

TO ALL THOSE CONCERNED

Milan, 29 November 2019

Subject: New procedure for exemption and application of the Conai Environmental Contribution for “aluminium foil rolls” and “plastic foodstuff film rolls”¹. Effective date 1.1.2020. ID. 1-2019.

1. Foreword

According to the legal definitions (criterion ii of Annex E, point 2 of Legislative Decree 152/2006) “*items designed and intended to be filled at the point of sale and disposable items sold, filled or designed and intended to be filled at the point of sale shall be considered to be packaging provided they fulfil a packaging function*”.

On this basis, on 18 March 2004, Conai adopted a resolution on the procedure for the exemption or application of the Conai Environmental Contribution (in Italian “Contributo Ambientale Conai”, hereinafter CAC) for **aluminium foil** rolls, as described below and valid from 1 October 2004 to 31 December 2019:

- ✓ **for un-boxed rolls**, application of CAC;
- ✓ **for boxed rolls**, exemption or application of the CAC, respectively for those for “*household use*” or for “*professional use*”.

For the purposes of this procedure, by “*rolls for household use*” is meant rolls designed for direct sale to the consumer, which generally finds them displayed “on the shelf”, without any goods inside; by “*rolls for professional use*”, on the other hand, is meant those rolls designed for use by industrial or commercial users, that use them for packaging products, mainly foodstuffs².

Similarly, until 31.12.2019, the same rules apply to transparent plastic food films, with the result that, when used exclusively for household purposes, they are exempt from the CAC. In this case, however, there is no specific form as for aluminium foil and, therefore, the request for exemption to be sent to suppliers is simply on the customer’s letterhead, indicating that these are articles to be used exclusively for household and not for professional use.

¹ Or, in any case, for the packaging of goods.

² If rolls normally intended “*for professional use*” are bought for “*household use*”, for “trader” purchasers, until 31.12.2019, a specific exemption is envisaged by means of a specific self-certification (form 6.18 Exemption - Aluminium foil).

2. Terms of the new procedure in force from 1.1.2020

That said, also in order to simplify the procedure in force until 31.12.2019, Conai has introduced a new procedure for exemption or application of the Conai environmental contribution for “aluminium foil rolls” and “plastic foodstuff film rolls”, the terms of which are detailed below:

➤ **exemption from the CAC:**

- for ALUMINIUM FOIL ROLLS up to **50 metres**;
- for PLASTIC FILM ROLLS up to **75 metres**,
(designed for household use³);

➤ **application of the CAC:**

- for ALUMINIUM FOIL ROLLS **exceeding 50 metres**;
- for PLASTIC FILM ROLLS **exceeding 75 metres**,
(designed for professional use⁴);

➤ for both items for professional use (i.e. exceeding 50 and 75 metres for aluminium foil and plastic film, respectively) this is without prejudice to the possibility for customers to **request exemption from suppliers** (with copy to Conai) **with the new form 6.18 (which will be made available from January 2020)**, if these items are unequivocally intended to be resold “on the shelf” to consumers and this fact is known from the time of their transfer from the producer (or trader of empty packaging) to the user-reseller;

➤ suppliers (producers and/or traders of empty packaging) will in turn be required to provide Conai with an **annual summary list of names of customers** they have sold (as first transfer) the rolls exceeding the above lengths to with CAC exemption.

The first deadline for communicating this information will be 20 January 2021 with the last (or only) declaration of 2020. In the meantime, Conai will disseminate the declaration forms and related instructions;

➤ **the other procedures for selling packaging in special cases remain unchanged** if, at the time of purchase, the so-called "small trader" of empty packaging (according to the Conai circular of 29.11.2018) does not yet know the intended use (household or professional) of the rolls purchased.

In these cases, if the "small trader" uses the specific procedure, the latter is required to pay the CAC to suppliers in full (100%) and may request reimbursement from Conai for the share of the rolls (aluminium or plastic) for which no recourse was made against customers requesting

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⁴ By “rolls designed for professional use” is meant those rolls designed for use by industrial or commercial users, that use them for packaging products, mainly foodstuffs.

exemption for household use. Alternatively, the "small trader" can make recourse to an "ex ante" exemption procedure (Conai circular of 19.12.2014) if it is able to separately track the "professional" and "household" flows;

- effective date of the new procedure: from 1 January 2020, with a **trial period of 1 year** during which, without prejudice to the CAC due, it will be possible to rectify any errors in the application, exemption and declaration of the CAC, without incurring penalties.

For everything not provided for in this circular, the provisions of the Consortium Articles of Association and Regulations and the procedures set out in the Conai Guide published annually apply.

For further information, please contact the Conai toll-free number 800337799 or write to infocontributo@conai.org, referring to the ID in the subject line.

This document is the English translation of a Conai circular. In cases of disputes, the original Italian text shall prevail.