




# Packaging marking



The provision of Act No. 477/2001 Coll., on packaging, as amended, reads newly as follows:

## **Section 6 Marking of packages**


**If a person marketing or putting into circulation a package or packed product indicates on the package or packed product the material from which the package is produced, this marking shall be in harmony with the European Communities law <sup>9c)</sup>.**

<sup>9c)</sup> **Annexes I to VII of Commission Decision 97/129/ES of 28 January 1997, establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste.**

For the clarification, it is necessary to mention one of the basic provisions of the Commission Decision 97/129/EC. The decision whether this marking system should be introduced as obligatory for a particular material (materials) may be adopted in accordance with the procedure set out in Article 21 of Directive 94/62/EC.

So, what does this provision imply? In short, the following:

- a) **IF** you intend to mark packaging from the point of view of the used material, you should adhere to the alphanumerical symbols contained in this Decision.
- b) It should also be borne in mind that the Committee of Member States' Representatives in accordance with the procedure set out in Article 21 may make this Decision binding at any time, even if it has never been done since 1997.
- c) In view of the Packaging Act, it is not necessary any more to inform the consumer on the method of used packaging disposal because this provision is contained neither in Directive 94/62/EC nor the Commission Decision. However, **ATTENTION** should be paid to the provisions of other regulations, such as the Wastes Act, the Chemicals Act or the Drugs Act, etc.! The requirements of these acts have to be observed regardless of the Packaging Act.
- d) Another exception that has to be taken care of is the obligation pursuant to Section 9, Article 3 of the Packaging Act concerning the marking of reusable deposit packaging. The implementing regulation in this case is the Decree of the Ministry of Industry of the Czech Republic No. 116/2002 Coll., which in this respect refers to the technical standard CSN 77 0053.
- e) If you do not want to continue using material identification on the packaging or the so-called "basketball player" (antilittering symbol, the symbol of a figure throwing something to the basket), no sanctions may be imposed on you.



There have been several amendments to the Directive since 1994, but provisions concerning marking of packaging have never been deleted, yet. On the contrary and for reasons that haven't yet been explained **Article 19 - Adaptation to scientific and technical progress** in its latest amendment 2018/852/EU, has been amended as follows:

**1. The Commission shall adopt implementing acts necessary for adapting the identification system referred to in Article 8 and Article 10, second paragraph, sixth indent, to scientific and technical progress. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 21.**

It is possible that implementing acts may be issued in the near future. Therefore, we would like to provide you with a few useful tips from the technical standard **CSN 77 0052-2** concerning material identification, which was prepared in accordance with Commission Decision 97/129/EC of 28 January 1997, to which the provisions of the Packaging Act in Article footnotes. Therefore, you can continue to follow it, as most companies do and as most consumers have become accustomed to this type of packaging marking.

It should be noted that in the text of the whole standard, the term packaging "has been replaced" by packaging component.

**Packaging component** part of packaging that can be separated by hand or by using simple physical means (from EN 13193)

If you imagine a bottle of mineral water, then only by combining of all components of the packaging (bottle body, cap and label) be able to perform the functions of packaging (protects, contains, informs, etc.). Unfortunately, extreme opinions still persist that a separate bottle body or a separate cap or even a separate label can be considered as packaging. These are only components, because individually, they do not fulfil the functions of the packaging themselves, only connected together create packaging!

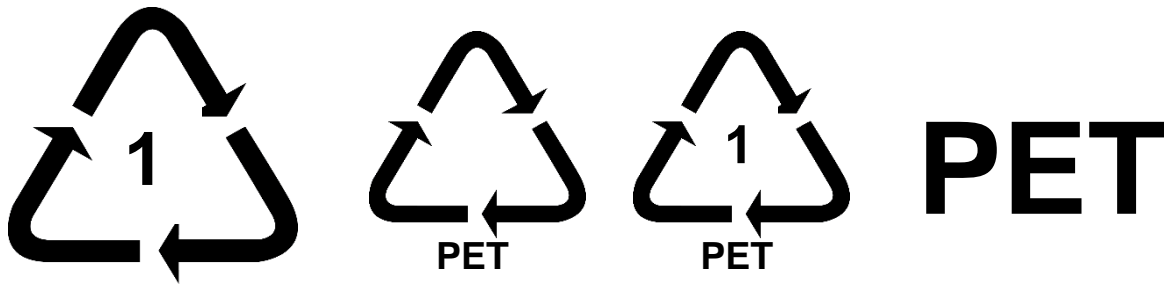
The text of the standard contains a provision stating that the obligation to have an identification mark applies to all components of **consumer packaging** made of metals, plastics and composite materials and, conversely, in the case of components of consumer packaging made of other materials (paper, glass, wood and textiles) voluntarily. These are surviving facts today, as stated in the introduction to this document with reference to the current wording of the Packaging Act. **Today, material identification of ALL parts of consumer, group and transport packaging made of any material is VOLUNTARY.** Furthermore, the text of the standard contained a completely logical exception from this obligation concerning very small packaging and packaging components less than 50 ml and 5 g, as well as for other packaging components such as labels, tags, tags, lids, closures, stoppers, valves, dispensers, applicators, internal fixing devices, spacers, etc. etc. regardless of their size. With regard to the current wording of the Packaging Act, this exception of course no longer makes sense, but it is a good guide to what it makes sense to label on the packaging if you want to provide material identification.

If you imagine the packaging of mineral water and parts of its packaging (bottle body, cap and label), then the packaging will be marked only the material of bottle body, most likely PET - Polyethylene terephthalate.

The standard also defines material identification markings, alternatively consisting of:

- Numerical identification code and graphic symbol;
- Alphabetic identification code and a graphic symbol
- Alphabetic and numerical Identification code and a graphic symbol

**Examples:**



All four varieties have the same meaning and decision for any variety depends on filler or importer only. There is absolute freedom of a choice.

Important softening of marking requirement is wording **“or alphabetic identification code only”** (note: it could be for example pressed into bottom of bottle or pot).

You should certainly avoid to present numerical code only without graphic symbol, **therefore following example shouldn't occur on packs!!**




The system of numerical or alphabetic identification codes of all groups of materials and their combinations for individual materials is given in Annexes B to H of this standard. The tables, including the notes below them, are exactly what the Commission Decision 97/129/ EC contains in their annex.

The standard also recommends **“... placing the numerical identification code in the middle and the alphabetic identification code below the graphic mark”**. The placement of letter and numerical codes is only recommended, but it is a common and long-established practice.

The graphic sign, 'a shape consisting of three solid arrows in the shape of an equilateral triangle' is classic so-called Möbius loop. It is a symbol widely recognized by consumers as important from the point of view of environmental protection. ISO 14021, which allows the Möbius loop to be used publicly as a symbol of a product, packaging or packaging component that is recyclable or manufactured from recycled secondary material. This is a general symbol, so no other documents are needed for its usage on the packaging with regard to copyright or license rights.

Today's advanced technologies already allow recycling most of generally used packaging materials and most packaging materials already use recycled material, this condition is no obstacle to its use.



The standard contains a definition of composite material/packaging, which is more or less contained in the amendment to the Packaging Act No. 545/2020 Coll., but only divides it into two articles.

Article 2 i) "Composite packaging means a packaging composed of at least 2 layers of different materials which cannot be separated by hand and forms a single integral unit forming the inner container and outer container which is filled, stored, transported and emptied as such,"

Article 48 "For the purposes of fulfilling the obligations for the use of packaging waste pursuant to Section 12 and keeping records pursuant to Sections 15 and 23, composite packaging and other packaging composed of more than one material shall be reported according to the materials contained in the packaging. This requirement may be waived if the material constitutes an insignificant part of the packaging and does not represent more than 5% of the total weight of the packaging. "

This provision concerning the 95% limit is beyond the scope of Directive 92/64/EC, which, on the other hand, does not define the limit for composites at all, but if we take as example Polyethylene coated paper, for processors (paper mills) it will always be a composite, whether there will be more or less than 5% Polyethylene and a different input technology should be installed to receive this material into paper mill.

BUT BE CAREFUL! In some cases, you may find that what appears to be "aluminium foil" is just spray or varnish! In this case, therefore, it will not be a composite material and this packaging is marked with the identification marking of the base plastic.

A typical example of a composite packaging is the so-called "milk carton", "tetrapak" - a beverage carton, which is made of layers of paper, plastic and, in the case of durable products, a thin aluminium foil or plastic cap. These individual materials are not manually separable from each other.

Furthermore, the standard contains relatively logical provisions regarding the location of the marking:

**"The identification marking shall be applied (presented) directly on packaging components from those package consists, by printing, embossing or stamping or by any suitable way".**

**"The identification marking of a packaging component can be applied (presented) on the label that is fit on the component"**

**"Durability and resistant ability of marking on packages should respond to forecasted time of a recovery or a disposal of package".**

The standard also takes into account that, there are other normative systems for material identification of packaging or products such as CSN EN ISO 1043-1 or CR 14311: 2002, which are used in Europe or globally. Therefore, the possibility of to use them.

**97/129/EC: Commission Decision of 28 January 1997 establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste**

### **Identification Codes - Plastics**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
Polyethylene terephthalate	PET	1
High density (linear) polyethylene	HDPE	2
Polyvinyl chloride	PVC	3
Low-density (branched) polyethylene	LDPE	4
Polypropylene	PP	5
Polystyrene	PS	6
Other		7

### **Identification Codes - Paper and cardboard**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
Corrugated cardboard	PAP	20
Smooth cardboard	PAP	21
Paper	PAP	22

### **Identification Codes - Metals**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
Steel	FE	40
Aluminum	ALU	41

### **Identification Codes - Wood**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
Wood	FOR	50
Cork	FOR	51

### **Identification Codes - Textiles**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
Cotton	TEX	60
Jute	TEX	61

### **Identification Codes - Glass**

<b>Material</b>	<b>Written code</b>	<b>Numeric code</b>
White glass	GL	70
Green glass	GL	71
Brown glass	GL	72

## Identification codes - Composite Materials

For composite materials, letter identification code consists of the letter C, which expresses that it is made of composite material and the broken line (/) from the written material identification code, whose representation in the composition (expressed weighing) prevails. For example, letter identification code of beverage packaging is C / PAP, which corresponds to the code number 84, which is the predominant material folding cardboard.

Material	Written code	Numeric code
Paper and cardboard / various metals	C/*	80
Paper and cardboard / plastics	C/*	81
Paper and cardboard / aluminium	C/*	82
Paper and cardboard / steel tinplate	C/*	83
Paper and cardboard / plastics/aluminium	C/*	84
Paper and cardboard / plastics/aluminium/steeltinplate	C/*	85
Plastics / aluminium	C/*	90
Plastics / steel tinplate	C/*	91
Plastics / various metals	C/*	92
Glass / plastics	C/*	95
Glass / aluminium	C/*	96
Glass / steel tinplate	C/*	97
Glass / various metals	C/*	98

### NOTE 1

\*) Letter code identifying material relating to our weighing.

### NOTE 2

In assessing the composite material may be adhered to the sequence of layers of material as to the number assigned identification code. The same numerical identification code can include the composite materials, even if any of the layers in the packaging material is repeated. For example, a composite material composed of plastic / aluminum / plastic can also include the identification code 90<sup>th</sup>.

### NOTE 3

Material or part of a package consisting of multiple materials where one material is given a minimum share of 95% by weight, for the purpose of marking according to this standard is not considered a composite material and identified according to the prevailing material. (For example, aerosol container made of glass-coated plastic with a plastic cap is not necessary to mark. Marking part of consumer packages made of glass is optional).



## Reusable Deposit Packaging

### Packaging Act

Article 9

Reusable Deposit Packaging

“(3) An entity which places products on the market in reusable packaging covered by deposit shall be obliged to mark such packaging as reusable deposit packaging in the way specified by the implementing legal regulation.”

### Decree of the Ministry of Industry of the Czech Republic No. 116/2002 Coll.

Article 1

“Reusable deposit packaging shall be marked according to the technical standard CSN 77 0053 on the packaging itself or on its label.”


### CSN 77 0053 Packaging - Packaging waste

#### Instructions and information for used packaging disposal

Consumer reusable deposit packaging upon delivery to the consumer have to be marked with text (capital letters, any font):

**ZÁLOHOVANÝ OBAL**





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