

Decree No. 202 of the Ministry of Environment, revised on March 14, 2006

### **Rules on the standards of product packaging materials and methods**

Article 1 (Purpose) The purpose of these rules is to stipulate the matters related to the standards of product packaging materials and methods and the standards of gradual reduction of plastic packaging materials, which should be abided by manufacturers, importers and sellers in order to deter the generation of packaging wastes and promote recycling in accordance with Article 9 of the Act on the Promotion of Saving and Recycling of Resources.

Article 2 (Scope of application) These rules do not apply to packaging materials for shipping.

Article 3 (Standards of product packaging materials) ① Those who manufacture, import or sell products (hereinafter referred to as “Manufacturers and Such”) should endeavor to use easily recyclable packaging materials. Manufacturers and Such should not manufacture or distribute packaging materials in which heavy metals are included. Manufacturers and such should strive to comply with recommended standards set forth in the following paragraph 2.

② The Minister of Environment should specify and notify recommended standards for type, concentration, and test method of heavy metals for which recycling of packaging materials is hard. Manufacturers and Such must comply with the standards. In this case, the Minister of Environment shall have prior consultation with the Minister of Commerce, Energy and Industry.

③ Manufacturers and Such should not laminate or shrink-wrap with PVC or use coated packaging materials (including the labels on product containers). However, PVC shrink-wrapped packaging materials may be used for the following products, if not using PVC shrink-wrap materials for these products could lead to packaging materials failing to fulfill their functions.

1. Petroleum products provided in Subparagraph 2 of Article 2 of the Petroleum Business Act
2. Drugs provided in Paragraph 4 of Article 2 of the Pharmaceutical Affairs Act
3. Animal-based and plant-based oil
4. Chemical products and pesticides
5. Products needing refrigeration

④ Manufacturers and Such should not use PVC packaging materials when packaging the following products.

1. Chicken and quail eggs
  2. Fried food, seaweed rolls, hamburgers and sandwiches
- ⑤ Manufacturers and Such should not use expanded polystyrene (styrofoam) when packaging toys, dolls or total gift packages.

Article 4 (Standards of product packaging methods) ① When packaging products, Manufacturers and Such should reduce unnecessary packaging by cutting down on the amount of packaging materials and the number of times the product is packaged.

② The standards on packaging methods, which should be observed by Manufacturers and Such, in accordance with Paragraph 2 of Article 7 of the Enforcement Decree of the Promotion of Saving and Recycling of Resources (hereinafter referred to as “Decree”) are provided in Table 1 in the Addendum.

Article 5 (Tests on product packaging materials and methods) ① In Paragraph 3 of Article 9 of the Act on the Promotion of Saving and Recycling of Resources (hereinafter referred to as “Act”) the “special institution designated by the Ministry of Environment decree” refers to the institutions in each one of the following subparagraphs.

1. Korea Environment and Resources Corporation in accordance with the Korean Environment and Resources Corporation Law
2. Korea Eco-Products Institute in accordance with Article 13 of the Act on the Promotion of the Purchase of Environment-Friendly Products
3. The institutions designated and announced by the Minister of Environment from among the test and inspection institutions recognized by the provisions in Article 23 of the Basic Act on National Standards

② In accordance with Paragraph 3 of Article 9 of the Act, Manufacturers and Such ordered to undergo tests on product packaging materials and methods should submit to the head of the agency that gave such order the test results issued by special institutions stipulated in Paragraph 1 within 20 days after the order has been received.

Article 6 (Marking of product packaging materials and methods) The marking methods of product packaging materials and methods in accordance with Paragraph 4 of Article 9 of the Act

are provided in Table 2 in the Addendum.

Article 7 (Exception of product packaging materials and methods) ① In the event when Manufacturers and Such fail to meet standards pursuant to Paragraph 3 to Paragraph 5 of Article 3, or Article 4 (hereinafter referred to as “Standards of Packaging Materials and Methods”), owing to evident reasons which are objectively acceptable, including but not limited to, absence of alternative packaging materials and methods because of characteristics of products, or excessive cost of alternative packaging and/or heavy replacement cost of packaging materials for imported products, Manufacturers and Such may submit the following documents to the Minister of Environment, so as to apply for exception prior to manufacturing, imports and/or sales of the products.

