



**Republika e Kosovës**  
**Republika Kosovo-Republic of Kosovo**  
**Qeveria-Vlada-Government**

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**ADMINISTRATIVE INSTRUCTION (GRK) NO. 07/2023 ON PACKAGING AND  
PACKAGING WASTES**

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1. Administrative Instruction (Grk) no. 07/2023 on packaging and packaging wastes, has been approved in the 154th Meeting of the Government of the Republic of Kosovo, with the Decision No. 05/154, dated 09.08.2023.

## **Government of the Republic of Kosovo**

In support of Article 93 paragraph 4 of the Constitution of the Republic of Kosovo, Article 11 paragraph 2 of Law no. 08/L-071 on the Amendment and Supplements to Law No. 04/L-060 on Waste (Official Gazette No. 29 of September 1, 2022), Article 8 paragraph 4, sub-paragraph 4.5 of the Law No. 08/L-117 on Government of the Republic of Kosovo (Official Gazette No. 34/22 of November 18, 2022), as well as Article 19 paragraph 6 sub-paragraph 2 of Regulation No. 09/2011 of Government Work (Official Gazette No. 15 of September 12, 2011),

Approves:

### **ADMINISTRATIVE INSTRUCTION (GRK) NO. 07/2023 ON PACKAGING AND PACKAGING WASTE**

#### **CHAPTER I GENERAL PROVISIONS**

##### **Article 1 Purpose**

1. This Administrative Instruction is intended to determine the conditions, procedures, responsibilities and obligations for producers, importers, sellers and other parties, for the management of packaging and packaging waste, by taking measures aimed at:

- 1.1. Prevention of the production of packaging waste;
- 1.2. Increasing the level of reuse of packaging;
- 1.3. Recycling and other forms of processing the packaging waste;
- 1.4. Reducing the final disposal of this waste;
- 1.5. Contribution to the transition towards a circular economy.

2. The Administrative Instruction is partially in line with:

- 2.1. Directive No. 1994/62 of the European Parliament and of the Council, dated 20 December 1994, consolidated on Packaging and Packaging Waste; and
- 2.2. Directive No. 2019/904 of the European Parliament and the Council of June 5, 2019 on Reducing the Impact of Certain Plastic Products on the Environment.

##### **Article 2 Scope**

1. This Administrative Instruction applies to packaging placed on the market of the Republic of Kosovo and all packaging waste, whether used, or created at the level of: industrial, commercial, office, shops, services, family economies, or any other level, regardless of the material used, unless otherwise specified by this Administrative Instruction.

2. This Administrative Instruction meets the existing quality requirements for packaging related to the safety, health protection and hygiene of packaged products, or the requirements for their transportation, determined by the legislation in force.

### **Article 3** **Definitions**

1. The expressions used in this Administrative Instruction have the following meanings:

1.1. **Packaging** - all products produced from any material of any nature that is used for keeping, protecting, handling, carrying and presenting goods, from the raw material to the processed product, from the producer to the user, or the consumer. Packaging are non-returnable items used for the same purposes. The packaging consists only of:

1.1.1. Sales packaging or primary packaging, which means packaging designed to constitute a unit of sale to the user or to the final customer at the point of purchase;

1.1.2. Group of packaging or secondary packaging, which means packaging designed so that at the point of purchase it constitutes a grouping of a certain number of sales units, if the latter is sold as such to the final user or consumer, or if it serves only as a means of replenishing the shelves at the point of sale; can be removed from the product without affecting its characteristics;

1.1.3. Packaging for transport or tertiary packaging, which means packaging designed to facilitate the handling and transport of a number of sales units, or packages grouped together to prevent physical handling and transport damage. Transport packaging does not include road, rail, ship and air containers;

1.1.4. The definition of packaging is further based on the criteria set out below. The products listed in Annex I of this Administrative Instruction are illustrative examples of the application of these criteria;

1.1.4.1. products are considered packaging if they meet the above definition without prejudice to other functions that the packaging may serve, unless the product is an integral part of a

product and must carry, support or preserve that product throughout its life and all elements are intended to be used, consumed, or thrown away together;

1.1.4.2. products designed and intended to be filled at the point of sale and disposable products that are sold, filled or designed and intended to be filled at the point of sale are considered packaging, provided that fulfill a function of packaging;

1.1.4.3. packaging components and auxiliary elements integrated in the packaging, are considered as part of the packaging in which they are integrated. Auxiliary elements directly attached or attached to a product, and performing a packaging function, are considered to be packaging, unless they are an integral part of this product and all elements are intended to be consumed or thrown away together.

1.2. **Packaging material** - the material from which the packaging is made, such as: paper, cardboard, glass, plastic, wood, metal, porcelain, ceramics, textile fibers and other materials;

1.3. **Plastic** - a polymer, to which additives or other substances may have been added, and which is capable of functioning as the main structural component of the carrier bags;

1.4. **Oxo-degradable plastic** – plastic materials that include additives which, through oxidation, lead to the fragmentation of the plastic material into micro-fragments, or to chemical decomposition;

1.5. **Biodegradable plastic** – a plastic capable of undergoing physical, biological decomposition, such that it ultimately decomposes into carbon dioxide, biomass and water.

1.6. **Plastic carrying bag** - carrier bags, with or without handles, made of plastic, which are given to the consumer at the point of sale of goods or products;

1.7. **Lightweight plastic carrying bag** - plastic carrier bag with handles with wall thickness below fifty (50) microns;

1.8. **Very light weight plastic carrying bag** - plastic carrier bags without handles, with a wall thickness of less than fifteen (15) microns, which are required for hygiene purposes or provided as primary packaging for unpackaged, packaged food when this helps to prevent food loss;

1.9. **Oxo-degradable plastic carrier bags** - plastic carrier bags made from plastic materials that include additives that catalyze the fragmentation of the plastic material into micro-fragments.;

1.10. **Reusable packaging** – the packaging which, after emptying the product, is refilled or reused for the same purpose for which it was conceived, with or without the support of auxiliary products present on the market, which enable the refilling or reuse of the packaging;

1.11. **Composite packaging** – packaging made of two or more layers of different materials that cannot be separated by hand and form a single integral unit consisting of an inner space and an outer closure, which is filled, stored, transported and emptied as such;

1.12. **Separate collection of packaging waste** - organized actions of collection, separation, classification and transportation of waste packaging;

1.13. **Treatment of packaging waste from packaging** - the procedure in which, during the mechanical, physical, thermal, chemical or biological process, including separate collection, the characteristics of waste are changed in order to reduce their quantity, thus facilitating the management and improvement of their use;

1.14. **Reuse of packaging** – the use of packaging more than once within its life cycle, for the same purpose for which it is intended;

1.15. **Packager** – natural or legal person, who produces or imports packaging and puts it on the market. In addition, the packager is considered the person who puts the product in packaging and puts it on the market. The packager who places the beverage packages on the market for DRS is the producer;

1.16. **Producer** - the natural or legal person, who produces or imports and puts on the market for the purpose of his commercial activity, products placed in packaging. As for the DRS, the producer is considered the producer of packaged beverages that is the object of the DRS, as well as the producer is considered either the owner of the brand for the branded products in Kosovo, or the importer for the branded products outside Kosovo;

1.17. **Small producer** – natural or legal person, who produces or imports and puts on the market for the purpose of his commercial activity products placed in packaging, under the quantities determined by this Administrative Instruction;

