

LEGISLATIVE URGENCY: WASTE RECYCLING IN CHINESE LOGISTICS
SERVICES

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Abstract: This thesis of recycling packaging waste from logistics services in China is explored in this article. It points out that although the development of logistics has facilitated daily life, it has also generated a substantial amount of packaging waste, leading to severe environmental pollution. The inadequacy of relevant legislation has resulted in low recycling rates. This article suggests that by drawing on international experiences, improvements can be made to regulations such as the "Measures for the Administration of Packaging for Mail and Express Mail," the "Law on the Prevention and Control of Environmental Pollution by Solid Waste," and the "Circular Economy Promotion Law." These improvements should clarify recycling responsibilities and promote the legalization of recycling, thereby enhancing recycling rates, achieving resource recycling, and ensuring sustainable development.

Keywords: China, Logistics, Environmenta, Waste recycling, Civil Law.

The widespread adoption of logistics and the rapid development of e-commerce have significantly facilitated modern life. Whether in the vast rural areas or the conveniently accessible urban regions, sending and receiving parcels has become a common practice. However, this convenience has led to the generation of a considerable amount of packaging waste, primarily composed of cardboard boxes, foam boxes, woven bags, plastic bags, and corresponding filler materials. The improper disposal and inadequate recycling of these materials have caused substantial environmental pollution. Given their non-recyclable nature, the recycling rate for plastic bags and plastic filler materials is nearly zero. Most of this non-recyclable logistics packaging waste is either incinerated or landfilled, resulting in considerable resource wastage and direct pollution of air and soil.

Regarding recycling entities, the primary groups involved in recycling logistics packaging waste in China are currently sanitation workers, elderly community residents, and some itinerant scavengers. However, the overall recycling volume from relevant enterprises, which should be the main force in the recycling process, remains very limited. Several factors contribute to the difficulties and limited utilization in recycling logistics packaging waste in China. For instance, during transportation and handling, the outer packaging of logistics parcels, such as cardboard and foam boxes, is easily damaged, increasing the cost if recycled. The lack of uniform packaging standards and the diversity of packaging materials also complicate recycling efforts. Moreover, consumers generally lack environmental awareness, particularly regarding waste classification and recycling.

Some socially responsible logistics companies have been continuously improving their technologies and packaging to enhance recycling rates, thereby promoting green recycling

of logistics packaging waste, reducing packaging costs, and minimizing environmental pollution. For example, China's Suning Logistics has introduced foldable shared logistics boxes and set up corresponding recycling stations. Despite these efforts, the primary consideration for enterprises in production and operation remains cost. Green packaging typically features higher costs, making widespread promotion challenging. Furthermore, a large amount of filler materials and tape used in logistics packaging has low or no recycling value, with most of it being directly discarded. As a result, packaging production enterprises or logistics companies find it difficult to gain profits from recycling and may even incur additional costs. Consequently, they are usually reluctant to actively engage in recycling, leading to a very limited overall quantity of recycled logistics packaging waste .

Currently, the actions related to the recycling of logistics packaging waste in China largely lack legal basis. This issue is often viewed as a public welfare problem, and there are minimal benefits or losses for enterprises and individuals whether they participate in recycling or not. In fact, opting out of recycling can save them some trouble and reduce costs. A significant reason for this is the absence of clear legal provisions and the inadequacy of related incentive systems. It remains unclear whether and how to reward enterprises or individuals actively engaged in recycling. Additionally, there are no explicit regulations on who should fund and build the supporting infrastructure for recycling .

While some logistics companies have set up recycling facilities at collection points or convenience spots, many issues persist. For example, consumers often discard packaging indiscriminately because they do not open their parcels on the spot, limiting the effectiveness of these recycling facilities. Furthermore, the damage to logistics packaging and the lack of uniform recycling standards pose additional challenges for recycling and reuse.

The recycling of logistics packaging waste involves multiple stakeholders, including government agencies, packaging material manufacturers, logistics companies, and consumers. Therefore, effectively addressing the recycling issue requires comprehensive guidance and regulation through laws and policies.

The European Union has enacted the Packaging and Packaging Waste Directive, which sets clear packaging waste management requirements for member states. The directive mandates that member states establish comprehensive sorting and recycling systems to ensure the effective recovery and reuse of packaging waste. Member states must meet specific recycling and reuse targets to minimize the environmental impact of packaging waste.

In Japan, the Basic Law for Establishing a Recycling-Based Society has been implemented to create a societal system centered around resource recycling. This law emphasizes comprehensive management throughout the production, use, and disposal phases to promote efficient resource use and minimize waste. Strict waste segregation is enforced in Japan, where residents are required to sort their waste into different categories to ensure effective recycling. Packaging producers and users in Japan are legally required to bear the responsibility for recycling their packaging waste. This extended producer responsibility system mandates that companies are accountable not only for the production and sale of their products but also for their post-use recycling and disposal. This

incentivizes companies to design products that are easier to recycle and to support the development of recycling infrastructure, promoting sustainable resource use.

These international experiences demonstrate that successful packaging waste management requires a comprehensive approach involving legislation, policy enforcement, and public participation. By drawing on these examples, China can further improve its own packaging waste management system, promoting efficient resource recycling and environmental protection.

"Waste is a resource misplaced," and if properly managed, waste can become a valuable asset. Recycling is a crucial measure for controlling pollution from logistics packaging waste, significantly contributing to resource conservation and pollution reduction while yielding substantial economic and social benefits. The recycling and utilization of packaging waste in the logistics industry involve multiple stakeholders, including packaging material manufacturers, logistics companies, logistics service platforms, e-commerce platforms, numerous online shops, and countless consumers. Therefore, promoting the recycling of logistics packaging waste and achieving the goals of greening, resource efficiency, reduction, and sustainable circulation in the logistics industry is a long-term, systemic project that requires widespread participation from numerous parties. It also necessitates the joint efforts of national macro-level and local specific administrative departments, as well as specialized provisions and systematic regulations at the national legal level.

Currently, although China has introduced several laws and administrative regulations in the field of logistics packaging recycling, many issues still exist. This article reviews the relevant laws and policies in China's logistics packaging recycling sector and appropriately draws on related international measures. Based on existing legal norms, the article proposes several preliminary legislative suggestions. For instance, incorporating packaging recycling and incentive measures into the "Measures for the Administration of Packaging for Mail and Express Mail" to regulate specific recycling behaviors of logistics packaging waste, further enhancing the content of the extended producer responsibility system in the "Law on the Prevention and Control of Environmental Pollution by Solid Waste," improving related fiscal and tax incentive systems, and clarifying the environmental deposit system in the "Circular Economy Promotion Law," and defining mandatory recycling obligations in the "Civil Code" to fill legal gaps. These suggestions aim to construct a legal normative system for the recycling of logistics packaging waste in China. Furthermore, relevant government departments need to increase publicity and guidance to raise the legal awareness of the entire society. By forming a concerted effort, the recycling of logistics packaging waste can embark on a path of legalized development.

Legislation on the recycling of packaging in logistics services is a crucial means to address environmental pollution and resource waste. By clearly defining the legal responsibilities for recycling, it is possible to significantly increase the recycling rate of packaging, promote resource circulation, and achieve sustainable development. Drawing on international experience and tailoring laws and regulations to the country's specific circumstances to improve logistics packaging recycling is an important step towards promoting green logistics and protecting the environment.

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