

15.11.2023

A9-0319/361

**Amendment 361**

**Pietro Fiocchi, Nicola Procaccini**  
on behalf of the ECR Group

**Report**

**Frédérique Ries**

Packaging and packaging waste

(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**A9-0319/2023**

**Proposal for a regulation**

**Article 22 – title**

*Text proposed by the Commission*

*Amendment*

Restrictions on use of certain packaging  
formats

Restrictions on use of certain packaging  
formats ***that are not reusable or made  
from renewable materials***

Or. en

15.11.2023

A9-0319/362

**Amendment 362**

**Pietro Fiocchi, Nicola Procaccini**

on behalf of the ECR Group

**Report**

**A9-0319/2023**

**Frédérique Ries**

Packaging and packaging waste

(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**Proposal for a regulation**

**Article 22 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. Member States may exempt economic operators from **point 3** of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to ***obtain access to infrastructure that is necessary for the functioning of a reuse system.***

3. Member States may exempt economic operators from **points 3 and 4** of Annex V if they comply with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on [OP: Please insert the date = the date of entry into force of this Regulation], and where it is not technically feasible not to use packaging or to

Or. en

15.11.2023

A9-0319/363

**Amendment 363**  
**Pietro Fiocchi, Nicola Procaccini**  
on behalf of the ECR Group

**Report**  
**Frédérique Ries**  
Packaging and packaging waste  
(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**A9-0319/2023**

**Proposal for a regulation**  
**Article 28 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 28a**

**Article 28a (new) Refill and renewable materials obligations for the takeaway sector**

**By 1 January 2030:**

**(a) the final distributor making available on the market within the territory of a Member State, in sales packaging, cold or hot beverages filled into a container at the point of sale for take-away shall either:**

**(i) ensure beverages are made available in recyclable packaging made from renewable materials; or**

**(ii) provide a system for consumers to bring their own container to be filled;**

**(b) the final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State, in sales packaging, take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle, shall either:**

**(i) ensure that all single use packaging is recyclable and made from renewable materials and in the case of single-use food packaging for condiments is compostable packaging made from renewable materials; or**

*(ii) provide a system for consumers to bring their own container to be filled.*

Or. en

15.11.2023

A9-0319/364

**Amendment 364**  
**Pietro Fiocchi, Nicola Procaccini**  
on behalf of the ECR Group

**Report**  
**Frédérique Ries**  
Packaging and packaging waste  
(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**A9-0319/2023**

**Proposal for a regulation**  
**Article 28 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 28b**

***Article 28b (new) Reuse offer and renewable materials obligations for the takeaway beverage sector***

***1. By 1 January 2030, the final distributor that is conducting its business activity in the HORECA sector and that is making available on the market within the territory of a Member State, in sales packaging, cold or hot beverages filled into a container at the point of sale for take-away shall either:***

***(a) ensure beverages are made available in recyclable packaging made from renewable materials; or***

***(b) provide to the consumers the option of packaging within a system for re-use.***

***2. The final distributors shall inform the end consumers at the point of sale, through clearly visible and readable information boards or signs, about the possibility of obtaining the goods in reusable packaging.***

***3. The final distributors shall offer the goods filled in reusable packaging at no higher costs, and in no less favourable conditions than the sales unit consisting of the same goods and single use packaging.***

***4. The final distributors shall be exempted from the application of this Article if they***

*fall within the definition of a micro  
enterprise set out in Commission  
Recommendation 2003/361/EC.*

Or. en

15.11.2023

A9-0319/365

**Amendment 365**

**Pietro Fiocchi, Nicola Procaccini**  
on behalf of the ECR Group

**Report**

**A9-0319/2023**

**Frédérique Ries**

Packaging and packaging waste  
(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**Proposal for a regulation**

**Article 45 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) requirements on final distributors to make available in reusable packaging within a system for re-use or through refill a certain percentage of other products than those covered by targets laid down in Article 26 on the condition that this does not lead to distortions on the internal market or trade barriers for products from other Member States.

(c) requirements on final distributors to make available in reusable packaging within a system for re-use or through refill a certain percentage of other products than those covered by targets laid down in Article 26 ***or those covered by requirements laid down in Article 28a or 28b*** on the condition that this does not lead to distortions on the internal market or trade barriers for products from other Member States.

Or. en

15.11.2023

A9-0319/366

**Amendment 366**

**Pietro Fiocchi, Nicola Procaccini**  
on behalf of the ECR Group

**Report**

**A9-0319/2023**

**Frédérique Ries**

Packaging and packaging waste  
(COM(2022)0677 – C9-0400/2022 – 2022/0396(COD))

**Proposal for a regulation**

**Article 45 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2 a. Notwithstanding paragraphs 1 and 2 above, Member States shall not adopt measures which would require distributors to provide either a system of re-use or a system for refill for either cold or hot beverages filled into a container at the point of sale for take-away or for take-away ready-prepared food, intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle.***

Or. en