1.18. **Salesperson** – the natural or legal person, who sells the goods to the consumer with packaging;

1.19. **Customer** – the person who uses the product from the packaging as the final user;

1.20. **Economic operator** - supplier, producer, user, packer, importer, distributor, authority and organizations dealing with packaging;

1.21. **Collection center for waste from packaging** - a center equipped with a relevant environmental permit, where recyclable packaging waste is sent to carry out for further separation and classification according to types of waste, such as packaging of paper, cardboard, plastic, glass, metal, etc.;

1.22. **The transporter** - the natural or legal person who deals with the transportation of waste from packaging, or municipal waste;

1.23. **Storage of packaging waste** – safe and temporary storage of waste in facilities provided for this purpose;

1.24. **Voluntary agreement** - the agreement concluded between the competent public authorities on the one hand and the subjects or economic sectors interested on the other hand, open to all parties that have legitimate interests and meet the conditions provided for in this agreement and the objectives defined in this Administrative Instruction;

1.25. **Deposit Refund System (DRS)** - deposit refund system, or a fee deposited as an advance, or deposit refund scheme, or surcharge on the price of a product when purchased and discount when refunded e.g. payment of a sum of money, deposit for packaging, recyclable packaging, such as bottles, cans, etc. which is refundable when reusable or recyclable packaging is returned;

1.26. **Deposit** - specific monetary amount related to product packaging, the purpose of which is to ensure that packaging waste is returned to the administrator and managed in accordance with waste management priorities;

1.27. **Brand owner** - the person who, in the course of trade, business, craft or profession, places a name, trade mark or other distinguishing mark on a product of the DRS, or in packaging of the DRS, by which the person is considered to be the producer of the product of the DRS, and "branding" should be interpreted accordingly;

1.28. **Sales area** - that part of the premises of an establishment which is used to sell and display products, and which includes the total area accessible to customers, including assembly rooms, counter space, window space and space behind counters used by the seller; the sales area does not include offices, storage and preparation warehouses, workshops, stairs or toilets;

1.29. **Handling fee** - Fee paid to retailers for receipt and payment of deposit, sorting and storage of paid-off beverage packages. Handling fees cover the direct costs of personnel, space and packaging material needed to handle packaging of beverage;

1.30. **Ministry** – The relevant Ministry for the Environment;

1.31. **Agency** – Relevant Agency for Environmental Protection of Kosovo;

1.32. **The administrator** - The organization responsible for the operation of DRS;

1.33. **Producer fee** - The reasonable fee paid by the producer to the administrator for each packaging of beverages that are part of the DRS and that are placed on the market;

1.34. **Retailers** - include hypermarkets, supermarkets, small local shops and other shops e.g. kiosks, gas stations that sell beverage containers to consumers and accept prepaid packaging, for which a deposit is paid;

1.35. **Reversing Vending Machine** - an automated device that accepts empty beverage containers and issues a refund for a deposit amount attached to the packaging that has previously been paid for;

1.36. **Return point** - a place in which a person, whether the purchaser of the DRS product or any other, may return the DRS packaging and receive payment of an amount equal to the deposit for each returned DRS packaging product;

1.37. **Return point operator** - anyone who provides a service that collects the recyclable bottles included in the DRS and refunds consumers' deposits;

1.38. **Unredeemed Deposits** - the value of deposits paid on beverage packaging that have not been paid off - trashed/waste, recycled through other means or lost.

2. In the sense of this Administrative Instruction the expression “wrapping” also means the expression “packaging” according to the Law no.04/L-060 on Waste and the Law no.08/L-071 on amending and supplementing the Law no.04/L-060 on Waste.

3. In the sense of this Administrative Instruction, the names of the masculine gender also mean the names of the feminine gender and vice versa without discrimination.

## **CHAPTER II OBLIGATIONS OF PRODUCTION, PLACEMENT ON THE MARKET AND USE OF PACKAGING**

### **Article 4 General requirements**

1. The producer is obliged to use the best available techniques for the production of packaging, which can be reused, processed or recycled, so that the unwanted impact on the environment from the packaging and its waste, be at the lowest possible level.

2. The producer can place the packaging on the market only if it fulfills the requirements related to the

composition, use, processing, reuse or recycling of the packaging waste, defined in Annex II of this Administrative Instruction.

## **Article 5**

### **Content of heavy metals in packaging**

1. The producer puts on the market the packaging produced from the material, the amount of heavy metals lead, cadmium, mercury and hexavalent chromium (6<sup>+</sup>), which does not exceed the value of one hundred (100) ppm per kilogram of mass.
2. Paragraph 1 of this article does not apply to packaging made of glass with lead crystal, plastic crates and pallets that come from recycled material, according to the legislation in force.
3. The packer is obliged to provide evidence with data on the amount of heavy metals, described in paragraph 1 of this article, for each type of packaging material in which the goods are packed.
4. The proof according to paragraph 3 of this article is the document or certificate that the packer provides from the producer.

## **Article 6**

### **Labeling of packaging**

1. The producer at his own expense marks the packaging of the production, which he places on the market with the number and abbreviation of the packaging material, the sign for recycling and the barcode.
2. In addition to the requirements of paragraph 1 of this article, the producer who places reusable returnable packaging on the market, marks that packaging with the mark for returning the packaging.
3. In addition to the requirements of paragraph 1 of this article, plastic bags are also labeled with the thickness level determined in microns the name of the producer and the year of production. The biodegradable compostable bag is also marked with the corresponding certificate number, which proves that the bag is biodegradable compostable.
4. The following signs should be affixed in light weight plastic carrier bags with handles of twenty-five (25) to fifty (50) microns:
  - 4.1. the sign of number and abbreviation of the packaging material,
  - 4.2. the recycling sign;
  - 4.3. barcode;
  - 4.4. the thickness level determined in microns, and



4.5. the year of production.

5. The logo, trademark, slogan or the name of the producer or retailer shall not be affixed to the plastic bags from paragraph 4 of this article.

6. The requirements for labeling from paragraph 1 and 3 of this article shall not apply to very light weight plastic carrier bags without handles.

7. The signs from paragraph 1 and 2 of this article are defined in Annex III of this Administrative Instruction.

8. In addition to the requirements of paragraph 1, packaged products subject to DRS are also marked with the deposit refund sign and the deposit value. The form and content of these signs are determined by the Administrator.

9. The packaging belonging to the DRS must be recognized by visual marking and automatic recognition by the machine.

10. The deposit will not be returned if the packaging in which the deposit is placed is missing the deposit label, or if the barcode is not clear, or if the label is physically damaged.

11. If the deposit label on the packaging in which the deposit was placed changes, the deposit is returned to the packaging with the previous label within twenty-four (24) months, from the effective date of the new labeling.

## **Article 7**

### **Targets for reducing the use of lightweight plastic carrier bags**

1. The targets set for reducing the use of lightweight plastic carrier bags are:

1.1. By December 31, 2024, the annual usage level does not exceed one hundred eighty (180) lightweight plastic carrier bags per person;

1.2. By December 31, 2030, the annual usage level does not exceed forty (40) lightweight plastic carrier bags per person.

2. In case of not achieving the objectives defined in paragraph 1 of this article, the Ministry will take additional measures.

