recycled and quantities recovered for each broad category of material (Table 4). |

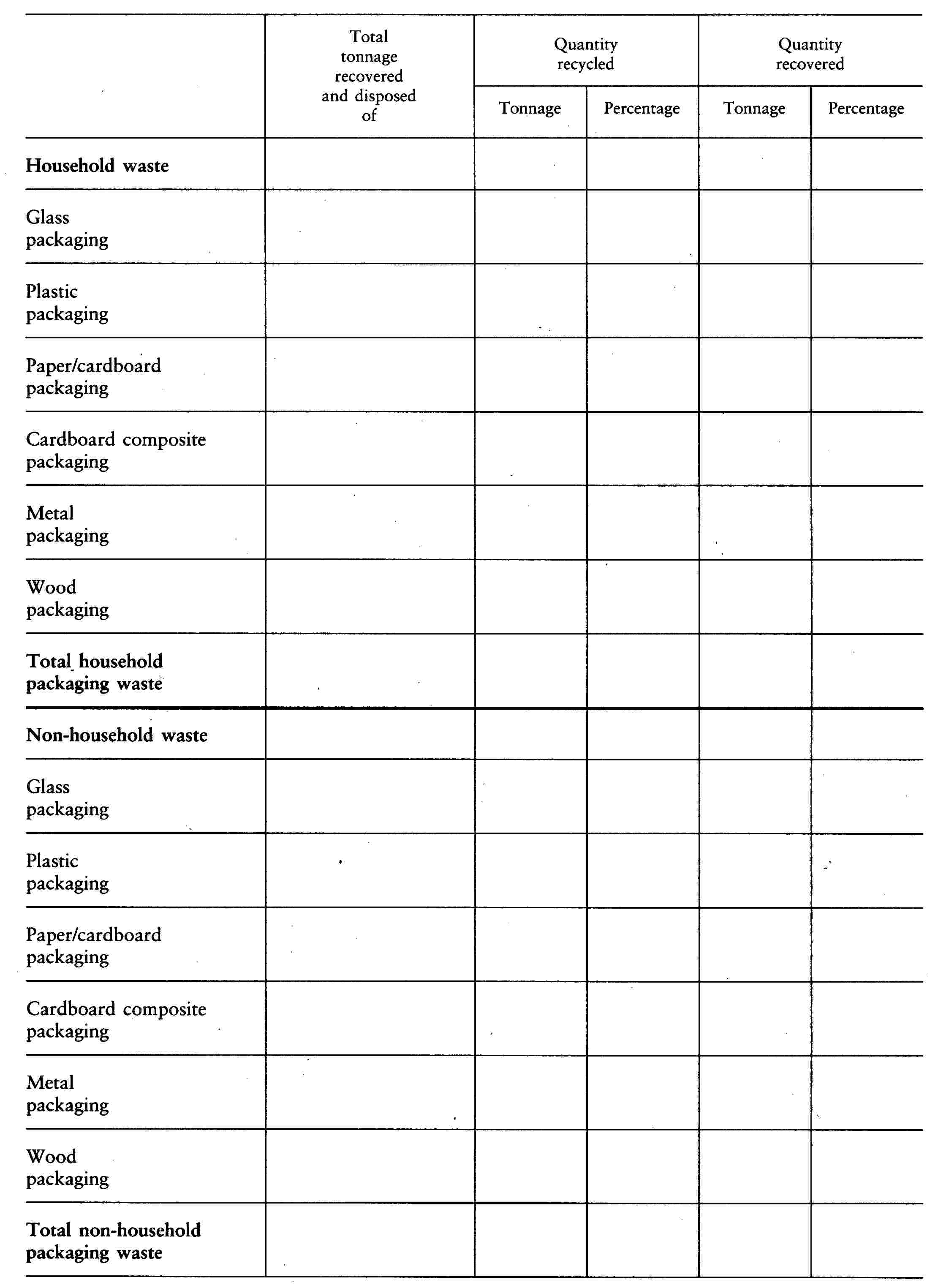
|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Tonnage Produced | -Tonnage exported | + Tonnage imported | = Total |
| Glass |  |  |  |  |
| Plastic |  |  |  |  |
| Paper/cardboard (including composite |  |  |  |  |
| Ferrous Metal |  |  |  |  |
| Aluminium |  |  |  |  |
| Wood |  |  |  |  |
| Other |  |  |  |  |
| Total |  |  |  |  |

