WRITTEN QUESTION E-1777/01
by Paul Rübig (PPE-DE) to the Commission
(15 June 2001)

Subject: Threat of trade barrier to drinks industry shipments to Germany

The proposal for a second regulation amending the German packaging regulation provides for the introduction of a compulsory minimum deposit for disposable drinks containers.

Of the products sold, the proportion of disposable drinks containers among imported drinks is much higher than among drinks produced domestically. A deposit on cans and non-returnable bottles therefore constitutes a disadvantage for drinks companies exporting to Germany.

Drinks manufacturers are already extremely concerned that the introduction of a deposit on cans and non-returnable bottles would prompt customers in Germany (particularly marketing chains) to stop stocking their products in disposable containers.

In addition, because of the plans to introduce a deposit system for the German market, drinks suppliers would have to set up separate production and distribution facilities which would result in additional costs and a competitive disadvantage.

The introduction of a compulsory deposit cannot be justified on ecological or environmental grounds as it is not conducive to achieving the desired objective, i.e. promoting the use of refillable containers, and because there are insufficient scientific grounds for considering that the non-returnable containers covered by the regulation are environmentally unsound.

What is the Commission's position on this threat to meddle with the principle of the free movement of goods, which creates a barrier to trade on the European internal market, and which cannot be justified either on the basis of environmental arguments or current Community legislation?

WRITTEN QUESTION P-1823/01
by Daniela Raschhofer (NI) to the Commission
(20 June 2001)

Subject: Introduction of compulsory deposit on disposable packaging in Germany

In Germany consideration is being given to changing German packaging regulations so as to introduce a compulsory deposit on disposable drinks containers.

Does the Commission consider that this arrangement is really necessary on environment policy grounds? Is the Commission aware that other recovery techniques, in particular thermal recovery, can guarantee at least as high a standard of environmental protection?

Does the Commission see this national measure as a restriction on the freedom of movement of goods within the meaning of Article 28 of the EC Treaty?

Is the Commission aware that the effect of Directive 94/62 (1) was to introduce full harmonisation of packaging rules and regulations for the whole of Europe and that any departure from its provisions would only be possible in accordance with Article 95(5) of the EC Treaty, and then only if 'based on new scientific evidence' and the existence of 'a problem specific to that Member State', which obviously does not apply in this case?