



ACT

62/2014 Col.

of March, 19th, 2014,

amending the Act 477/2001 Col., Packages and Amendment to Certain Acts (Packages Act),
as subsequently amended

Parliament resolved on the following Statute of the Czech Republic:

Article I

Act 477/2001 Col., Packages and Amendment to Certain Acts (Packages Act), amended by the Act 274/2003 Col., Act 94/2004 Col., Act 237/2004 Col., Act 257/2004 Col., Act 444/2005 Col., Act 66/2006 Col., Act 296/2007 Col., Act 25/2008 Col., Act 126/2008 Col., Act 227/2009 Col., Act 281/2009 Col., Act 77/2011 Col., Act 18/2012 Col. and Act 167/2012 Col., is amended as follows:

1. In Section 1 Point 1; Section 4 Point 5 Letter a) and Point 6 Letter d); Section 6, Section 25 Letter b) and Section 32 Letter q) words „European Communities“ are replaced with words „European Union“.

Footnote 2 reads:

„2)

Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste.

Directive 2004/12/EC of the European Parliament and of the Council of 11 February 2004, amending Directive 94/62/EC on Packaging and Packaging Waste.

Directive 2005/20/EC of the European Parliament and of the Council of 9 March 2005, amending Directive 94/62/EC on Packaging and Packaging Waste.

Directive 2013/2/EC of the European Parliament and of the Council of 7 February 2013, amending Directive 94/62/EC on Packaging and Packaging Waste.“.

2. Annex 1 reads:

„Annex 1 to Act 477/2001 Coll.

Criteria and examples clarifying the meaning of the term packing

Criterion 1

A product compliant with the definition of packing as per Section 2, letter a), simultaneously fulfilling or capable of fulfilling a function other than that of packing, shall be considered packing only if:



it is not an integral part of another product;
is not essential for closing, carrying or protecting such product for the duration of its service life;
and
all parts thereof have not been designed to be used, consumed and/or removed jointly.

Illustrative examples for criterion 1

Packaging

Sweet boxes

Film overwrap around a CD case

Mailing pouches for catalogues and magazines (with a magazine inside)

Cake doilies sold with a cake

Rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound, except rolls, tubes and cylinders intended as parts of production machinery and not used to present a product as a sales unit

Flower pots intended to be used only for the selling and transporting of plants and not intended to stay with the plant throughout its life time

Glass bottles for injection solutions

CD spindles (sold with CDs, not intended to be used as storage)

Clothes hangers (sold with a clothing item)

Matchboxes

Sterile barrier systems (pouches, trays and materials necessary to preserve the sterility of the product)

Beverage system capsules (e.g. coffee, cacao, milk) which are left empty after use

Refillable steel cylinders used for various kinds of gas, excluding fire extinguishers

Non-packaging

Flower pots intended to stay with the plant throughout its life time

Tool boxes

Tea bags

Wax layers around cheese

Sausage skins

Clothes hangers (sold separately)

Beverage system coffee capsules, coffee foil pouches, and filter paper coffee pods disposed together with the used coffee product

Cartridges for printers

CD, DVD and video cases (sold together with a CD, DVD or video inside)

CD spindles (sold empty, intended to be used as storage)

Soluble bags for detergents

Grave side lights (containers for candles)

Mechanical quern (integrated in a refillable recipient, e.g. refillable pepper mill)



Criterion 2

Items designed to be filled at the point of sale, are considered packing, if they fulfil the function of packing.

Illustrative examples for criterion 2

Packaging, if designed and intended to be filled at the point of sale

Paper or plastic carrier bags
Disposable plates and cups
Cling film
Sandwich bags
Aluminium foil
Plastic foil for cleaned clothes in laundries

Non-packaging

Stirrer
Disposable cutlery
Wrapping paper (sold separately)
Paper baking cases (sold empty)
Cake doilies sold without a cake

Criterion 3

Auxiliary components attached directly to products, which fulfil the functions of packing, are considered packing if:
not an integral part of such product; and
all parts thereof are not designed to be consumed or removed jointly.

Illustrative examples for criterion 3

Packaging

Labels hung directly on or attached to a product
Part of packaging
Mascara brush which forms part of the container closure
Sticky labels attached to another packaging item
Staples
Plastic sleeves
Device for measuring dosage which forms part of the container closure for detergents
Mechanical quern (integrated in a non-refillable recipient, filled with a product, e.g. pepper mill filled with pepper)

Non-packaging

Radio frequency identification (RFID) tags“.

3. Annex 3 reads:

„Annex 3 to Act 477/2001 Coll.

Required extent of recycling and recovery of package waste

A: recycling

B: recovery

Packaging waste from	till 31.12.2013		till 31.12.2014		till 31.12.2015		till 31.12.2016	
	A	B	A	B	A	B	A	B
	%	%	%	%	%	%	%	%
Paper and board	70		70		75		75	
Glass	70		70		75		75	
Plastic	27		27		40		45	
Metals	50		50		55		55	
Wood	15		15		15		15	
Sales consumer packaging	-	-	38	43	40	45	40	45
Total	55	60	55	60	60	65	60	65

Recycling rate, resp. the overall recovery of sales consumer packaging is determined as a proportion of amount of recovered packaging waste obtained (taking back) from consumers and amount of sales packaging that entity introduced to the market or into circulation. The denominator does not include sales packages that are simultaneously industrial packaging. Packages made of a single material are packages in which the material concerned forms at least 70% of the package weight.

Recycling and overall recovery are intended in percent by weight, and recycling is included in the total recovery as one of its forms, together with energy recovery and organic recycling Section 4 Point 1 Letter c). "

Article II

EFFECT

This Statute shall take effect in the date of its publication.