TABLE 1 **Quantity of packaging (primary, secondary and tertiary) consumed within the national territory**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Tonnage of packaging consumed | Packaging reused | |
| Tonnage | Percentage |
| Glass |  |  |  |
| Plastic |  |  |  |
| Paper/cardboard (including composite) |  |  |  |
| Ferrous metal |  |  |  |
| Aluminium |  |  |  |
| Wood |  |  |  |
| Other |  |  |  |
| Total |  |  |  |

TABLE 2 **Quantity of packaging (primary, secondary and tertiary) reused within the national territory**

TABLE 3 **Quantity of packaging waste recovered and disposed of within the national territory**

TABLE 4 **Quantity of packaging waste recycled or recovered within the national territory**

**'ANNEX IV**

**Calculation method for preparing for re-use of products and components for the purpose of Article 6(1)(f) to (i)**

In order to calculate the adjusted rate of recycling and preparation for re-use in accordance with Article 6(1)(f) to (i), Member States shall use the following formula:



E: adjusted recycling and re-use rate in a given year;

A: weight of packaging waste recycled or prepared for re-use in a given year;

R: weight of products and components prepared for re-use in a given year;

P: weight of packaging waste generated in a given year.'

([1](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0001)) OJ No C 263, 12.10.1992, p. 1 and OJ No C 285, 21.10.1993, p. 1.

([2](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0002)) OJ No C 129, 10.5.1993, p. 18.

([3](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0003)) Opinion of the European Parliament of 23 June 1993 (OJ No C 194, 19.7.1993, p. 177), common position of the Council of 4 March 1994 (OJ No C 137, 19.5.1994, p. 65) and Decision of the European Parliament of 4 May 1994 (OJ No C 205, 25.7.1994, p. 163). Confirmed on 2 December 1993 (OJ No C 342, 20.12.1993, p. 15). Joint text of the Conciliation Committee of 8 November 1994.

([4](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0004)) OJ No L 176, 6.7.1985, p. 18. Directive as amended by Directive 91/629/EEC (OJ No L 377, 31.12.1991, p. 48).

([5](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0005)) OJ No C 122, 18.5.1990, p. 2.

([6](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0006)) OJ No L 194, 25.7.1975, p. 39. Directive as last amended by Directive 91/156/EEC (OJ No L 78, 26.3.1991, p. 32).

([7](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0007)) OJ No L 109, 26.4.1983, p. 8. Directive as last amended by Directive 92/400/EEC (OJ No L 221, 6.8.1992, p. 55).

([8](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0008)) OJ No L 377, 31.12.1991, p. 20.

([9](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0009)) Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

([10](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0010)) OJ L 30, 6.2.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2557/2001 (OJ L 349, 31.12.2001, p. 1).

([11](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0011)) OJ L 166, 1.7.1999, p. 6. Regulation as last amended by Commission Regulation (EC) No 2118/2003 (OJ L 318, 3.12.2003, p. 5).

([12](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0012)) OJ L 185, 17.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 2118/2003.

([13](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0013)) OJ L 50, 20.2.1997, p. 28.

([14](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0014)) OJ No L 326, 29.12.1969, p. 36.

([15](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0015)) OJ No L 377, 31.12.1991, p. 48.

([16](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01994L0062-20150526&qid=1449066751412&from=EN" \l "src.E0016)) OJ L 184, 17.7.1999, p. 23.