1. Documents describing the product type and packaging materials or packaging method
2. Documents explaining the reason why the standards of product packaging materials and methods cannot be observed
3. Test results and written opinions on packaging materials or methods issued by special institutions prescribed in Paragraph 1 of Article 5

② The Minister of Environment should review the documents in each subparagraph of Paragraph 1, to determine whether they are acceptable as exception of Standards of Packaging Materials and Methods.

③ The Minister of Environment should offer to Manufacturers and Such a written notice to notify whether application for such exception was accepted or not (hereinafter referred to as “Acceptance of Exception”) pursuant to Paragraph 2, within 30 days from the date of application.

④ In the event when the Minister of Environment approved Acceptance of Exception, the minister should notify the fact in the official gazette without delay. In this case, the notification may be replaced by announcement of the fact posted on the website of the Ministry of Environment.

⑤ In the event when the Minister of Environment is reviewing feasibility of Acceptance of Exception, the minister should be cautious to prevent any possible discrimination between similar products while applying Standards of Packaging Materials and Methods, to ensure reasonable compliance with such standards.

⑥ Manufacturers and Such may mark the packaging materials and methods regarding products which belong to any of the followings, pursuant to Article 6.

1. Products with Acceptance of Exception
2. Products which are identical or similar to the products with Acceptance of Exception

⑦ Standards of Packaging Materials and Methods are not applied to sales of products which have been marked in accordance with Paragraph 6.

⑧ Specific scope of the identical or similar products stipulated in Subparagraph 2 of Paragraph 6 shall be determined and notified by the Minister of Environment. In this case, the notification may be replaced by announcement of such content posted on the website of the Ministry of Environment.

Article 8 (Standards of gradual reduction of plastic packaging materials) ① The standards of gradual reduction of plastic packaging materials, which Manufacturers and Such of the products provided in Paragraph 3 of Article 7 of the Decree should abide by, are provided in Table 3 in Addendum.

② The Minister of Environment should set and announce the items needed to confirm the compliance of standards stipulated in Paragraph 1 and the items regarding reduction methods.

③ The Minister of Environment should consult in advance with the Minister of Commerce, Industry and Energy when setting the items for Paragraph 2.

Article 9 (Exceptions to the gradual reduction of plastic packaging materials) When Manufacturers and Such are unable to comply with the standards stipulated in Paragraph 1 of Article 8, the documents in each one of the following subparagraphs should be submitted to the Minister of Environment before the products are manufactured, imported or sold, and the Minister of Environment should review the submitted documents and notify the result in writing.

1. Documents describing the type, size and shape of the product and packaging materials and method
2. Documents describing the reasons why the standards provided in Paragraph 1 of Article 8 cannot be observed.

Article 10 (Reuse of packaging containers) ① The manufacturers of the products listed under each subparagraph should strive to have the output percentage of products with reusable containers as per the total product output exceed the percentage stipulated under respective subparagraph.

1. Color make-up products: 10%
2. Liquid and powder detergents in plastic containers: 50%
3. Shampoo and conditioner type from hair care products: 25%
4. Wet tissue type from sanitary paper products: 60%
5. Powdered coffee: 70%
6. Crayons, crayon pastels and watercolor: 10%

② Those who sell the products that fall under Paragraph 1 at large stores, department stores, shopping centers and distribution centers described in Article 3 of the Enforcement Decree of the Distribution Industry Development Act should cooperate in the reuse of product containers by displaying and selling products with reusable packaging containers produced in accordance with the regulations in Paragraph 1.

Article 11 (Curbing the repackaging of packaged products) Those who sell packaged products at large stores, department stores, shopping centers and distribution centers described in Article 3 of the Enforcement Decree of the Distribution Industry Development Act and at places of business larger than 33m<sup>2</sup> should actively strive to reduce package waste by curbing the repackaging of already packaged products unless so requested by the purchaser.

