

# Packaging



Trading Standards Service

Packaging fulfils many functions – it protects fragile goods, prevents leaks, conveys information, protects goods from damage, ensures hygienic conditions, reduces the risk of product wastage due to contamination and ensures safe transportation, handling and storage.

However, the environmental impact of excessively packaged goods and the volume of packaging waste generated represent continuing sources of concern. Packaging is often only used once before being discarded and ending up in landfill sites.

The Government wants to see packaging and packaging waste minimised as far as possible and to see an increase in:

- the reuse of packaging items and
- the recovery and, in particular, the recycling of packaging waste that does arise

## What does the law say about packaging?

The Packaging (Essential Requirements) Regulations 2003, as amended, require that:

- packaging is minimal i.e. it must only be the minimum volume and weight required for safety, hygiene and consumer acceptance
- packaging must be designed, produced and sold in such a way that reuse or recovery, including recycling, is possible and that packaging waste has a minimal impact on the environment
- packaging must be manufactured so that, when it is incinerated or land filled, the presence of noxious and other hazardous substances are kept to a minimum

## What can Trading Standards do?

The Trading Standards Service enforces the Packaging (Essential Requirements) Regulations 2003, as amended. If we receive complaints from consumers or traders, or if we encounter an issue on one of our regular visits, we can consider the packaging and take action.

To assess whether the packaging complies with the law we can request information from the company that takes responsibility for the packaging. We can offer the company advice about how to comply with the law, or, if we feel it is necessary, we can take enforcement action which could ultimately end in a criminal prosecution.

## What can I do?

If you feel that a particular item is too heavily packaged, then the first thing you should do is to let the company who has placed the packaging on the market know. Where the product is marked with a brand or trade mark, then it will usually be the brand-owner that is responsible for the packaging and it should be them that you contact.

One reason that businesses can claim their packaging needs to be a particular size is to use the argument that the packaging is minimal 'subject to acceptance for the consumer' e.g. that Easter Eggs or luxury gift packs of perfume require that amount of packaging because consumers perceive the packaging to be part of the gift. The more complaints received about the use of excessive packaging, the less a company will be able to rely on the 'consumer acceptance' argument.

One of the best ways of attempting to reduce packaging waste is through consumer choice. By choosing to buy unpackaged or lightly packaged goods, or 'loose' food rather than pre-packaged produce, you are helping to reduce the market for excessively packaged goods. If there is no market for these products, then businesses will have to consider alternative ways of packaging/marketing their goods.

If you want to report a product that you consider is excessively packaged you can contact Consumer Direct on 08454 040506.

This leaflet is not an authoritative interpretation of the law and is intended only for guidance. For further information and business advice contact your local Trading Standards Service.

## For consumer advice call:



## For business advice contact

Devon County Council Trading Standards Service  
County Hall, Topsham Road, Exeter EX2 4QH

**Phone:** 01392 381381 **Fax:** 01392 382732

**Email:** [tsadvice@devon.gov.uk](mailto:tsadvice@devon.gov.uk)

Or visit our **website:** [www.devon.gov.uk/tradingstandards](http://www.devon.gov.uk/tradingstandards)

**Office hours:** 9am to 5pm (Monday–Thursday), 9am to 4.30pm (Friday)

We welcome calls through Tynetalk

Looking for a customer friendly business?  
Check out our Approved Trader Scheme



If you would like a summary of this in a different format such as large print, Braille or tape, or in a different language, please contact the Council's Information Centre on 01392 380101 or email: [info@devon.gov.uk](mailto:info@devon.gov.uk)



This is printed on recycled paper

When you have finished with it please  
recycle and help the environment.

For information on how you can reduce, reuse or  
recycle packaging visit [www.recycledevon.org](http://www.recycledevon.org)

September 2007 • Version 1