**Article 8**  
**Measures to reduce the use of lightweight plastic carrier bags**

1. Measures to reduce the use of lightweight plastic carrier bags are:
  - 1.1. The production, importation and sale on the market of light-weight plastic carrier bags with handles with a thickness of zero (0) to twenty-five (25) microns is prohibited;
  - 1.2. The production, import and sale on the market of oxo-degradable plastic carrier bags is prohibited;
  - 1.3. The very light weight plastic carrier bags without handles are marketed free of charge of zero point zero two (0.02) euros and free of charge to the consumer;
  - 1.4. Light weight plastic carrier bags with handles of twenty-five (25) to fifty (50) microns are placed on the market with a mandatory minimum selling price of at least zero point zero five (0.05) euros payable by the consumer, of which zero point zero two (0.02) euro fee goes to the budget of the Republic of Kosovo;
  - 1.5. For plastic carrier bags with handles over fifty (50) microns, there will be no binding minimum selling price, nor a fee of zero point zero two (0.02) euros;
  - 1.6. For biodegradable compostable bags of any size and thickness, with a corresponding certificate, certifying that the bags are made of biodegradable compostable material, no mandatory minimum selling price will be imposed, nor a fee of zero point zero two (0.02) euros.
2. Each lightweight plastic carrier bag sold, to which the mandatory minimum price applies, must be recorded on the fiscal coupon issued to the consumer by the seller.
3. In accordance with paragraph 5 of article 6 of this Administrative Instruction, it is prohibited the placement of: logo, trademark, slogan, name of the producer or retailer, to light weight plastic carrier bags with handles of twenty-five (25) to fifty (50) microns.

**Article 9**  
**Obligations of producers regarding DRS**

1. To ensure the proper functioning of the DRS, packaging producers must:
  - 1.1. Keep separate accounting records for the price of drinks, handling fee and the amount of the deposit;
  - 1.2. Within sixty (60) days of receiving the notification for the start of this activity, to request from the administrator to enter into a contract for the fulfillment of the obligations under this article;

- 1.3. To register the packaging of beverages that are subject to DRS before they are placed on the market;
  - 1.4. To pay to the Administrator the producer reasonable fee which includes deposits and the handling fee for treatment of the package of beverages on the market, which are subject to DRS, for the period of the calendar year, determined by the contract with the Administrator;
  - 1.5. To keep evidence for the packaging of beverages that are subject to DRS and to report this data to the Administrator;
  - 1.6. Provide any information requested by the Administrator regarding the producer's obligations;
  - 1.7. To notify the Administrator of any change in accordance with this Administrative Instruction within thirty (30) days from the date of the change;
  - 1.8. To notify the Administrator in writing if the producers wishes to cancel the registration or has ceased to be a producer in that relevant year;
  - 1.9. To collect and keep for at least five (5) years from the date on which the information was collected in a register of the information;
2. The information for the register shows:
    - 2.1. Number of DRS products made available, initially by that producer to be marketed, offered for sale, or sold for retail purposes in Kosovo;
    - 2.2. If the packaging of DRS in which these DRS products were found or sold was made of PET plastic, glass or aluminum.

### **Article 10 Reusable packaging**

1. The producer or packager who places reusable packaging on the market through deposit, or in another way will ensure the return and reuse of all the packaging it has placed on the market.
2. The producer or packer keeps records of the type and quantity of packaging put on the market, as well as the quantity of reusable packaging returned.

## **CHAPTER III CONDITIONS FOR MANAGEMENT OF PACKAGING WASTE AND REQUIREMENTS FOR THEIR COLLECTION, STORAGE, PROCESSING AND TREATMENT**

### **Article 11 Processing, reuse and recycling of packaging waste**

1. Processing, reuse, recycling and other methods of handling waste of packaging, should be done according to the principle of waste management systematized according to priorities provided in Article 5, paragraph 5, of Law on Waste No. 04/L-06.

2. The Ministry defines the objectives for processing and recycling, in the Strategy for Integrated Waste Management and monitors their achievement.

### **Article 12 Seller's Obligations**

1. The seller must place the containers, or other equipment for the collection of waste packages.
2. The seller can temporarily store the packaging waste accumulated, within his working space.

### **Article 13 Obligations of the Operator**

1. The operator who did the treatment of the packaging and their waste must ensure that:

1.1. Collection and classification of packaging and their waste;

1.2. Reuse, processing or storage of packaging and their waste, which have been collected and classified.

2. The operator dealing with the collection and treatment of packaging and their waste, except the conditions of the plan defined in Article 11 and 12, of Law No. 04/L-060 for Waste, the operator must also include in the plan the information on:

2.1. The type of packaging and their waste for which they do the treatment;

2.2. The type and capacity of tools and equipment for collection, classification, storage, separation and other activities, with priority to ensure the reuse, processing, or storage of packaging and their waste;

2.3. Spaces and methods provided for reuse, processing, storage or recycling of packaging and their collected waste;

2.4. The anticipated total quantity of packaging and their waste for collection, processing, or recycling, for the specified types of packaging material.

**Article 14**  
**Management of the collection of packaging waste**

1. The producer of packaged products and the producer of packaging that are filled at the point of sale or third parties acting on their behalf, take measures to finance all costs arising from the establishment and operation of return systems and packaging waste processing, individually or in cooperation between them.
2. The consumer throw away the packaging waste at the designated place for the delivery of packaging waste, defined by the entity in paragraph 1 of this article, or at the locations defined by the Municipality.
3. The entity defined in paragraph 1 of this article, in order to preserve undamaged the quality of packaging waste, which goes for reuse or recycling, takes measures for the transportation of packaging waste with appropriate means.
4. The entity defined in paragraph 1 of this article keeps evidence of the amount of waste from packaging according to volume or weight.
5. The entity defined in paragraph 1 of this article delivers the packaging to the operator for waste treatment and keeps evidence of the amount of waste delivered.

**Article 15**  
**Collection of waste packaging**

1. Depending on the type, the waste packaging is collected in containers or in adequate equipment, which must contain:
  - 1.1. The designation sign of the type of packaging;
  - 1.2. The way of classification;
  - 1.3. Data on the legal person who collected waste, phone number, address, e-mail address.
2. The person equipped with the relevant permit for the collection of municipal waste, who collects packaging and their waste, made of paper and cardboard, in the same container can also collect other types of waste paper, but cannot classify them as waste packaging.

**Article 16**  
**Contract between the person with the relevant permit for waste treatment and the producer**

1. The person equipped with the relevant permit who treats the packaging and their waste with compensation for collection, storage, processing, treatment or recycling, for compensation must have a contract with the producer of the packaging waste.

2. The producer and packer can also conclude a contract with the person with relevant permit, who handles the packaging and their waste with compensation, for collection, storage, processing or recycling.

3. The price of treating the waste packaging is made according to the conditions determined by the contract between the parties.

### **Article 17** **Relevant environmental permit**

1. Operators who manage waste from packaging must be equipped with the relevant environmental permit.

2. Operators equipped with relevant environmental permits, who manage waste from packaging, must have storage space and other equipments, with which the treatment of packaging is ensured.

3. The facility and equipments must be suitably organized for collection, classification, handling and preparation for transport.

### **Article 18** **Export of packaging waste**

Packaging waste can be exported in accordance with applicable legislation.

