COMMISSION IMPLEMENTING DECISION (EU) 2023/1060

of 30 May 2023

on a harmonised standard for test methods and requirements to demonstrate that plastic caps and lids remain attached to beverage containers drafted in support of Directive (EU) 2019/904 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ([1]), and in particular Article 10(6) thereof,

Whereas:

(1) In accordance with Article 6(4) of Directive (EU) 2019/904 of the European Parliament and of the Council ([2]), single-use plastic products referred to in Article 6(1) of that Directive which are in conformity with harmonised standards or parts thereof, the references of which have been published in the *Official Journal of the European Union,* are to be presumed to be in conformity with the requirements set out in Article 6(1) to that Directive covered by those standards or parts thereof.

(2) By Commission Implementing Decision C(2020) 7244 ([3]), the Commission made a request to the European Committee for Standardisation (CEN) to draft a new harmonised standard regarding certain single-use plastic beverage containers with a capacity of up to three litres that have caps and lids made of plastic, in support of Article 6(1) of Directive (EU) 2019/904.

(3) On the basis of the request set out in the Implementing Decision C(2020) 7244, CEN drafted the new harmonised standard EN 17665:2022+A1:2023.

(4) The Commission together with CEN has assessed whether the standard drafted by CEN complies with the request set out in Implementing Decision C(2020) 7244.

(5) The harmonised standard EN 17665:2022+A1:2023 satisfies the requirements which it aims to cover and which are set out in Directive (EU) 2019/904. It is therefore appropriate to publish the references of that standard in the *Official Journal of the European Union*.

(6) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

([1]) OJ L 316, 14.11.2012, p. 12.

([2]) 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 (OJ L 155, 12.6.2019, p. 1).

([3]) Commission Implementing Decision C(2020) 7244 of 27 October 2020 on a standardisation request to the European Committee for Standardisation as regards certain single-use plastic beverage containers with a capacity of up to three litres that have caps and lids made of plastic in support of Directive (EU) 2019/904 of the European Parliament and of the Council.

HAS ADOPTED THIS DECISION:

Article 1

The reference to harmonised standard 'EN 17665:2022+A1:2023, Packaging – Test methods and requirements to demonstrate that plastic caps and lids remain attached to beverage containers' drafted in support of Directive (EU) 2019/904 is hereby published in the *Official Journal of the European Union*.

Article 2

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 May 2023.

For the Commission
The President
Ursula VON DER LEYEN