

LEGAL ALERT

AUGUST 20, 2021

On the 16th of August 2021 Government Ordinance no. 1/2021 for the amendment and completion of Law no. 249/2015 on the management of packaging and packaging waste was published in the Official Gazette of Romania.

The principal aspects regulated by the Ordinance are:

1. The central public authority for environmental protection may request the European Commission to **extend by up to 5 years the deadlines set for meeting the minimum targets** by type of material, without prejudice to the overall minimum recycling target for 2025 and 2030 respectively;
2. Introduction of the possibility of reaching an adjusted level of the minimum recycling targets for a given year, starting on **01.01.2025**, taking into account the average share of reusable packaging placed on the market for the first time in the last three years and reused as part of a packaging reuse system. In this regard, the method of calculating the adjusted level is also detailed through the Ordinance;
3. Introduction of rules for the **calculation of the minimum recycling targets** from 2025 onwards, which should be based on the weight of packaging waste entering the recycling operation. In this regard, the Administration of the Environmental Fund, as an authorized institution, will manage an effective system of quality control and traceability of packaging waste, established by the Ministry of Environment and whose technical specifications, implementation, and operation method will be approved by the **1st of January 2024**;
4. Modification of the essential requirements for the composition and reusability and recoverability of packaging in order to **stimulate the prevention of the generation of packaging waste**, reduce its impact on the environment and promote **high-quality recycling of materials** while ensuring the functioning of the internal market, avoiding barriers to trade and distortion and restriction of competition within the European Union;
5. Introduction of rules to calculate whether the minimum recycling targets for biodegradable packaging waste are met. They **will be applicable starting from 2025**.

Ordinance no. 1/2021 came into force on the **19th of August 2021**.