### **Article 19** **Implementation of the DRS**

1. DRS applies to:

1.1. The DRS product which includes the beverage, including wines and beers, whether contained and sold as a single packaging or as a unit in a multiple packaging, that:

1.1.1. It is made from PET bottles, aluminum cans, glass bottles;

1.1.2. It is designed to contain at least zero point twenty-five (0.25) liters of liquid and not more than two (2) liters of liquid, and to be sealed in an airtight and watertight condition, at the point of sale;

1.1.3. It is placed on the market, offered for sale or to be sold by the producer for retail purposes in Kosovo.

1.2. DRS packaging in which a DRS product is contained or sold.

## **Article 20** **Exceptions to DRS**

1. The following products and packaging are excluded from DRS:

1.1. Milk and milk products;

1.2. Strong alcoholic beverages;

1.3. Glass jars;

1.4. Cardboard boxes - Tetra Pak.

2. Producers, importers who place beverages on the market in packaging with an annual product volume of less than fifteen thousand (15.000) liters, are excluded from the obligations set forth by the DRS.

3. The seller who sells deposit packaged beverages is not obliged to accept the return of the deposit package if the sales area is less than one hundred (100) square meters.

4. The deposit will not be placed on the packaging of beverages for:

4.1. Exported packaging, if the export is certified by a customs declaration for export;

4.2. Packaging which is taken from the Republic of Kosovo to be placed in another country, or on a ship or plane engaged in international travel, for the purpose of consuming the sold products;

4.3. Packaging with a capacity greater than two (2.0) liters and packaging with a capacity less than zero point twenty-five (0.25) liters.

## **Article 21** **DRS rate of return targets**

1. The return rate targets for beverage packaging within the scope of DRS, that should be achieved by the Administrator are at least eighty (80)% of the number of DRS packaging products made available to market, offered for sale, or sold for retail purposes in Kosovo by that producer, consisting of PET plastic, glass, or aluminum, up to the third (3) year that the system is operational.

2. The DRS rate of return objectives begin to apply from January 1, 2025.

**Article 22**  
**The administrator**

- 1.The administrator is a non-profit organization that provides services of general interest in the Republic of Kosovo.
- 2.The administrator is established by a consortium of legal entities, which constitute at least of one producer, importer and retailer of bottled beverages which are subject to the DRS, registered in the Republic of Kosovo.
- 3.The administrator exercises the responsibilities defined by this Administrative Instruction in relation to the DRS throughout the territory of the Republic of Kosovo and coordinates and administers the DRS and makes the equation of the deposits.

**Article 23**  
**Application for Administrator**

1. The Ministry publishes the call for the establishment of the Administrator together with the Practical Guideline for starting the process of self-organization for submitting the application to establish the Administrator.
- 2.The private sector submits one (1) joint application for the establishment of the Administrator.
- 3.The applicant for Administrator submits the application within one hundred and eighty (180) days from the date of the public call. Along with the application, the following documents shall also be submitted:
  - 3.1.The business plan that also includes the organizational plan for the SRD, together with the technical description for its operation;
  - 3.2.The financing scheme and method of financing DRS;
  - 3.3.The consortium agreement according to paragraph 2 of article 22 between at least one (1) producer, importer and retailer of bottled beverages that are subject to the DRS, registered in the Republic of Kosovo;
  - 3.4.The draft Statute of the organization;
  - 3.5.The plan for achieving the objectives of the collection rate for beverage packaging, which are the subject of the DRS determined by this Administrative Instruction;
  - 3.6.Forms of future contracts between the administrator, producers, importers of packaging and retailers of packaging, specifying the details for the fulfillment of obligations under this Administrative Instruction;



3.7.The plan of awareness raising, educational and promotional activities related to the DRS;

3.8.The graphic marking of the packaging of beverages, which are subject to deposit.

4.Other documents may be requested by the Ministry during the application process, based on the Practical Guideline published with the call.

#### **Article 24**

##### **The Committee for examining the application for Administrator**

1.The application for Administrator is reviewed by the Committee appointed by the respective Minister for environment, consisting of five (5) members.

2.The Committee from paragraph 1 of this Article, shall review, within sixty (60) days, whether all the documents set forth in paragraph 3 of article 23 of this Administrative Instruction and in the Practical Guideline are submitted and examines the fulfillment of the relevant criteria for the establishment of the Administrator.

3.If the application is incomplete, the Committee informs the relevant parties and sets a deadline of not more than thirty (30) days for clarifying or supplementing the Application and documents according to the legal provisions of this Administrative Instruction and in line with the Practical Guideline.

#### **Article 25**

##### **Administrator's preliminary approval**

1.The Minister issues preliminary decision for the Administrator for DRS based on the recommendation of the Committee from paragraph 1 of Article 24. Decision is published on the official website of the Ministry.

2.The applicant for Administrator applies for the registration of the non-profit organization in accordance with the legislation in force within thirty (30) days from the date of notification of selection.

#### **Article 26**

##### **The final approval decision**

1.After completion of the registration procedure of the Administrator according to paragraph 2 of article 25, the Applicant without delay submits registration documents to the Ministry.

2.The Minister approves the submitted registration documents after the recommendation of the Committee from paragraph 1 of article 24, which together with the documents approved with the preliminary decision, become the basic documents of the Administrator.

3.The final approval decision specifies the date from which the Administrator can start acting according to the provisions of this Administrative Instruction.

4.If the Applicant does not submit the request for registration according to paragraph 2 of article 25 or does not submit the registration documents according to paragraph 1 of this article, or they do not meet

the specified requirements, the Minister withdraws the applicant selected for administrator and starts the new procedure of call for applications.

5. After the approval of the basic documents, if it is necessary and reasonable, the changes in the basic documents of the administrator can be made by the Minister after preliminary consultations with the administrator.

## **Article 27** **Administrator's Obligations**

1. The administrator must:

1.1. Create, administer and finance the DRS, in accordance with the administrator's basic documents;

1.2. Notify producers and sellers of packaging, that it has started to function as an administrator and conclude contracts with producers of packaging and retailers, to fulfill the obligations according to this Administrative Instruction;

1.3. Ensure that the objectives of the rate return for beverage packaging, which are subject to DRS, as defined in this Administrative Instruction, have been achieved;

1.4. Provide services to producers of packaging and sellers of packaging on non-discriminatory terms;

1.5. Implement the measures defined in the organizational plan of the DRS and in the financing scheme;

1.6. Decides on the handling fee amount;

1.7. In accordance with the concluded contracts, reimburse the packaging sellers for payments made for the refund of deposits.

1.8. Reimbursement of the costs to the sellers of packaging, related to the collection of beverage packaging, subject to DRS in accordance with the concluded contract;

1.9. Inform and raise public awareness for DRS;

1.10. Create and operate the information system for the DRS, keep evidence for the packaging of beverages that are subject to the DRS and report the data to the Agency;

1.11. To present to the Ministry an updated list of producers, importers and sellers of packaging that have signed a contract with the administrator;

1.12. During his activities, to act with due professional care and in accordance with the legitimate interests of producers, importers and retailers, who are under contract with the administrator;

1.13. To allow the exercise of supervision carried out according to this Administrative Instruction and to provide the supervisory authorities with accurate and complete information regarding the fulfillment of obligations;

1.14. Approves or revokes an exception for the retailer point-of-return, whether requested or not;

1.15. Publishes and maintains a list of registered producers, importers, retailers, and retailers, who have been granted an exemption.

