

Brussels, 14 December 2006: *PRO EUROPE* welcomes the European Commission's packaging Directive implementation report**, adopted on 6 December. The organisation believes the report offers an excellent opportunity to assess the provisions of the Directive that have worked positively, as well as those that have not.*

Joachim Quoden, PRO EUROPE Managing Director, commented, *"With over ten years experience now gained in packaging and packaging waste management, it is timely to weigh up the positive and negative impacts of this Directive on the environment and the Internal Market, with a view to continuing successful future implementation and interpretation of key policy terms and provisions"*.

Directive 94/62/EC and its subsequent revisions in 2004 and 2005 have proven to be a catalyst for responsible environmental behaviour among Europe's citizens. One of the chief environmental benefits of the Directive is the fact that sorting packaging waste is now a daily habit for millions of households. Last year, nearly 20 million tonnes of packaging were recovered through producer responsibility schemes within PRO EUROPE. Moreover, in 2002 (the latest year covered by the Commission's report) the 75 different recycling and recovery targets applicable to the EU-15 were achieved. PRO EUROPE's members in 12 of these Member States were therefore instrumental in ensuring compliance with the Directive's targets.

In relation to the EU Internal Market impact of the legislation, PRO EUROPE is encouraged by the Commission's recognition that barriers to the Internal Market and distortions of competition have arisen from certain national measures aimed at promoting reuse systems or a given packaging type, as seen predominantly, but not exclusively, in the beverage sector. Given the experiences of Germany, Belgium and Denmark, as well as the number of referrals to the European Court of Justice, the Commission's pledge to assess the need to examine and possibly review articles 5 and 7 of the packaging Directive is supported by PRO EUROPE.

Moreover, the Commission acknowledges in its report that reusable packaging does not automatically offer a better environmental performance when compared to one-way packaging, and that national measures intended to promote reuse can have an impact on the Internal Market. PRO EUROPE considers a balance must be found to reconcile economic and environmental interests possibly via the amendment or clarification of these provisions.

Joachim Quoden adds, *"Stronger mechanisms are needed to ensure a sound evaluation of the Internal Market impact of unilateral packaging regulations prior to their approval. Justified in the name of enhancing environmental protection, experience shows that the protection of local producers or budgetary considerations are often the main drivers behind these national measures, which fall short of bringing any environmental gains"*.

On the Commission's decision not to revise the Directive's recycling and recovery targets, PRO EUROPE believes this is a sensible and well-informed conclusion. The recycling and recovery targets ought to remain valid well beyond 2008 in order to allow all Member States sufficient time to implement the existing targets.

As the EU Institutions prepare to examine the Commission's report, PRO EUROPE offers its cooperation to decision-makers, and looks forward to taking part in future discussions.

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* PRO EUROPE represents the national packaging waste collection, recovery and recycling schemes spanning 22 EU Member States, 2 accession countries (Bulgaria and Romania), 2 candidate countries (Croatia and Turkey), Iceland, Norway Ukraine and Canada.

The organisation acts as a platform for an exchange of experience and the ongoing development of packaging recycling in Europe and beyond.

Producer responsibility schemes for the management of used packaging were born as the result of a decision taken by industry to develop a global, sustainable solution to household packaging waste management in cooperation with all players involved in the system, including industry itself, consumers, local authorities and recyclers, and in line with the provisions of article 7 of Directive 94/62/EC.

** Report from the European Commission on the implementation of Directive 94/62/EC on packaging and packaging waste and its impact on the environment, as well as on the functioning of the Internal Market (COM (2006)767).