



# Conditions for placing the packaging on the market

**At the same time, it is necessary to comply with the conditions of the provisions of Section 3 "Prevention" of the same Act:**

#### Section 4

##### Terms of marketing of packages

- 1) The person which markets a package, packed product or packaging agent shall see to it that
  - a) the concentration in the package or packaging agent of substances identified in the List of Hazardous Chemical Substances Classified as yet should comply with the limit values as provided in special regulations, given the presence thereof in emissions, ashes or leach after incineration or landfilling of the waste generated from the packages or packaging agents;
  - b) the total sum of concentrations of lead, cadmium, mercury and chromium with oxidation number VI in a package or packaging device did not exceed the value of 100 micrograms/g (hereinafter the "limit value");
  - c) the package or packaging agent, having been used in the way for which it was intended and all the residues of the packaged product having been removed in the usual way, namely by disposal thereof, shall be repeatedly reusable, or the waste from the package or packaging agent recoverable under the usual conditions in at least one of the following processes:
    1. A process whereby the wastes or residues of packages alone or mixed with other materials are transformed into a product or material (hereinafter, "recycling");
    2. Direct incineration with release of energy by burning, mixed or not with other wastes, recovering the heat generated (hereinafter, "energy recovery");
    3. Aerobic or anaerobic processing of biologically degradable components of such waste under controlled conditions, using microorganisms to produce stabilized organic residues or methane (hereinafter, "organic recycling"); landfilling shall not be considered a form of organic recycling.
- 2) The provisions of Par. 1 c) shall be of no prejudice to the provisions relating to waste management under the special regulation.
- 3) The person who places the packaging on the market or the packaging device is required to report excess values mentioned in paragraph 1 letter. b). Method for assessing the concentration of the substances referred to in paragraph 1 letter. a) and b) the extent of packaging and notification when the value is exceeded pursuant to paragraph 1. b) implementing legal regulation.
- 4) Method for assessing the usability of packaging down regulation.

**At the same time meet the requirements of § 3 "Prevention" of the same Act:**

- a) **minimizing the occurrence of heavy metals, and**
- b) **minimizing the occurrence of other harmful substances;**
- c) **minimizing the volume and weight of the packaging material during the packaging construction;**
- d) **usability of the packaging after its emptying**

Along with these conditions, the Packaging Act defines in Section 5 a person who is obliged based on these conditions to assess the given packaging and, at the same time, the range of the control authorities authorised to check the fulfilment of these conditions:

(1) A person who places the packaging on the market, is obliged

- a) Provide to the inspection authorities all **technical documentation** necessary to prove that the requirements specified in Sections 3 and 4 have been met, if requested, whereas the information according to Subsection 2, Letter b) should, for the purpose of this inspection, replace the documentation which serves to prove the compliance with the requirements specified in Section 4;
- b) Decisively inform its purchasers that the packaging meets the requirements specified in Sections 3 and 4.

(2) A person who launches packaging agent is obliged

- a) Upon request, a technical inspection authorities documentation necessary to demonstrate compliance with the obligations set out in § 4,
- b) Conclusively inform its customers that the packaging device meets the requirements set out in § 4

Neither the term “**technical documentation**” nor its extent is defined in this Act. Accordingly, we can use analogy to the requirements of Act No. 22/1997 Coll., on technical requirements for goods, within the meaning of its amendments, stipulating that it would mean technical documents certifying the compliance with the particular technical standards.

Technical standards for the assessment whether the packaging complies with the requirements for placing the packaging on the market:

<b>ČSN EN 13427</b>	Packaging - Requirements for the use of the European standards for packaging and packaging waste
<b>ČSN CR 13695-1</b>	Packaging - Requirements for the measurement and verification of four heavy metals and other hazardous substances present in packaging and their release to the surrounding environment Part 1: Requirements for the measurement and verification of four heavy metals present in packaging
<b>ČSN CR 13695-2</b>	Packaging - Requirements for the measurement and verification of four heavy metals and other hazardous substances present in packaging and their release to the surrounding environment Part 1: Requirements for the measurement and verification of other hazardous substances present in packaging
<b>ČSN EN 13428</b>	Packaging - Specific requirements for production and composition - Prevention by resources reduction
<b>ČSN EN 13429</b>	Packaging - Reuse
<b>ČSN EN 13430</b>	Packaging - Requirements for packaging usable for material recycling
<b>ČSN EN 13431</b>	Packaging - Requirements for packaging usable as source of energy, including specification of the lowest heating value

## Methodology of the use of the packaging assessment standards

The ČSN EN 13427 technical standard is in fact a methodology how to use related standards and which requirements referred to in the other standards are mutually related. The following table could be used to illustrate the information on the process of assessment of the compliance with the respective conditions:

