



Council of the
European Union

Brussels, 20 March 2023
(OR. en)

7368/23

LIMITE

ENV 234
MI 190
ENT 50
IND 102
CONSOM 77
COMPET 196
CODEC 362

**Interinstitutional File:
2022/0396(COD)**

'I' ITEM NOTE

| | |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From: | General Secretariat of the Council |
| To: | Permanent Representatives Committee (Part 1) |
| No. Cion doc.: | 15581/22 |
| Subject: | 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 - Optional consultation of the Committee of the Regions ¹ |

1. On 1 December 2022, the Commission submitted to the Council a 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/EC².

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

² Doc. 15581/22.

2. The Packaging and Packaging Waste Proposal is expected to boost high quality recycling, and create a market for secondary raw materials, while at the same time facilitating consumer information and create new business opportunities. Under this proposal, sustainability requirements and restrictions for chemical substances will be established, and criteria under the extended producer responsibility schemes, labelling, marking and information requirements will be harmonised.
3. The above-mentioned proposed Regulation is based on Article 114 of the Treaty on the Functioning of the European Union (TFEU), which requires the opinion of the Economic and Social Committee but does not require the opinion of the Committee of the Regions.
4. In view of the subject matter of the proposed Regulation, it is considered appropriate that the Committee of the Regions be consulted on this proposal.
5. The Permanent Representatives Committee is therefore invited to decide, in accordance with Article 304 TFEU and Article 19(7)(h) of the Council's Rules of Procedure³, to consult the Economic and Social Committee on this Proposal and to request it to give its opinion as soon as possible.

³ Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure, OJ L 325, 11/12/2009, p. 35.