### **Addendum**

① This rule comes into effect from the promulgation date. Nonetheless, the revised regulation in Paragraph 1 of Article 3 will come into effect after 6 months from the date of promulgation of this rule.

② (The term of validity of the regulation on Acceptance of Exception of products packaging materials and methods) The revised regulation in Article 7 will remain valid for two years from the effective date of this rule set forth in Paragraph 1 of this Addendum.

[Table 1]

Standards of packaging methods by product type  
(in relation to Paragraph 2 of Article 4)

Product Type			Standard	
			Percentage of Packaging Space	Number of Times Packaged
Unit Product	Food & Beverage	Processed food	15% or less	No more than 2
		Beverage	10% or less	No more than 1
		Alcohol	10% or less	No more than 2
		Baked goods	20% or less (35% or less for cakes)	No more than 2
		Health supplemental food	15% or less	No more than 2
	Cosmetics	Cosmetics (including air fresheners)	10% or less (excluding perfumes)	No more than 2
	Detergent	Detergent	10% or less	No more than 2
	Miscellaneous Goods	Toys and dolls	35% or less	No more than 2
		Stationery	30% or less	No more than 2
		Personal accessories (limited to wallets and belts)	30% or less	No more than 2
	Non-pharmaceutical Goods	Non-pharmaceutical goods	20% or less	No more than 2
	Clothing	Dress shirts and underwear	10% or less	No more than 1
Total Packaged Product (Called by set product)	Non-processed food, processed food, beverage, alcohol, baked goods, health supplemental food, cosmetics, detergent, personal accessories	25% or less	No more than 2	

Note:

1. The “unit product” refers to products in the minimum sales unit packaged at least once. The “total packaged product” is a group of unit products of the same kind or of different kinds packaged together.
2. If characteristics of a unit product dictate a multiple number of individually wrapped products to be packaged together, individual packaging is not included in the percentage of space taken up by packaging.
3. When the packaging is inflated with air to prevent crumbling or deterioration during the manufacturing, import or sales processes, the inflated part is not included in the percentage of space taken up by packaging, and the tray used to prevent crumbling or for automation is excluded from the number of times the product is packaged.

4. In the case of total packaged products, each individual unit product that makes up the total package should meet the standards of packaging space percentage and the number of times packaged for each product. The packaging space percentage and the number of times the unit products are packaged should not be calculated as the packaging space percentage and the number of times packaged for the total packaged product.
5. The value of 5 should be added to each packaging space percentage when calculating the percentage of space taken up by packaging for the products using trays or cushioning materials made of paper, corrugated cardboard or pulp mold.
6. The value of 5 should be subtracted from the above packaging space percentage when calculating the percentage of space taken up by packaging for total packaged products using trays or cushioning materials made of plastic, PVC or synthetic fiber materials. In addition, the value of 5 should be added when calculating the space percentage of total packaged products using trays or cushioning materials made of paper, corrugated cardboard or pulp mold.
7. When a product is consumed along with the packaging, like in instant teas or green teas, that packaging is not subject to the standards of packaging space percentage and number of time the product was packaged.
8. Calculation for the packaging space percentage should follow the calculation method (KS A 1005-2001) for the packaging space percentage of commercial packaging (consumer packaging), a Korean industrial regulation in accordance with Article 10 of the Industrial Standardization Act.

[Table 2]

Marking of Packaging Materials and Methods (in relation to Article 6)

Test result	Packaging material	Primary:      Secondary:
	Percentage of packaging space	% (Standard:    % or less)
	Number of times packaged	Times (Standard: Less than    times)
Document number of test result		
Test date and etc.		
Name of test agency		

Note:

1. The “Packaging Material” should indicate the main packaging material used each time the product is packaged or for inner and outer packaging material. However, this may be omitted when the packaging material is marked in accordance with the waste separation marking regulation provided in Article 14 of the Act.
2. Regarding products which gained Acceptance of Exception in accordance with Article 7 of

the Rule, the date of such acceptance shall be also filled in the “Test date and etc.” of the above table.

3. When the above marking method cannot be used, the packaging material, the percentage of packaging space and the number of times the product was packaged may be marked in other ways suitable for the size and condition of packaging.