

## Information note on changes to the Packaging Directive

### 1.0 Background

Annex 1 of the Packaging Directive has been revised with regards to the range of items which are given as illustrative examples of packaging.

The revised Directive came into force on the 30<sup>th</sup> September 2013. Given that the Directive is an EU measure, it is necessary for the Government to ensure that the UK complies with the revisions to the Directive.

The majority of the changes to Annex 1 are intended to increase the level of harmonisation across member states on items which are considered to be packaging. The majority of the changes do not impact on the UK as we have already adopted a position whereby we have been requiring producers to include these items as packaging.

However there are 3 specific examples where the changes have provided a clear position on the status of the items being packaging and where there has been debate amongst UK businesses as to the extent of all items under these headings being considered as packaging. These are:

- Industrial rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound
- Safety matchboxes
- Refillable steel cylinders used for various kinds of gas.

With regards to industrial rolls, tubes and cylinders the Agencies are aware that there have been debates around when such items are considered part of the production process and when they fulfil a packaging function. The revised Directive now provides a clear view on that all these items are packaging when they are passed to the next stage in the packaging chain or the end user. In the same way the position has now been clarified and confirmed that all matchboxes, including safety matchboxes are to be considered packaging. The position on refillable gas cylinders is a clear step change for the UK with these now being confirmed as falling within the scope of the Packaging Directive

### 2.0 What does this mean for businesses affected by this change?

Businesses who are handling these items will need to ensure, if they don't already do so, that they have records on the tonnage they handle from the 1<sup>st</sup> October to the 31<sup>st</sup> December 2013, and for subsequent years.

If you are currently registered as a Producer and will be registering as a Producer again in 2014 you will need to include the information on the amount of packaging you handled during 2013. If you have handled industrial rolls, tubes and cylinders, safety matchboxes or refillable steel cylinders and have not previously reported data on these items you must include this additional data for the period 1<sup>st</sup> October to 31<sup>st</sup> December 2013.

If you not currently a registered producer, but you currently handle industrial rolls, tubes and cylinders, matchboxes or refillable steel cylinders you will need to consider your position against the threshold tests to determine if you need to register under the Packaging Regulations.

The packaging regulations define a producer as being a person who handles more than 50 tonnes of packaging during a calendar year AND has a turnover above £2M per year. If you are handling packaging and you exceed the thresholds as outlined above you will need to register as a packaging producer.

Further guidance on the process of registering and the options open to you can be found on the Environment Agencies web pages.

***Environment Agency web page link:***

<http://www.environment-agency.gov.uk/business/topics/waste/32206.aspx>  
Telephone contact - 03708 506 506

***Scottish Environmental Protection Agency web page link:***

[http://www.sepa.org.uk/waste/waste\\_regulation/producer\\_responsibility.aspx](http://www.sepa.org.uk/waste/waste_regulation/producer_responsibility.aspx)  
Telephone contact 01786 457700

***Northern Ireland Environment Agency web page link:***

[http://www.doeni.gov.uk/niea/waste-home/regulation/regulations\\_packaging.htm](http://www.doeni.gov.uk/niea/waste-home/regulation/regulations_packaging.htm)  
Telephone contact: 0845 302 0008

***Natural Resources Wales web page link:***

<http://naturalresourceswales.gov.uk/apply-buy-report/apply-buy-grid/waste/packaging/?lang=en>  
Telephone contact: 0300 065 3000

The full text of the revised Packaging Directive can be found here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0141:REV1:EN:DOC>

### **3.0 Impacts of this Directive Amendment**

Government has produced an Impact Assessment to illustrate the likely costs and benefits of these Directive amendments. The impact assessment estimates the increase in tonnage and the number of newly obligated businesses as a result of these changes. The changes are estimated to deliver a net benefit of £10.2m over 10 years which is a result of additional recycling, net of costs of the policy. This will be published on NPWD, along with this statement, shortly. If anyone can provide any further information to support this assessment, then please send it to [packaging@defra.gsi.gov.uk](mailto:packaging@defra.gsi.gov.uk).