
STATUTORY INSTRUMENTS

1998 No. 1165

The Packaging (Essential Requirements) Regulations 1998

PART III

GENERAL REQUIREMENTS

General duty relating to the placing on the market of packaging

6.—(1) Subject to regulations 7, 8 and 9, on or after the coming into force of these Regulations, no person who is a responsible person shall place on the market any packaging unless the essential requirements have been complied with in relation to it provided always that placing on the market for the purposes of this regulation shall not occur in respect of reused packaging.

(2) Packaging shall be taken to satisfy the essential requirements—

(a) if it satisfies national standards which implement the relevant harmonised standards;

or

(b) where there is no relevant harmonised standards, if it satisfies national standards of which the texts are communicated to the Commission pursuant to Article 9(3) of the Directive and which, pursuant to that provision, are notified by the Commission to the member States as being deemed to comply with the essential requirements.

(3) In paragraph (2) above, “harmonised standards” shall mean the standards of which the reference number is published in the Official Journal of the European Communities in pursuance of Article 9(2)(a) of the Directive.