## **Article 28**

### **Request for registration of the producer and importer to the Administrator**

1. The Administrator notifies in written the producers and importers that he has started acting as an Administrator, within sixty (60) days from the approval of the Administrator's basic documents, and requests the registration of producers and importers to the Administrator.

2. The request for the registration of the producer and importer must be made to the Administrator within thirty (30) days, since that person becomes a producer or importer.

3. Within thirty (30) days from the receipt of the request, the Administrator registers the applicant, if the request is in accordance with this Administrative Instruction, and assesses if the applicant fulfills the obligations defined in this Administrative Instruction.

4. After approving the request, the Administrator must notify the applicant in writing within seven (7) days from the date of receipt of the request.

5. When the request is rejected, the Administrator must, within seven (7) days from the date on which the rejected was refused, notify the applicant in writing through the decision, giving the reasons and the statement regarding the right to appeal.

6. If an importer or producer refuses to register in the deposit refund system, a packaging tax of zero point twenty-seven (0.27) euros per liter of beverage packaging of that importer or producer shall be applied.

## **Article 29**

### **Revocation of the registration, for producer and importer**

1. The administrator can revoke the registration of the producer and importer in case of:

1.1. Violation of any obligation defined in this Administrative Instruction;

- 1.2. That the producer, importer or retailer, knowingly or negligently, has provided false information regarding the registration request, or compliance with any of the obligations set forth in this Administrative Instruction;
- 1.3. When the producer and importer cease to act as a producer or importer.
2. Before revoking the registration from sub-paragraph 1.1 of this article, the Administrator will ask the registered subject to correct the violation of the provisions of this Administrative Instruction, within seven (7) days from receiving the notification;
3. If, even after the deadline defined in paragraph 2 of this article, the registered entity does not correct the detected violation, the Administrator will notify the registered entity by a Decision on the revocation, which contains its reasons, the date on which the revocation enters into force and the right to appeal.

### **Article 30** **Deposit value**

1. The value of the deposit will be zero point zero five (0.05) euros per packaging, which is subject to DRS and exempted from VAT.
2. The value of the deposit can be changed with the proposal of the Ministry and the approval by the Government of the Republic of Kosovo, in consultation with the Administrator, but not below the value of zero point zero five (0.05) euros. The proposal is accompanied by an analysis of the reasonableness and impact of the value change.
3. The deposit does not include the cost of accepting the return of packaging and packaging waste.
4. The value of the deposit from the sale of packaging with a deposit, will be identifiable in accordance with the requirements set forth in this Administrative Instruction.
5. A paid deposit is returned when the consumer delivers a reasonable amount of packaging in returnable condition, in which the deposit is placed at the place of sale of beverages, or at a place designated for this purpose in its vicinity.
6. The producer, importer and retailer must ensure that the deposit placed is added to the price of the packaged product at the time of sale and that accounts are settled after each return transaction.

### **Article 31** **Obligations of retailers for DRS**

1. In order to ensure the proper functioning of the DRS, packaging retailers, who sell beverages in packaging that are subject to deposit to consumers, must do the following:
  - 1.1. To apply deposits for packaging of beverages and adhere to the determined value of the deposit;

1.2. In the sale price of packaged beverages, indicate the amount of the deposit should also be indicated, if these are packaged beverages that are subject to DRS;

1.3. Clearly display information on how a deposit can be redeemed in the case of a DRS product, marked, offered for sale or

1.3.1 sold on the retailer's premises, on such premises;

1.3.2. sold, by the distance retail, in any place where the scheme product is displayed for sale;

1.3.3. sold by means of a reverse vending machine, at the reverse vending machine.

1.4. Keep separate accounting records for the price of drinks and the amount of the deposit;

1.5. Within a period of sixty (60) days from the receipt of the notification for the start of activities of the Administrator, to request from the Administrator the conclusion of the contract for the fulfillment of the obligations according to this Administrative Instruction;

1.6. To register to the administrator as a return point for the contents of the beverage packaging, which are subject to deposit;

1.7. To refund the amount of the deposit to the consumer, when the packaging of the beverages subject to the deposit is returned in reasonable quantity and quality;

1.8. To collect the packaging of beverages, subject to DRS at the place of their placement, or within one hundred and fifty (150) meters from the place of their placement without quantitative restrictions.

2. Packaging vendors subject to DRS:

2.1. Collect beverage packaging and protect it from damage, theft, or unwanted leaks;

2.2. They deliver to the Administrator the packaging of drinks that are subject to the DRS.

3. Paragraph 2 of this article does not apply to objects:

3.1. For which an exception has been granted in accordance with paragraph 1 of article 34;

3.2. Which are an export object;

3.3. Where the sale of a scheme product in the premises is done only through the vending machine.

## **Article 32**

### **Return point**

1. Operator of the return point, is any person who operates with a point of return, including the retailer and the operator of the voluntary point of return.
2. The point of return operator must:
  - 2.1. Accept a product of the DRS returned to the point of return;
  - 2.2. To pay the consumer an amount equal to the deposit, for each packaging product of the DRS;
  - 2.3. To store the packaging of the DRS, for collection by the Administrator of the scheme.
3. The point of return operator shall clearly display information at the point of return for:
  - 3.1. Complaints procedure and contact details for receiving any complaint that may be made to that operator by a consumer, regarding the operation of the return point; and
  - 3.2. Contact details of the Environmental Inspectorate.
4. The operator of the point of return, may refuse to accept a packaging product if:
  - 4.1. It is not identifiable as packaging of DRS;
  - 4.2. It is dirty;
  - 4.3. It is not empty;
  - 4.4. The operator of return point has requested a collection of the DRS from the producer, or the scheme administrator and the collection has not been carried out in accordance with the operational plan of that producer, or of the administrator of scheme; or
  - 4.5. It is part of a single return proposed by the customer that contains a number of packaging products disproportionately greater than the number of DRS products that the retailer sells on average as part of a single transaction.

## **Article 33**

### **Return services**

1. The return service is a service provided by the retailer, which enables a packaging product of the DRS, in which the product of the DRS is found and sold by the retailer to a consumer, to be collected by, or, on behalf of that seller from the place of delivery for purposes of its return to:

- 1.1. Retailer, including through the point of return; or
  - 1.2. The producer; and
  - 1.3. Payment to that customer of an amount equal to the deposit, for each packaging product of the DRS collected and returned in this way.
2. The retailer, who has sold a DRS product through a distance retail sale, must provide a free returns service to the consumer who purchased the DRS product.
  3. A retailer offering a returns service may apply a charge not exceeding the cost of materials used in relation to the collection and storage of the packaging of DRS, subject to the request to refund the customer.

### **Article 34**

#### **Exceptions for return points**

1. The administrator may exempt a retailer from the obligation defined in Article 32 of this Administrative Instruction, in relation to retail premises, in cases where the following criteria are met:
  - 1.1. Where there is an alternative return point located in reasonable proximity to the premises and the operator of that return point has agreed to accept consumer returns of the DRS packaging products, on behalf of the retailer;
  - 1.2. The administrator considers that, if the exception is accepted, this will provide consumers the reasonable access to a point of return;
  - 1.3. If the exemption is approved, it would not materially impair the ability of the producer, or the DRS Administrator on their behalf, to meet their collection targets;
  - 1.4. Where the Administrator is convinced that the location, plan, design, or construction of the retail premises does not permit, or cannot reasonably be altered to enable the operation of a return point, on the premises without substantial risk that the seller breaches the legal obligation in relation to any of the following requirements:
    - 1.4.1. Food safety;
    - 1.4.2. Health and safety;
    - 1.4.3. Fire safety;

1.4.4. Environmental Protection;

1.4.5. Public health.

2. The administrator must publish and maintain a list of retailers who have been granted the exemption.
3. The retailer who has been granted the exemption must clearly display information on the retailer's premises indicating that based on the exemption given, they do not operate with the return point and are notified of the nearest return point.

