

Message 001

Communication from the Commission - TRIS/(2026) 0987

Directive (EU) 2015/1535

Notification: 2026/0167/IT

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 - Atidējimai 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: 20260987.EN

1. MSG 001 IND 2026 0167 IT EN 01-04-2026 IT NOTIF

2. Italy

3A. Ministero delle Imprese e del Made in Italy

Dipartimento Mercato e Tutela

Direzione Generale Consumatori e Mercato

Divisione II. Normativa tecnica - Sicurezza e conformità dei prodotti, qualità prodotti e servizi

00187 Roma - Via Molise, 2

3B. Ministero dell'Ambiente e della Sicurezza Energetica

Ufficio Legislativo

4. 2026/0167/IT - S10E - Packaging

5. Proposal for a technical regulation laying down biodegradability and compostability requirements for certain single-use plastic packaging

6. Plastic packaging

7.

8. The proposed legislation amends the provisions of Legislative Decree No 152 of 3 April 2006 with the aim of introducing a requirement for certain packaging to be biodegradable and compostable, in line with the option granted to Member States under Article 9(2)(b) of EU Regulation 2025/40.

The draft legislation consists of a single article, comprising one paragraph divided into two sub-paragraphs. Paragraph 1(a): provides for the insertion of a new article in Part Four of Legislative Decree No 152 of 3 April 2006, which introduces the obligation of biodegradability and compostability for the packaging listed therein. The following are also included:

- having set out the obligations regarding compliance with the regulations on the use of materials intended to come into contact with food and the relevant provisions on waste management;
- set out the procedures for determining the exemptions provided for in accordance with Annex V, point 2, and Article 25(4) of Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste.

Paragraph 1(b): provides for the insertion of a new paragraph in Article 261 of Legislative Decree No 152 of 3 April 2006 in order to provide for appropriate administrative penalties for failure to comply with the obligations referred to in point (a) of the proposal.

9. By imposing a requirement for certain single-use plastic packaging to be biodegradable and compostable, the measure allows for its production as an exception to the general recyclability requirement set out in Regulation 2025/40, thereby ensuring that biodegradable and compostable plastic products, which represent environmentally sound solutions, continue to be manufactured.

10. References to basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No

\*\*\*\*\*

European Commission

Contact point Directive (EU) 2015/1535  
email: [grow-dir2015-1535-central@ec.europa.eu](mailto:grow-dir2015-1535-central@ec.europa.eu)