

Message 001

Communication from the Commission - TRIS/(2025) 3289

Directive (EU) 2015/1535

Notification: 2025/0694/BE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20253289.EN

1. MSG 001 IND 2025 0694 BE EN 19-11-2025 BE NOTIF

2. Belgium

3A. FOD Economie, KMO, Middenstand en Energie

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3B. Interregionale Verpakkingscommissie

Directie

4. 2025/0694/BE - S20E - Waste

5. COOPERATION AGREEMENT OF [XXX] AMENDING THE COOPERATION AGREEMENT OF 4 NOVEMBER 2008 ON THE PREVENTION AND MANAGEMENT OF PACKAGING WASTE

6. Packaging waste

7.

8. This Cooperation Agreement is an instrument with statutory force, which will apply to the entire territory of Belgium. The purpose of the legislation is to amend the Cooperation Agreement of 4 November 2008 on the prevention and management of packaging waste, which regulates the Extended Producer Responsibility for packaging waste. These changes are necessary because of the Packaging Regulation (EU) 2025/40 and bring Belgian legislation in line with the Packaging Regulation.

We believe that the provisions of this Cooperation Agreement do not contain any new technical regulations, either de jure or de facto.

However, this Cooperation Agreement also amends provisions introduced in the Cooperation Agreement of 4 November 2008 by the Cooperation Agreement on the framework for extended producer responsibility for certain waste streams and for litter, which was previously notified (Notification: 2023/0490/BE).

The provisions introduced by the Cooperation Agreement on the framework for extended producer responsibility for certain waste streams and for litter constituted a partial transposition and implementation of Directive (EU) 2019/904 on SUP. However, as regards extended producer responsibility for litter from packaging waste, the Regions have extended the scope of the SUP Directive to cans and cigarette packaging. The levy for the collective fulfilment of extended producer responsibility for litter from packaging waste was formally imposed on all household packaging waste, as regards the different flows of household packaging waste, but the calculation of the levy was based only on the following sub-streams: packaging under the scope of the SUP Directive, cans and cigarette packaging.

In the finally approved version of the Cooperation Agreement on the framework for extended producer responsibility for certain waste streams and for litter, compared to the version notified in 2023, some further text clarifications were made as regards the sub-streams relevant to the individual fulfilment of extended producer responsibility for litter from packaging waste and the collective fulfilment thereof through the organisational and financial option. However, these clarifications have little or no impact in practice.

As mentioned above, the Cooperation Agreement on the framework for extended producer responsibility for certain waste streams and for litter has already been notified. This was in view of the extension of the scope of the extended producer responsibility for litter from packaging waste with regard to the SUP Directive. Consequently, as a precautionary measure and in the interests of consistency, the current Cooperation Agreement is also notified.

The notification is made notwithstanding the fact that, as stated, the provisions of the current Cooperation Agreement do not, in our view, constitute new technical regulations, either de jure or de facto.

Furthermore, under the current Cooperation Agreement, no additional substantive changes or clarifications will be made with regard to extended producer responsibility for litter from packaging waste. These are exclusively form adjustments.

9. The amendment of the legislation is necessary in order to bring national legislation into line with the

amended European legislation, whereby a Directive (94/62/EC) was replaced by a Regulation ((EU) 2025/40).

10. Numbers or titles of the basic texts: 2023/0490/BE

The basic texts were submitted with a previous notification:
2023/0490/BE

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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