

SENATE OF THE REPUBLIC

17TH LEGISLATURE

Doc. XVIII
No 39

RESOLUTION OF THE 13TH STANDING COMMITTEE

(Land Use, Environment, Environmental Assets)

(Rapporteur: Senator Laniece)

approved on 17 December 2013

ON THE

**PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL AMENDING DIRECTIVE 94/62/EC ON PACKAGING AND
PACKAGING WASTE TO REDUCE THE CONSUMPTION OF LIGHTWEIGHT
PLASTIC CARRIER BAGS (COM (2013) 761 FINAL)**

pursuant to Article 144(1) and (6) of the Rules of Procedure

Sent to the President's Office on 20 December 2013

The Committee, having examined the proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste to reduce the consumption of lightweight plastic carrier bags (COM(2013) 761 final),

whereas:

the proposal for a Directive in question seeks to reduce consumption in the European Union of lightweight plastic carrier bags less than 50 microns thick;

Article 1(1130) of Law No 296 of 27 December 2006 prohibited the marketing of non-biodegradable plastic bags with effect from 1 January 2011;

Decree-Law No 2 of 25 January 2012, converted with amendments into Law No 28 of 24 March 2012, specified the characteristics of the bags subject to the marketing ban and those exempt from it and introduced a system of penalties that should enter into force on 1 January 2014;

by Decree dated 18 March 2013, the Minister for the Environment, the Protection of Natural Resources and the Sea and the Minister for Economic Development specified additional technical characteristics for carrier bags for the purpose of their marketing;

the proposal for a Directive has the same legal basis of Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994;

the proposal for a Directive complies with the principles of subsidiarity and proportionality as it simply amends Directive 94/62/EC, leaving the Member States free to decide on the substance of their specific implementing provisions,

issues, for matters within its remit, a favourable opinion with the following comments:

with regard to Article 1, it should be clarified that the definition given there of 'lightweight plastic carrier bags' does not include bags made of compostable plastic that comply with harmonised standard UNI EN 13432:2002, as certified by an accredited body;

again with regard to Article 1, it is suggested that paragraph (2) should include not only the current objective of reducing consumption of lightweight plastic carrier bags but also that of replacing them with re-usable bags or with bags made of compostable plastic that comply with harmonised standard UNI EN 13432:2002, as certified by an accredited body.