

SCHEDULE 1

[^{F1}(Annex II of the Directive)]

F1 Words in Sch. 1 heading omitted (E.W.S.) (31.12.2020) by virtue of [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **20(8)(a)** (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)

ESSENTIAL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING

Requirements specific to the manufacturing and composition of packaging

1.—(1) Packaging must be so manufactured that the packaging volume and weight is limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer.

[^{F1}(2) Packaging must be designed, produced and commercialised in such a way as to—

- (a) permit its reuse or recovery (including recycling), in line with the waste hierarchy, and;
- (b) minimise its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of.]

(3) Packaging must be so manufactured that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimised with regard to their presence in emissions, ash or leachate when packaging or residues from management operations or packaging waste are incinerated or landfilled.

[^{F2}(4) In sub-paragraph (2)(a), the reference to “the waste hierarchy” is to be interpreted in accordance with—

- (a) in relation to England and Wales, regulation 12(1) and (2) of the Waste (England and Wales) Regulations 2011;
- (b) in relation to Scotland, paragraphs 6(2) and (3) of Schedule 4 to the Waste Management Licensing (Scotland) Regulations 2011;
- (c) in relation to Northern Ireland, regulation 17(1) and (2) of the Waste (Northern Ireland) Regulations 2011.]

F1 Sch. 1 para. 1(2) substituted (1.10.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations 2020 \(S.I. 2020/904\)](#), regs. 1(1), **19(3)(a)(i)**

F2 Sch. 1 para. 1(4) inserted (1.10.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations 2020 \(S.I. 2020/904\)](#), regs. 1(1), **19(3)(a)(ii)**

Requirements specific to reusable packaging

2.—(1) The following requirements must be simultaneously satisfied—

- (a) the physical properties and characteristics of the packaging must enable a number of trips or rotations in normally predictable conditions of use,
- (b) it must be possible to process the used packaging in order to meet health and safety requirements for the workforce,
- (c) the requirements specific to recoverable packaging must be fulfilled when the packaging is no longer reused and thus becomes waste.

Changes to legislation: There are currently no known outstanding effects for the *The Packaging (Essential Requirements) Regulations 2015, ESSENTIAL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING.* (See end of Document for details)

Requirements specific to the recoverable nature of packaging

Packaging recoverable in the form of material recycling

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3.—(1) Packaging must be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in [^{F3}the European Union][^{F3}retained EU law]. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.

Packaging recoverable in the form of energy recovery

(2) Packaging waste processed for the purpose of energy recovery must have a minimum inferior calorific value to allow optimisation of energy recovery.

Packaging recoverable in the form of composting

(3) Packaging waste processed for the purpose of composting must be of such a biodegradable nature that it should not hinder the separate collection and the composting process or activity into which it is introduced.

Biodegradable packaging

(4) Biodegradable packaging waste must be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water.

[^{F4}(5) Oxo-degradable plastic packaging is not to be considered as biodegradable.

(6) In sub-paragraph (5), “oxo-degradable plastic packaging” means plastic packaging made of plastic materials that include additives which catalyse the fragmentation of the plastic material into micro-fragments.]

F3 Words in Sch. 1 para. 3(1) substituted (E.W.S.) (31.12.2020) by [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **20(8)(b)** (as amended by [S.I. 2020/1540](#), regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)

F4 Sch. 1 para. 3(5)(6) inserted (1.10.2020) by [The Waste \(Circular Economy\) \(Amendment\) Regulations 2020 \(S.I. 2020/904\)](#), regs. 1(1), **19(3)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Packaging (Essential Requirements) Regulations 2015, ESSENTIAL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING.