

Quality and structural standards of packing materials

[Effective on December 25, 2019]

[Ministry of Environment Notification No.2019-244, enacted on December, 24, 2019]

Ministry of Environment (Resources Recycling Division), 044-201-7396

Article 1 (Purpose) The purpose of this Notification is to prescribe matters that producers obligated to recycle packing materials (hereinafter referred to as "producers obligated to recycle") under Article 16 (1) of the Act on the Promotion of Saving and Recycling of Resources (hereinafter referred to as "Act") must comply with, taking into account the quality, structure and recyclability of packing materials in accordance with Article 3 (5) of the Enforcement Decree of the Act (hereinafter referred to as "Enforcement Decree").

Article 2 (Scope) This Notification applies to packing materials manufactured-imported by producers obligated to recycle and products sold using them.

Article 3 (Standards for quality-structure of packing materials) ① Producers obligated to recycle must not use the following quality-structure of packing materials, which have alternative materials that can be easily recycled among quality-structure of packing materials that are extremely difficult to recycle or cause problems when mixed with other materials. However, subparagraph 2 and 3 apply only to uses in packing materials of beverages under drinking spring water and Standards and Specifications for Foods (Ministry of Food and Drug Safety Notification) under Article 3 (3) of Drinking Water Management Act.

1. Polyvinyl chloride (including polyvinylidene chloride; the same shall apply hereinafter) packing materials (, which include those (including labels that are affixed to product's containers, etc.) laminated, shrink-wrapped or coated.
2. Colored polyethylene terephthalate bottles
3. Adhesives that are used in polyethylene terephthalate bottles and are not thermal-alkaline separable in accordance with Appendix 1 of Packing Material Recyclability Rating Standard (Ministry of Environment Notification).

② Notwithstanding paragraph 1, it is possible to use packing materials that fall under the following subparagraphs due to concerns about the failure of the function of the product, difficulty in changing the manufacturing process or difficulty in commercialization although there are alternative materials.

1. The following packing materials, which cause concerns about the failure of the function of the product unless a polyvinyl chloride packing material is used.
 - A. Cases where polyvinyl chloride is applied to (coated on) the stopper detachable from the body;
 - B. Shrink-wrapping type packing materials used for packing drugs and quasi-drugs under Pharmaceutical Affairs Act and health functional foods under Article 3 (1) of Health Functional Foods Act;
 - C. Press-packing type materials used for packing drugs and quasi-drugs under Pharmaceutical Affairs Act, health functional foods under Article 3 (1) of Health Functional Foods Act and edible fat and oils under Standards and Specifications for Foods (Ministry of Food and Drug Safety Notification);
 - D. Packing materials of products that require medium or high temperature heat sterilization and that can be distributed and sold at room temperature such as hams and sausages (including fish sausages) under Standards and Specifications for Foods (Ministry of Food and Drug Safety Notification);
 - E. Wrap films for food packaging used for packing livestock-fishery products under Standards and Specifications for Foods (Ministry of Food and Drug Safety Notification);
 - F. Packing materials of products, which are deemed to be recycled after having a self-collection system by the Minister of Environment through the review by the Packing Materials Review Committee.
2. Other packing materials of products that are deemed by the Minister of Environment to be exempted from packing materials subject to improvement through the review by the Packing Materials Review Committee due to concerns about the failure of the function of the product, difficulty in changing the manufacturing process or difficulty in commercialization although there are alternative materials.

Article 4 (Composition-operation of the Packing Materials Review Committee) ① The Minister of Environment shall operate the Packing Materials Review Committee (hereinafter referred to as "Committee") in order to review the following matters:

1. Re-examination of items that fall under subparagraphs of Article 3 (1) and selection of new items;
2. Re-examination of items that fall under subparagraphs (except F) of Article 3 (2) 1 and selection of new items;
3. Approval of products that fall under Article 3 (2) 1 F and Article 3 (2) 2;
4. Other matters required in relation to the improvement of the quality-structure of packing materials.

② The Committee is composed of 15 reviewers (hereinafter referred to as "Members"), including one chairman, who is elected by mutual vote among themselves, and has a secretary who is a public official belonging to the department of the Ministry of Environment in charge of improving the quality and structure of packing materials.

③ The Minister of Environment shall hold a committee meeting within 6 months from the deadline of notification re-examination period under Article 5 in order to review matters prescribed in Article 1 (1) and (2).

④ The Minister of Environment may hold a committee meeting if he/she deems it is necessary to review matters prescribed in Article (3) or subparagraphs (except (3)) of Article 1 to adapt changes in recycling conditions, new technology development or alternatives commercialization.

Article 5 (Re-examination period) The Minister of Environment shall take measures including improvement by reviewing the validity of this Notification every two years from January 1, 2020 in accordance with Regulations on the Issuance and Management of Directives-Established Rules, etc. (Presidential Directives No.394).

Addendum <No. 2019-244호, Dec. 24, 2019.>

Article 1 (Enforcement date) This Notification shall enter into force on December 25, 2019.