

THE MOST FREQUENT QUESTIONS IN THE FIELD OF SPECIAL CATEGORY OF WASTE

DEPOSIT-REFUND SCHEMES IN THE FIELD OF PACKAGING AND WASTE PACKAGING

Red. Br.	QUESTION	ANSWER
1.	<p><i>NEW MARKING</i></p> <p>Can you describe the Croatian rules regarding the application and appearance of the deposit-refund label on the packaging from January 1, 2023, taking into account the introduction of the euro as the official currency in the Croatia and the dual display of the deposit-refund fee?</p>	<p>The appearance and basic rules of applying the new symbol of the Croatian deposit refund scheme for beverages will be prescribed by the <i>Ordinance on packaging and waste packaging, single-use plastic products and fishing gear containing plastic</i>, which draft is currently published on the Central Portal for Consultations with the Public (https://savjetovanja.gov.hr). Draft of Ordinance was available for public consultation in period from 10. November until 10. December 2022.</p> <p>Products in packaging marked with the existing symbol of the Croatian deposit refund scheme and in accordance with the currently valid <i>Ordinance on packaging and waste packaging</i> ("Official Gazette" No. 88/15, 78/16, 116/17, 14/20 and 144/20), which have been placed on the market of the Republic of Croatia before the entry into force of the new Ordinance, will be able to be sold until their stocks run out, which means that consumers will also be entitled to a refund of the amount of the returnable fee when returning such marked packaging to stores and recycling yards.</p> <p>The transitional adjustment period for both existing and new products that are/will be in the deposit-refund system will be regulated through the transitional and final provisions of the cited Ordinance and manufacturers will be given a long enough time to align their operations with the new requirements for labeling packaging covered by the deposit-refund system.</p>

		<p>The amount of the returnable fee will be prescribed by the regulation of the Government of the Republic of Croatia. The draft proposal of this regulation will also be published on the Central Portal for Consultations with the Public.</p> <p>Regarding the double declaration of the price of the returnable fee, according to Article 44, paragraph 5 of the Law on the introduction of the euro as the official currency in the Republic of Croatia (Official Gazette, No 57/22), a business entity is not obliged to declare the price and another monetary statement of value twice:</p> <ul style="list-style-type: none"> - returnable fees on packaging - packaging returnable fees that are visible on the automated device for collecting waste packaging
2.	<p>Who is obliged to take over the waste beverages packaging included in the deposit-refund schemes?</p>	<p>According to Article 24 of the Ordinance on Packaging and Waste Packaging ("Official Gazette", No. 88/15, 78/16, 116/17, 14/20 and 144/20), a seller selling in sales premises larger than 200 m² (shop, shopping center, etc.) and the person who manages the recycling yard are obliged and allowed to collect waste beverage packaging from consumers - natural persons in the amount of up to 80 waste packaging units per day per individual consumer.</p> <p>If the seller does not act in accordance with the above, it is necessary to contact Environmental Protection and Energy Efficiency Fund which manages the refund system via e-mail address: kontakt@fzoeu.hr or call: 01 5391 800, or report the case to the Department of Environmental Protection Inspection at State Inspector's Office of the Republic of Croatia via e-mail pisarnica.dirh@dirh.hr.</p>
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	<p>How many packaging units can a seller (store, shopping center, etc.) take back per day in the deposit-refund schemes and how is this legally regulated?</p>	<p>Collection of waste beverages packaging included in the deposit-refund schemes is prescribed by the Ordinance on packaging and waste packaging ("Official Gazette", number 88/15, 78/16, 116/17, 14/20 and 144/20). According to Article 24 (7) of that Ordinance, the seller (store, shopping center, etc.) and the person who manages the recycling yard are obliged and allowed to collect waste beverages packaging from consumers - natural persons up to a maximum of 80 waste packaging units per day per individual consumer .</p>
<p>MARKING, PLASTIC BAGS IN THE FIELD OF PACKAGING AND WASTE PACKAGING</p>		
<p>4.</p>	<p>Is there obligation to label the packaging with recycling label and the packaging material label in Croatia?</p>	<p>Article 13 (6) of the Ordinance on Packaging and Waste Packaging ("Official Gazette", No. 88/15, 78/16, 116/17, 14/20 and 144/20) stipulates that the manufacturer may voluntarily, with a view to more efficient collection, reuse and recovery, including recycling of waste packaging, mark the packaging according to the type of packaging material, in which case the manufacturer is obliged to use the packaging material identification system in accordance with the COMMISSION DECISION of 28 January 1997 establishing the identification system for packaging materials pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste (Text with EEA relevance) (Decision 97/129/EC). Obligation to mark the packaging with a numerical code and an abbreviation of the packaging material, as well as with some of the recycling symbols (<i>Mobius loop, etc.</i>) is not prescribed, and placing these symbols on the packaging is a business decision of the manufacturer.</p>
<p>5.</p>		

