

# Newsletter GP

January 04, 2020

## Ministry of Environment modified the Resolution 1407 of 2018 related to the environmental management of packages wastes



On December 24th, 2020, Ministry of Environment and Sustainable Development issued Resolution 1342 of 2020 (the “Resolution”) which modifies Resolution 1407 of 2018 which establishes the environmental management of waste from paper, carton, plastic, glass, and metal packages.

The main modifications included in the Resolution correspond to the following:

- Paragraph 1 of Article 2 of Resolution 1407 is modified to include in the exclusions of this regulation the packaging of medicines in general, without distinguishing primary packages.
- In Article 3 of Resolution 1407 are included the following definitions:
  - Use and waste of packages.
  - Multimaterial packages.
  - Reusable packages (returnable).
  - Recycling.
- Article 8 of Resolution 1407 is amended to establish that existing producers on December 31, 2018, must submit the Environmental Management Plan for waste by January 31, 2021 at the latest. Thus, extending the term that was previously indicated which expired on December 31st, 2020 for existing producers on December 31st, 2017.

Likewise, it was established that producers created as of January 1, 2019, must present the Environmental Management Plan for waste on December 31 of each year following the first fiscal period of operation, thus extending the year of entry into operation which initially corresponded to 2018.

- Progress reports will be presented in March and April of each year, according to the fourth number of the file of the waste management plan, as follows:
  - Files ending in numbers 1 to 5 will present the report in March.
  - Files ending in numbers 6 to 0 will present the report in April.
- For the producers that before December 31st, 2019 filed pilot projects before the National Authority of Environmental Licenses ("ANLA"), it is established that they will have until March 31st, 2021 to file the respective reports with the results of the materials recovered during their implementation in 2020.
- Paragraph 1 of Article 10 is modified, to establish that the minimum score to achieve compliance may not be applied to percentages of recovery lower than 70%, decreasing the 75% established by Resolution 1407.
- Article 15 of Resolution 1407, added to literals f and g to the obligations of processing companies:
  - As of 2021, they must register as processing companies before the competent regional or urban environmental authority.
  - As of 2022, they must inform the regional or urban environmental authority, before March 31st of each year, about substantial changes in the processing company.
- Article 16 of Resolution 1407 is modified, establishing that any person or entity who consumes or uses goods or services to satisfy their needs, as the last link in the commercialization chain, must:
  - Carry out a correct separation at the source of packaging waste.
  - Deliver separated waste at collection points.
- To Article 18 of Resolution 1407, corresponding to the obligations of the environmental authorities, literal c is added, establishing that as of 2020, the authorities must report to the ANLA before April 30 of each year, a consolidated of the registered processing companies.
- Finally, all the annexes to Resolution 1407 of 2018 are replaced.

Additionally, it establishes requirements for producers with returnable containers and packaging systems, to determine the returnability efficiency indicator and includes the alternatives for obtaining a returnability efficiency certification, which may be:

- Obtain a certification from a Colombian National Accreditation Organization; and
- Comply with the requirements of Annex V of the Verification Requirements of the Returnability System.

## More information:

Patricia Arrázola-Bustillo  
Partner - Director  
[parrazola@gomezpinzon.com](mailto:parrazola@gomezpinzon.com)

Lina Uribe  
Partner  
[luribe@gomezpinzon.com](mailto:luribe@gomezpinzon.com)

Germán Villamil  
Partner  
[gvillamil@gomezpinzon.com](mailto:gvillamil@gomezpinzon.com)

José Luis Palacios  
Partner  
jpalacios@gomezpinzon.com

**Gómez-Pinzón Abogados**  
Energy & Natural Resources Practice Group

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