



Amendment German Packaging Act



Return and recycling obligation for industrial, commerce and transport packaging



Information obligation

§15 (1) sentence 5 German Packaging Act (VerpackG)



Documentation obligation for all packaging covered by § 15 (1) German Packaging Act

§15 (3) German Packaging Act (VerpackG)



Registration obligation

§ 9 German Packaging Act (VerpackG)



Financial obligation

§ 15 (4) German Packaging Act (VerpackG)

Return and recycling obligation for industrial and commercial as well as transport packaging

► §15 German Packaging Act (VerpackG)

So called industrial and commercial packaging are not obligated to participate in a dual system, but they have to be taken back and get recycled

Packaging: Transport packaging, reusable packaging, sales packaging of hazardous products, system-incompatible sales packaging and secondary in a dual system, as well as sales packaging and secondary packaging generated in industry and commerce (as far as not private end consumer)

Recipient: Producers and subsequent distributors in the supply chain

Information obligation

► § 15 (1) sentence 5 German Packaging Act (VerpackG)

New information obligation to final consumers on the possibility of returning and their purpose and meaning

Packaging: All packaging covered by § 15 (1) German Packaging Act (see above), which is placed on the German market

Recipient: Final distributor of this packaging

Validity: As of 03.07.2021

Content: To inform final consumers about the possibility of returning used packaging through appropriate measures to a reasonable extent and to inform about their purpose and meaning

Fine: Up to 100,000 €/individual case threaten producers/distributors who do not fulfill the obligation to notify (§36, 1, Item 17 German Packaging Act)

► RIGK customers already live the information obligation. Since they have joined a recovery system by RIGK, the licensed packaging bears the RIGK logo on the licensed packaging, which clearly indicates the return option when the empty packaging is accumulated. RIGK customers usually already pass on the service to commercial end consumers via customer information on the website, delivery papers or flyers.

Documentation obligation for all packaging placed on the German Market

► § 15 (3) German Packaging Act (VerpackG)

Extension of the obligation to provide evidence of compliance with recovery and recycling requirements

Packaging: All packaging covered by § 15 (1) German Packaging Act, which is placed on the market in Germany (see above)

Recipient: Producer (distributor, who places packaging on the market for the first time) and subsequent distributors in the supply chain

Validity: As of 01.01.2022

Implementation: For the first time until the 15.05.2023 for 2022



Amendment German Packaging Act

Content: Provide evidence of the fulfilment of recovery and recycling requirements of packaging placed on the market each year, as well as taken back and recycled; they are to be verifiably documented, broken down by material and quantity

Submission: At the request of the competent state authority in whose territory the producer or distributor is established or where the packed product enters the German market

Fine: In case of breach misdemeanour with a fine up to 100.000,00 EUR (§ 36 German Packaging Act)

- ▶ The extension of the obligation to provide evidence is new for RIGK-costumers, however, with the support of RIGK and via the annual notification of quantity to RIGK, this can be fulfilled without any significant additional effort. It is important that the obligated producer or distributor participates in the RIGK recovery system with regard to the packaging covered by § 15 (1) German Packaging Act. Insofar as the obligated producer or distributor is requested by his authority to submit the corresponding documentation, RIGK will provide him with the necessary information. RIGK will keep documentation for all packaging involved in the recovery system broken down by material and quantity.

Registration obligation

- ▶ § 9 German Packaging Act VerpackG

Extension of the registration obligation to all packaging filled with products and thus inclusion of packaging which is not obligated to system participation in a dual system

Packaging: All packaging that is supplied to final consumers in Germany

Recipient: Producers of packed products

Validity: As of 01.07.2022

Content: Register in the LUCID system with an indication of the company name or business name and the brand names under which the producer places the packed products on the market, as well as broken down by packaging obligated to system participation in a dual system, as well as the respective packaging pursuant to § 15 (1) and disposable beverage packaging, in each case without stating the quantities placed on the market

Fine: In case of breach misdemeanour with a fine up to 100.000,00 EUR (§ 36 German Packaging Act)
Marketing ban (§9 (5) German Packaging Act)

- ▶ The registration obligation is new for RIGK costumers, but on the basis of the determined quantity of packaging material for the annual notification of quantity to RIGK, this can be done without considerable additional effort.

Financial obligation

- ▶ § 15 (4) German Packaging Act (VerpackG)

Packaging: All packaging by § 15 (1) German Packaging Act (see above)

Recipient: Producers and subsequent distributors of packed products in the supply chain

Validity: Up to 03.07.2021

Content: Provision of financial and organisational resources, to be able to comply recovery- and recycling obligations, as well as information- and documentation obligations. Appropriate self-regulatory mechanisms shall be established for evaluation purposes

- ▶ RIGK costumers already fulfil this obligation through participation in the RIGK recovery system by commissioning RIGK to carry out their producers' responsibility and financing this accordingly.

This information is a summary of the new obligations resulting from the amendment of the German Packaging Act. It does not claim to be complete and does not constitute legal advice.