Commission Implementing Regulation (EU) 2020/2151 of 17 December 2020 laying down rules on harmonised marking specifications on single-use plastic products listed in Part D of the Annex to Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/2151

of 17 December 2020

laying down rules on harmonised marking specifications on single-use plastic products listed in Part D of the Annex to Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the impact of certain plastic products on the environment

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment[(1)], and in particular Article 7(2) thereof,

Whereas:

(1) Directive (EU) 2019/904 lays down general requirements on the marking of certain single-use plastic products that are frequently inappropriately disposed of. The marking is to inform consumers of the presence of plastic in the product; of the waste disposal means to be avoided for that product; and the resulting negative impact of littering or other inappropriate means of waste disposal of the product on the environment.

(2) Directive (EU) 2019/904 requires the Commission to establish harmonised specifications for the marking of single-use plastic products listed in Part D of its Annex. The harmonised specifications for the position, size and design of the marking should take into account the different product groups covered. The format, colours, minimum resolution and font sizes to be used should be specified in order to ensure that each element of the marking is fully visible.

(3) The Commission evaluated existing markings identified through a stakeholder online survey and the market overview, in order to understand the assessment mechanism and the requirements behind the markings and their impact.

(4) The Commission has consulted representative groups of consumers and has performed a field test to ascertain that the markings are effective and easily understandable and to avoid misleading information.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2151. (See end of Document for details)*

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council[(2)],

HAS ADOPTED THIS REGULATION:

Article 1

Packaging

For the purposes of this Regulation, 'packaging' means sales packaging and grouped packaging as defined in point 1 of Article 3 of Directive 94/62/EC of the European Parliament and of the Council[(3)].

Article 2

Harmonised marking specifications

1 The harmonised marking specifications for sanitary towels (pads), and for tampons and tampon applicators are laid down in Annex I.

2 The harmonised marking specifications for wet wipes, i.e. pre-wetted personal care and domestic wipes are laid down in Annex II.

3 The harmonised marking specifications for tobacco products with filters and filters marketed for use in combination with tobacco products are laid down in Annex III.

4 The harmonised marking specifications for beverage cups are laid down in Annex IV.

Article 3

Languages

The information text of the marking shall be written in the official language or languages of the Member State(s) where the single-use plastic product is placed on the market.

Article 4

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 3 July 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 December 2020.

For the Commission

The President

Ursula VON DER LEYEN

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2151. (See end of Document for details)

ANNEX I

Harmonised marking specifications for sanitary towels (pads), and for tampons and tampon applicators

1. Packaging of sanitary towels (pads), with the surface area of 10 cm^2 or more, shall bear the following printed marking:



Note : the black line bordering the marking is not part thereof. Its only purpose is to show the thin white line bordering the marking against the white page.

By way of derogation from the first sentence of this point, the marking of packaging of sanitary towels (pads) placed on the market before 4 July 2022 may be affixed by means of stickers.

2. Packaging of tampons and tampon applicators, with the surface area of 10 cm^2 or more, shall bear the following printed marking:



Note : the black line bordering the marking is not part thereof. Its only purpose is to show the thin white line bordering the marking against the white page.

By way of derogation from the first sentence of this point, the marking of packaging of tampons and tampons applicators placed on the market before 4 July 2022 may be affixed by means of stickers.

3. The marking set out in points 1 and 2 shall comply with the requirements laid down in this point.

(a) Position of the marking

The marking shall be placed horizontally on the external front or top surface, whichever is more clearly visible, of the packaging.

Where the marking of the minimum size cannot fit in its entirety on the external front or top surface of the packaging, it may be placed partly on two sides of the packaging, i.e. top and front, or front and side, whichever is more clearly visible.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2151. (See end of Document for details)*

Where it is not possible to place the marking horizontally due to the shape or size of the packaging, it may be rotated 90° and placed vertically.

The boxes of the marking shall not be separated.

When opening the packaging in accordance with any instructions, the marking should not be torn or made illegible.

(b) Size of the marking

The marking shall be composed of two equal-sized red and blue boxes, which are placed next to each other, and a rectangular black box containing the information text 'PLASTIC IN PRODUCT', placed below the two equal-sized boxes. The ratio between the height and length of the marking shall be 1:2.

Where the area of the external front or top surface of the packaging on which the marking is placed is less than 65 cm^2, the minimum size of the marking shall be 1,4 cm by 2,8 cm (3,92 cm^2). In all other cases, the marking shall cover at least 6 % of the surface area on which it is placed. The maximum required size of the marking shall be 3 cm by 6 cm (18 cm^2).

(c) Design of the marking

The design of the marking shall be reproduced without adding any effects, adjusting the colours, retouching or extending the background. The marking shall be reproduced at a minimum resolution of 300 dots per inch when printed in actual size. The marking shall be bordered by a thin white line.

The information text 'PLASTIC IN PRODUCT' shall be in upper case and in Helvetica Bold font. The font size shall be a minimum of 5 pt and a maximum of 14 pt.

Where the information text is translated into another or several official languages of the Member States, the translated information text shall be placed either close below the marking, or inside the rectangular black box below the first language, and shall be in both cases clearly visible. In exceptional cases due to spatial constraints on the external front or top surface of the packaging, the information text translated into another or several official languages of the Member States may be placed elsewhere on the packaging as close as possible to the marking and where it is clearly visible. The translated information text shall be in upper case and in Helvetica Bold font. The font size shall be a minimum of 5 pt and a maximum of 14 pt. Where the information text in additional languages is placed in the rectangular black box, derogations from the maximum required size of the marking are possible.

The colours having the following colour codes shall be used:

— White: C = 0 / M = 0 / Y = 0 / K = 0
— Black: C = 0 / M = 0 / Y = 0 / K = 100
— Red: C = 0 / M = 90 / Y = 60 / K = 0
— Blue: C = 60 / M = 0 / Y = 0 / K = 0.