Packaging at the level of components	Packaging at the level of functional units	Complete packaging system
The highest possible reduction of the contents of: heavy metals, harmful and other hazardous substances	Reuse Material use Energy use Use in the form of compost	Prevention by resources economy

### +NOTE:

*The application of the prevention by resources economy for the complete packaging system means that all the elements of this system must be taken into account.*

The compliance with the requirements of these standards can be assessed by the manufacturer by itself (providing that adequate testing equipment or technology is available to the manufacturer). In the case of long-term experience and existence of documentation, it is possible to proceed from the prevention criterion, e.g. complaint lists or other documents, and prove in this way that the used weaker material caused loss when being used in the production line or in transport or storage of goods.

## Assessment package

Packaging must be obligatorily evaluated in terms of the occurrence of heavy metals and harmful substances. This means that the individual components of the packaging should not contain above-limit levels of such substances. Here, the main emphasis is put on the suppliers of raw materials and the manufacturers of components of the packaging.

**ČSN CR 13695-1** *Packaging - Requirements for the measurement and verification of four heavy metals and other hazardous substances present in packaging and their release to the surrounding environment - Part 1: Requirements for the measurement and verification of four heavy metals present in packaging*

**ČSN CR 13695-2** *Packaging - Requirements for the measurement and verification of four heavy metals and other hazardous substances present in packaging and their release to the surrounding environment - Part 1: Requirements for the measurement and verification of other hazardous substances present in packaging*

In addition, the packaging must be obligatorily evaluated in terms of its usability after emptying by the consumer. This means that there should be **at least one method of utilising the used packaging**. He who combines a functional packaging from the individual components (bottle body, cap, label) should determine for which of the following types of use it is designed and assess such packaging pursuant to the particular technical standard. With

respect to its use, the packaging needs not be necessarily assessed pursuant to all the standards mentioned below - its assessment pursuant to one of them is sufficient.

**ČSN EN 13430** *Packaging - Requirements for packaging usable for material recycling*

**ČSN EN 13431** *Packaging - Requirements for packaging usable as source of energy, including specification of the lowest heating value*

**ČSN EN 13432** *Packaging - Requirements for packaging usable for composting and biodegradation - Testing scheme and evaluation criteria for final acceptance of packaging*

The last obligation of the manufacturer is to assess the created packaging system of goods in terms of prevention - resources economy. It is clear from the above-mentioned procedure that the assessment of the packaging with respect to this requirement is carried out by he who completes the whole packaging system of the given goods pursuant to:

**ČSN EN 13428** *Packaging - Specific requirements for production and composition - Prevention by resources reduction*

The assessment of packaging in terms of minimization is in fact a process during which a critical functional criterion is chosen and at this moment when the packaging is loaded to the largest extent the packaging is tested and/or this functional criterion is described and documented. By way of illustration, this standard presents the following functional criteria pointing out, at the same time, that the manufacturer can identify others that are not presented here:

- **Goods protection**
- **Packaging production process**
- **Packing/filling process**
- **Logistics (including transport, storage and handling)**
- **Submission of product for sale and marketing**
- **Acceptance of user/consumer**
- **Information**
- **Safety**
- **Legislation**
- **Other aspects**

In addition, packaging designed for reuse must be subjected to evaluation whether or not it is suitable for reuse and the system of its renewal and emptying must be described and documented pursuant to the standard.


**ČSN EN 13429** *Packaging - Reuse*

## Validity of the standards in the EU

These standards were prepared by the European Committee for Standardisation (CEN) in which most of the standardisation institutes are represented, including the Czech Standards Institute (ČSNÍ). These standards have been harmonised, which means that the dates of their application have been set, the individual states are obliged to introduce them and, finally yet importantly, the standardisation institutes are obliged in the case of the existence of national standards to replace them with the European ones.

This means in practice that:

- **these standards will have to be observed by all manufacturers**

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- the text and numerical code of these standards is the same in all EU countries
  - the assessment of packaging pursuant to these standards is valid in all EU countries
  - no state should impose higher requirements on packaging than those mentioned in these standards
  - if the packaging complies with these requirements, it can be distributed in all countries without limitation

Consultation regarding the **fulfilment of the conditions for placing the packaging on the market** or **packaging marking** will be provided to you by the manager of the clients department of EKO-KOM, a.s.

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You can find more information on website [www.ekokom.cz](http://www.ekokom.cz).

According to the Act number 22/1997 Col. the technical standards can be multiplied and distributed only with the agreement of [Czech standards institute](http://www.csni.cz).

The address where you can send your orders and where you will get more information about sale of standards:

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