

(English version)

**Question for written answer E-002353/24
to the Commission
Ondřej Krutílek (ECR)
(30 October 2024)**

Subject: Recycling targets under the Packaging Directive

In the context of the implementation of Directive 2018/852 on packaging and packaging waste, some Member States have negotiated exemptions from the recycling targets for certain types of packaging waste that became applicable in national legislation when the directive was transposed, following confirmation by the Commission. However, the proposed Packaging and Packaging Waste Regulation (PPWR), which transposes the directive's recycling targets, does not explicitly mention these exemptions.

1. How does the Commission intend to deal with this issue in the implementation of the PPWR?
2. Are there similar precedents where legislation has not been implemented at Member State level in conformity with the legislation immediately preceding it?

Submitted: 30.10.2024

**Answer given by Ms Roswall on behalf of the European Commission
(11 February 2025)**

1. The Packaging and Packaging Waste Directive (PPWD)⁽¹⁾, in its Article 6(1) (f) to (i), lays down the obligation for Member States to reach certain recycling targets. Based on Article 6(1a), Member States may postpone the deadlines for achieving those targets, provided the conditions listed in that provision are fulfilled.

The choice of whether to postpone any of those targets is made at national level, and this intention must be notified to the Commission at the latest 24 months before the respective deadline, pursuant to Article 6(1a) (d). If the conditions for the postponement are fulfilled, the postponed target(s) are implemented and applied at national level, as a matter of national law. Therefore, the recycling targets that are postponed at national level are not included in the proposal for a new Regulation on PPW (PPWR)⁽²⁾.

Article 52 of the new PPWR takes over the 2025 and 2030 packaging waste recycling targets from the PPWD. While the decision to postpone the targets will still be made at national level, the regulation empowers the Commission to reject a Member State's intention to postpone the 2030 targets in case the mandatory implementation plan is not sufficiently compliant with the requirements. The regulation, adopted by the co-legislators, will be published in January 2025, and be applicable 18 months after its entry into force.

2. Article 70 of the PPWR establishes provisions to govern the transition from the directive to the regulation. The aim is to ensure continuity of the legal regimes. Therefore, any non-conformity vis a vis the directive will be assessed according to these rules.

⁽¹⁾ European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste, OJ L 365, 31.12.1994, p. 10-23, amended by Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018, OJ L 150, 14.6.2018, p. 141-154.

⁽²⁾ Proposal for a regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC, COM/2022/677 final.