### **Article 35**

#### **Request for exemption of a return point**

1. The retailer may ask the Administrator for an exemption from serving as a return point.
2. The exemption request must:
  - 2.1. It should be done in writing;
  - 2.2. Contain information that the location, plan, design or construction of the retail premises does not allow, or cannot reasonably be changed, to enable the operation of a return point at the location without substantial risk of the retailer breaching the legal obligation, in relation to any of the issues mentioned in article 34 of this Administrative Instruction; and
  - 2.3. Include any other information requested by the Administrator.
3. Within thirty (30) days from the receipt of the request, the Administrator may accept the request when he is convinced that the relevant conditions in paragraph 1 of Article 34 of this Administrative Instruction have been met.
4. When the Administrator decides to grant an exemption, he must, within seven (7) days from the date of this decision, notify the retailer in writing of that decision and the date that the exemption takes effect.
5. When the request is rejected, the administrator must, within seven (7) days from the date on which it was rejected, notify the seller in writing of that decision, along with the reasons for it.

### **Article 36**

#### **Revoking the exemption for a returning point**

1. The administrator may revoke an exception when he considers that:



1.1. There has been a material change in relation to any of the circumstances in which the exemption was approved;

1.2. In the case of the exception granted in accordance with sub-paragraph 1.1, 1.2. and 1.3. of Article 34 of this Administrative Instruction, maintaining the exception will no longer provide consumers with reasonable access to a return point;

1.3. The retailer has not fulfilled its obligations according to sub-paragraph 1.4. of Article 34 of this Administrative Instruction; or

1.4. The retailer has asked for the exemption to be revoked.

2. After revoking the exemption, the administrator must deliver to the seller the Decision with the reasons for its revocation and the date on which the revocation takes effect.

### **Article 37** **Point operators of voluntary return**

1. A person may operate a point of return, in a place other than the environment in which a point of return must operate, if he is registered to the Administrator as a operator of voluntary return point.

2. The registration request must:

2.1. To be in writing;

2.2. To contain the following information:

2.2.1. The name including the name of the business and the name of the person who will be the operator of the return point;

2.2.2. The address and telephone number of the applicant;

2.2.3. Information about the accessibility of the proposed point of return, including its physical location, roads access and proposed hours of operation;

2.2.4. Information showing that the applicant has sufficient resources to set up and operate the return point for the first year of operation, the number of DRS packaging products of the applicant expects to return in an average one (1) month and how this is calculated; how the applicant intends to manage this volume of returns;

2.2.5. Written confirmation that all registered producers have agreed that the applicant may operate a point of return on their behalf, or in the case of registered producers through the Administrator of DRS.

3. Within thirty (30) days of receiving the request, the Administrator must approve the request, when the request is in accordance with paragraph 2 of this Article, or reject it.
4. When the request is accepted, the Administrator shall within seven (7) days from the date on which it is approved, notify in writing the operator of the voluntary return point and the date when it becomes effective.
5. When the request is accepted, the point of return operator will be treated as registered from the date specified in the notice given by the Administrator.
6. The administrator must publish and maintain a list of voluntary return points.
7. When the request is rejected, the Administrator must, within seven (7) days from the date on which it was rejected, notify of that decision along with the reasons for it.
8. The registered operator of the voluntary return point must:
  - 8.1. Respect the obligations in Article 34 of this Administrative Instruction; and
  - 8.2. Notify the Administrator of any material change in the information provided, in accordance with paragraph 2 of this article..
9. The administrator may cancel the registration of the operator of the point of voluntary return, when:
  - 9.1. The operator has not fulfilled the obligations from paragraph 8;
  - 9.2. There has been a material change in the information provided, in accordance with paragraph 2;  
or
  - 9.3. The registered operator of the voluntary return point has requested the cancellation of his registration.
10. After canceling the registration according to paragraph 9, the administrator must submit to the operator of the return point the Decision, with the reasons for its cancellation and the date on which the cancellation takes effect.

**Article 38**  
**Withdrawal of Administrator's**  
**approval**

1. The Ministry withdraw the administrator's approval if:

- 1.1. The administrator has violated any of the obligations defined in Article 27 of this Administrative Instruction;
  - 1.2. The administrator has provided false information regarding the request for approval, or fulfillment of any of the obligations defined in Article 27 of this Administrative Instruction;
  - 1.3. The administrator has been convicted for a criminal offence.
2. Before withdrawing the approval, the Ministry will notify in a written decision about the withdrawal of the approval, and the reasons for this, including the entry into force and the right to appeal against this decision.
  3. The Ministry will notify all producers, importers and registered sellers at the DRS regarding the decision.

### **Article 39**

#### **Appeals against the Administrator's decisions**

1. The administrator ensures that an internal mechanism for reviewing appeals for his decisions on the DRS, is created and it is functional.
2. Regarding the final decisions of the Administrator, an appeal can be made to the Ministry and are applied the provisions of the Law on General Administrative Procedure.

## **CHAPTER IV**

### **INFORMATION, MONITORING, SUPERVISION AND ECONOMIC INSTRUMENTS**

#### **Neni 40**

##### **Informing the users of packaging**

1. The Ministry continuously takes the necessary measures to notify the persons responsible for the implementation of this Administrative Instruction and, in particular the consumers for:
  - 1.1. The return, collection and processing system for waste from packaging, including the DRS, in cooperation with the Administrator;
  - 1.2. The payment made by the consumer for packaging;
  - 1.3. Their role and contribution in the classified collection, reuse, processing and recycling of packaging and their waste;
  - 1.4. The meaning of the signs of packaging that are put on the market;
  - 1.5. The importance of fulfilling the objectives defined by this Administrative Instruction.

**Article 41**  
**Reporting of producers and collectors of packaging and waste packaging**

1. According to Article 58 of Law No. 04/L-060 for Waste, persons dealing with the production and collection of packaging and their waste, are obliged to report to the Ministry for the previous year, until March 31 of the following year.
2. The form for reporting the packaging placed on the market is set in Annex IV, Form 1.
3. The reporting form for packaging and its waste, collected for processing and recycling, is in Annex IV, Form 2.
4. The Agency receives the annual report, analyzes it and issues the final report for the types of treated packaging and their waste.

**Article 42**  
**Reporting for plastic bags**

1. Producers of plastic bags send to the Agency a special report, no later than March 31 of the following year, on the number of bags produced in the previous year, in the form determined by the Agency.
2. Kosovo Customs shall send an annual report to the Agency on the number of imported bags in the previous year, by March 31 of the following year.
3. The Tax Administration shall send a report to the Agency, on the number of sold bags for the previous year, if so requested by the Agency.
4. The Agency will compare the received data and through the analysis, will evaluate the achievement of the objectives for reducing the use of lightweight carrier plastic bags, defined by this Administrative Instruction.