<p>How is packaging marked in order to inform the seller/consumer/end user about the essential properties of the product and its packaging regarding the dangerous and harmful substances they contain and about the way to deal with the product and packaging when they become waste?</p>	<p>Article 12 of the Ordinance on packaging and waste packaging ("Official Gazette", No 88/15, 78/16, 116/17, 14/20 and 144/20) stipulates following: "<i>The manufacturer is obliged to label the packaging and other appropriate way to inform the seller and the consumer about the essential properties of the product and its packaging regarding the dangerous and harmful substances they contain and about the way to deal with the product and packaging when they become waste.</i>"</p> <p>Article 13 (5) of the same Ordinance, regulates the labeling of packaging placed on the Croatia market, stipulates following "<i>A manufacturer who places on the market products in packaging that creates waste packaging that is hazardous waste is obliged to label such packaging in accordance with the regulation governing the classification, labeling and packaging of substances and mixtures</i>".</p> <p>Pursuant to Article 3, Paragraph 2 of the same Ordinance, the aforementioned labeling obligation must be in accordance with Regulation (EC) no. 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (Text with EEA relevance) (OJ L 353, 31 December 2008).</p> <p>According to Article 13 (7) of aforementioned Ordinance, the markings from Paragraph 5 of this Article must be placed on the packaging itself, on the label, declaration or on the label attached to the packaging. Labels must be clearly visible, easily legible and permanent and durable even after opening the packaging.</p> <p>Instructions on how to handle the product and packaging when they become waste do not have to be placed on the packaging itself, but it is also possible for the consumer/customer/end user to receive the information via the Safety Data Sheet (SDS) or in some other appropriate way as prescribed by Article 12 of the Ordinance on Packaging and Waste Packaging.</p>
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6.	Which plastic bags are prohibited from being placed on the Croatian market?	<p>According to articles 17 (2) and 192 of the Waste Management Act ("Official Gazette", No. 84/21) from January 1, 2022, it is prohibited to put on the Croatian market light plastic carrier bags, except very light plastic carrying bag. In accordance with the definitions of plastic bags for carrying in Article 4 of mentioned Act, the aforementioned ban refers to plastic bags that are given or sold to consumers at the point of sale of goods or products, with a wall thickness of less than 50 micrometers, including those with a wall thickness of less than 15 micrometers which do not meet the requirements to be considered very light plastic carrier bags.</p> <p>The placing on the market and use of very light plastic carrier bags, i.e. those with a wall thickness of less than 15 micrometers and which are used solely for hygiene reasons or which serve solely as primary packaging for bulk food when this helps prevent food waste and is further permitted.</p>
7.	Is there charging obligation for very light plastic carrier bags, those with a wall thickness of less than 15 micrometers?	Charging obligation or charging prohibition of very light plastic carrier bags to customers is not stipulated, and therefore it is a business decision of the seller. In the event that such very light plastic carrier bags are distributed free of charge to customers, according to Article 14a (2) of the Ordinance on packaging and waste packaging ("Official Gazette", number 88/15, 78/16, 116/17, 14/20 and 144/20) seller is obliged to display a visible notice to consumers about the economical and rational use of these bags with the content label "USE PLASTIC BAGS SPARINGLY" in places where they provide very light plastic carry bags for free.
WASTE MANAGEMENT FEE FOR SPECIAL CATEGORY OF WASTE		
8.		

	<p>How will the waste management fee, which product producers pay in the extending producer responsibility system, be determined from January 1, 2023?</p>	<p>Regulation on waste management based on the Article 56, paragraph 4 and Article 104, paragraph 10 of the Waste Management Act ("Official Gazette", number 84/21) is currently being drafted. This regulation will regulate the types products for which the waste management fee should be paid and the method of calculating the waste management fee. Environmental Protection and Energy Efficiency Fund will determine the amount of the fee in a special procedure based on the provision of Regulation on waste management.</p> <p>The provisions of the Waste Management Act and the currently valid regulations shall apply until the Regulation on waste management enters into force.</p>
9.	<p>How will the waste management fee be calculate from national currency to the euro from January 1, 2023?</p>	<p>The Waste management fee be calculate from national currency to the euro from January 1, 2023 according to provision of Decision of the Government of the Republic of Croatia on the announcement of the introduction of the euro as the official currency in the Republic of Croatia ("Official Gazette", number 85/2022), adopted on the basis of the Law on the introduction of the euro as the official currency in the Republic of Croatia ("Official Gazette", number 57/22 and 88 /22).</p> <p>Monetary amounts will be converted from national currency into the euro respecting the provision of the Articles 4. and 5. of Regulation (EZ) No. 1103/97.</p>