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'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Draft 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 (**first reading**)
- Adoption of the legislative act
= Statements

Statement by Malta

Malta recognises the importance of this legislative proposal, aimed at accelerating sustainability of packaging and reducing the impact of packaging waste. Malta would like to acknowledge the significant progress made on various aspects, such as the exemption for certain micro-enterprises from the conformity assessment procedure and the tourism correction factor.

Malta however regretfully notes the discriminatory nature of the exemption from the reuse targets, which is now based on Member States' waste management performance rather than the performance of the targeted economic operators.

The obligation for Deposit and Return Systems to have a national label is also problematic for Malta, as it will increase logistical and administrative burdens for local distributors that are highly dependent on imported beverages.

Finally, Malta has concerns as to how Member States, especially smaller Member States, will be able to attain the legally binding packaging waste reduction targets, notably the 2030 one, particularly since certain harmonised requirements on Economic Operators in Annex V have been diluted and their implementation deadline extended till 2030.

Statement by Austria

Austria supports the objective of setting clear, ambitious and enforceable measures in the area of packaging and providing legal certainty. The packaging regulation does not, however, fully meet that objective. The balance between environmental protection, administrative burden and competitiveness is missing.

There are concerns over:

- a high administrative burden and cost increases with no discernible environmental benefits, for example in the area of reuse,
- the complex implementation measures required by the regulation and
- enforcement problems, e.g. in relation to producer responsibility in relation to third countries.

The specific content of the rules should be reserved for the legal form of a directive.

As a result of these concerns, Austria will abstain from the final vote.