**Article 43**  
**Monitoring and reporting for DRS**

1. The Ministry monitors the Administrator for the fulfillment of obligations, defined in Article 27, which includes:
  - 1.1. Fulfillment of collection objectives, in accordance with this Administrative Instruction;

- 1.2. Ensuring the establishment of the correct producer's fee;
  - 1.3. Ensuring that producers are properly registered;
  - 1.4. Ensuring that the DRS Administrator submitted the report to the Agency. The report must include data on the collected beverage packaging that are subject to DRS and other data required by this Administrative Instruction;
  - 1.5. Ensuring proper provision of return points;
  - 1.6. Ensuring the collection or disposal of material in accordance with the DRS.
2. The administrator submits the performance audit report to the Agency at least on an annual basis. The audit is performed by an independent certified auditor selected by the Administrator.

#### **Article 44**

#### **Inspection supervision**

1. The inspection supervision of packaging and their waste, according to the requirements of this Administrative Instruction and the relevant environmental permit, is done by the Environmental Inspectorate of the Ministry and the Municipal Inspectorate, in accordance with their responsibilities defined by Law No. 04/L-060 for Waste and the Law No. 08/L-071 on the Amendment and Supplements to Law No. 04/L-060 for Waste.
2. The Environmental Inspectorate of the Ministry supervises producers for the fulfillment of obligations foreseen by this Administrative Instruction, which include:
  - 2.1. Ensuring that producers are registered to the Administrator and pay the registration fee;
  - 2.2. Ensuring that the packaging is subject of DRS, located in the market, are registered to the Administrator;
  - 2.3. Ensuring that producers pay the amount of the deposit to the Administrator;
  - 2.4. Ensuring that producers add the price of the packaging deposit, set in the market;
  - 2.5. Ensuring that the products placed on the market are clearly marked, according to the criteria of this Administrative Instruction.
  - 2.6. Reporting obligations for products placed on the market, have been fulfilled.

3. Control of the compliance of the imported packaging with the requirements of this Administrative Instruction, is ensured by the Kosovo Customs.

4. The inspection supervision for the fulfillment of obligation of retailers, determined by this Administrative Instruction, is done by the Market Inspectorate, which includes:

4.1. Ensuring that retailers are required to accept beverage packaging returns by creating a point of return and that they comply with health and safety requirements;

4.2. Ensuring that the cost price and storage price of beverage packaging, within the scope is clearly displayed;

4.3. Ensuring that the necessary signage of the DRS is visible on the premises, including where the retailer is excluded from accepting beverage packaging returns;

4.4. Keep records of the data reported in accordance with this Administrative Instruction.

5. The Tax Administration of Kosovo controls the registration of packaging sales in the fiscal coupon for the consumer and in the relevant registers.

#### **Article 45** **Economic instruments**

1. The relevant Ministry for the Environment, through the fee for the reduction and recycling of plastic bags, supports the private sector for projects related to the reduction and recycling of plastic bags.

2. Users of packaging and packaged products, as well as producers, or third parties acting on their behalf, use economic instruments that promote the implementation of this Administrative Instruction, such as product taxes, compensation taxes, etc. and other legal acts.

3. Producers of packaging and packaged goods and third parties, acting on their behalf, use economic instruments, payment compensation systems, etc., which promote:

3.1. Collection of packaging waste;

3.2. The use of packaging materials that do not contain dangerous substances.

## **CHAPTER V PUNITIVE PROVISIONS**

### **Article 46 Punitive provisions**

1. Any natural or legal person who acts contrary to the provisions of this Administrative Instruction, is responsible and is punished according to Article 70, 71, 73 or 74 of Law No. 04/L-060 on Waste, and Articles 46, 47 and 49 of Law No. 08/L-071 on the Amendment and Supplements to Law No. 04/L-060 on Waste, as well as the relevant provisions of the relevant Law on Internal Trade and relevant tax laws, depending on the violation found.
2. For the violation of the provisions from paragraph 1 of this article, in addition to the specified sanction, can also be taken the measures of seizure and confiscation of equipment for the production of packaging and products, namely the packaging placed on the market, or even the measures defined in article 72 of Law No. 04/L-060 on Waste and Article 48 of Law No. 08/L-071 on the Amendment and Supplements to the Law No. 04/L-060 for Waste.

## **CHAPTER VI FINAL PROVISIONS**

### **Article 47 Transitional provisions**

1. The measures and requirements for the marking of lightweight carrier plastic bags, from paragraph 1, 3 and 4 of article 6 and article 8, start to apply one month after the entry into force of the Administrative Instruction.
2. DRS starts to apply from January 1, 2025.
3. Upon entry into force of this Administrative Instruction, the Ministry prepares the Practical Guideline and begins the process of appointing the Administrator.

### **Article 48 Repeal**

With the entry into force of this Administrative Instruction, will be repealed the Administrative Instruction MESP No. 27/2014 on Packaging Waste Management.

**Article 49**  
**Entry into force**

This Administrative Instruction enters into force seven (7) days after publication in the Official Gazette of the Republic of Kosovo.

**Albin KURTI**

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Prime Minister of the Republic of Kosovo  
25 August 2023



## **ANNEX I**

### **ILLUSTRATIVE EXAMPLES FOR THE CRITERIA REFERRED TO IN ARTICLE 3, SUB-PARAGRAPH 1.1.4 OF THIS ADMINISTRATIVE INSTRUCTION**

#### **Illustrative examples for criterion 1.1.4.1**

##### **Packaging**

- Sweet boxes;
- Film overwrap around a CD case;
- Mailing pouches for catalogues and magazines (with a magazine inside);
- Cake doilies sold with a cake;
- Rolls, tubes and cylinders around which flexible material (e.g. plastic film, aluminium, paper) is wound, except rolls, tubes and cylinders intended as parts of production machinery and not used to present a product as a sales unit’;
- Flower pots intended to be used only for the selling and transporting of plants and not intended to stay with the plant throughout its life time;
- Glass bottles for injection solutions;
- CD spindles (sold with CDs, not intended to be used as storage);
- Clothes hangers (sold with a clothing item);
- Matchboxes;
- Sterile barrier systems (pouches, trays and materials necessary to preserve the sterility of the product);
- Beverage system capsules (e.g. coffee, cacao, milk) which are left empty after use;
- Refillable steel cylinders used for various kinds of gas, excluding fire extinguishers.

##### **Non-packaging**

- Flower pots intended to stay with the plant throughout its life time;
- Tool boxes;
- Tea bags;
- Wax layers around cheese;
- Sausage skins;
- Clothes hangers (sold separately);
- Beverage system coffee capsules, coffee foil pouches, and filter paper coffee pods disposed together with the used coffee product;
- Cartridges for printers;
- CD, DVD and video cases (sold together with a CD, DVD or video inside);
- CD spindles (sold empty, intended to be used as storage);
- Soluble bags for detergents;
- Grave side lights (containers for candles);
- Mechanical quern (integrated in a refillable recipient, e.g. refillable pepper mill).

### **Illustrative examples for criterion 1.1.4.2**

#### **Packaging, if designed and intended to be filled at the point of sale**

- Paper or plastic carrier bags;
- Disposable plates and cups;
- Cling film;
- Sandwich bags;
- Aluminium foil;
- Plastic foil for cleaned clothes in laundries.

#### **Non-packaging**

- Stirrer;
- Disposable cutlery;
- Paper (sold separately);
- Paper baking cases (sold empty);
- Cake doilies sold without a cake.

### **Illustrative examples for criterion 1.1.4.3**

#### **Packaging**

- Labels hung directly on or attached to a product.

#### **Part of packaging**

- Mascara brush which forms part of the container closure;
- Sticky labels attached to another packaging item;
- Staples;
- Plastic sleeves;
- Device for measuring dosage which forms part of the container closure for detergents;
- Mechanical quern (integrated in a non-refillable recipient, filled with a product, e.g. pepper mill filled with pepper).

#### **Non-packaging**

- Radio frequency identification (RFID) tags.

## **ANNEX II**

### **ESSENTIAL REQUIREMENTS ON THE COMPOSITION AND THE REUSABLE AND RECOVERABLE, INCLUDING RECYCLABLE, NATURE OF PACKAGING**

#### **1. Requirements specific to the manufacturing and composition of packaging**

- a) Packaging shall be so manufactured that the packaging volume and weight be limited to the minimum adequate amount to maintain the necessary level of safety, hygiene and acceptance for the packed product and for the consumer;
- b) Packaging shall be designed, produced and commercialised in such a way as to permit its reuse or recovery, including recycling, in line with the waste hierarchy, and to minimise its impact on the environment when packaging waste or residues from packaging waste management operations are disposed of;
- c) Packaging shall be so manufactured that the presence of noxious and other hazardous substances and materials as constituents of the packaging material or of any of the packaging components is minimized with regard to their presence in emissions, ash or leachate when packaging or residues from management operations or packaging waste are incinerated or landfilled.

#### **2. Requirements specific to the reusable nature of packaging**

The following requirements must be simultaneously satisfied:








- a) the physical properties and characteristics of the packaging shall enable a number of trips or rotations in normally predictable conditions of use;
- b) possibility of processing the used packaging in order to meet health and safety requirements for the workforce;
- c) fulfil the requirements specific to recoverable packaging when the packaging is no longer reused and thus becomes waste.

#### **3. Requirements specific to the recoverable nature of packaging**

- a) Packaging recoverable in the form of material recycling  
Packaging must be manufactured in such a way as to enable the recycling of a certain percentage by weight of the materials used into the manufacture of marketable products, in compliance with current standards in the Community. The establishment of this percentage may vary, depending on the type of material of which the packaging is composed.
- b) Packaging recoverable in the form of energy recovery  
Packaging waste processed for the purpose of energy recovery shall have a minimum inferior calorific value to allow optimization of energy recovery.
- c) Packaging recoverable in the form of composting  
Packaging waste processed for the purpose of composting shall be of such a biodegradable nature that it does not hinder the separate collection and the composting process or activity into which it is introduced.
- d) Biodegradable packaging  
Biodegradable packaging waste shall be of such a nature that it is capable of undergoing physical, chemical, thermal or biological decomposition such that most of the finished compost ultimately decomposes into carbon dioxide, biomass and water. Oxo-degradable plastic packaging shall not be considered as biodegradable.

**ANNEX III  
MARKING AND SHORTCUTS IN PACKAGING**

**1. Marking on plastic packaging mostly found at the bottom of the container**

1.	Polyethylene tereftalat (PET or PETE)	
2.	High density polyethylene (HDPE).	
3.	Polyvinyl chloride (PVC)	
4.	Low density polyethylene (LDPE)	
5.	Polypropylene (PP)	
6.	Polystyrene (PS)	
7.	Other	

**2. Marking on packaging from paper and cardboard**

Material	Abbreviation	Numerical Signs
Climbing wavelength (cardboard)	PAP	20
Climbing right (cardboard)	PAP	21
Paper	PAP	22

### 3. Marking on metal packaging

Material	Abbreviation	Numerical Signs
Steel	FE	40
Aluminium	ALU	41

### 4. Marking on wood packaging

Material	Abbreviation	Numerical Signs
Wood	FOR	50
Cork	FOR	51

### 5. Marking on textile packaging

Material	Abbreviation	Numerical Signs
Cotton	TEX	60
Juta	TEX	61

### 6. Marking on packaging from glass

Material	Abbreviation	Numerical Signs
Colorless glass	GL	70
Green glass	GL	71
Brown glass	GL	72
Glass with other colour	GL	73




### 7. Marking the multilayer packaging

Material	Abbreviation	Numerical Signs
Paper and cardboard / different metals		80
Paper cardboard / plastic		81
Paper cardboard / aluminum		82
Paper and cardboard / steel sheet		83
Paper and cardboard / plastic / aluminum		84
Paper and cardboard / plastic / aluminum / steel sheet		85
Plastic / aluminum		90
Plastics / white sheet		91

Plastics / different metals		92
Glass / plastic		95
Glass / aluminum		96
Glass / white sheet		97
Glass / different metals		98

\*Abbreviations are written in capital letters only

**8. Signs for materials according to ISO standards**

Recycling	Reuse	Recycled
		

**ANNEX IV**  
**Table 1.**

<b>TYPE OF PRODUCTION</b>	<b>Planning amount of returning packages expressed in % per year</b>		
<b>Glass</b>			
<b>Metal (cans)</b>			
<b>Paper and cardboard</b>			
<b>Plastic</b>			
<b>Wood</b>			
<b>Packaging of other materials</b>			

**Form 1.**

<b>1. Data for packaging placed on the market:_____ date</b>					
<b>2. The data on producer / packer</b>		<b>Company:</b>			
		<b>Contact Person :</b>			
		<b>Tel/Fax:</b>			
		<b>Address:</b>			
<b>The registry number of commercial company</b>					
<b>3. Information about the type and amount of packaging that is placed on the market</b>					
<b>Type of packaging material</b>	<b>Heavy metal content mg/kg</b>	<b>The quantity issued in the market (kg)</b>	<b>The quantity of packaging put on the market - packaging unit seller (pieces).</b>	<b>The packaging quantity of:</b>	
				<b>Exported</b>	<b>Imported</b>
<b>1. Glass</b>					
<b>2. Metal</b>					
<b>3. Paper- cardboard and packaging made of multilayered packaging</b>					
<b>4. Plastic</b>					
<b>5. Wood</b>					
<b>6. Packaging of other materials</b>					
<b>4. The responsible person for data:_____</b>					
<b>Leader (Manager) :_____</b>					



**Form 2.**

<b>1. The data for collected packaging for processing and recycling</b> <b>Reporting for the year _____ .</b> <b>Package placed on the market: _____ date</b>					
<b>2. The data on producer / packer</b>		<b>Company:</b>			
		<b>Contact Person :</b>			
		<b>Tel/Fax:</b>			
		<b>Address:</b>			
		<b>The registry number of commercial company</b>			
<b>3. Information about package type and quantity</b>					
<b>Type of packaging material</b>	<b>General collected quantity (kg)</b>	<b>Quantity delivered to the processor (kg)</b>		<b>The quantity exported from Kosovo (kg)</b>	<b>Processor</b>
		<b>Recycling quantity (kg)</b>	<b>quantity for other ways to processing (kg)</b>		
<b>1. Glass</b>					
<b>2. Metal</b>					
<b>3. Paper- cardboard and packaging made of multilayered consisting of paper</b>					
<b>4. Plastic</b>					
<b>5. Wood</b>					
<b>6. Packaging of other materials</b>					
<b>4. Arguing attached material (present the evidence): _____</b>					
<b>5. Responsible person of data : _____ Leader (Manager) _____</b>					