



The new “Quota Ordinance” (Abgrenzungsverordnung) for packaging

On the first of January 2015 the amendment of the Austrian Waste Management Act (§ 13h AWG 2002) becomes effective. This act regulates the allocation of packaging to either the household or commercial section. So far these allocations were dependent on where the packaging was accumulated as waste, in private households or in commercial sector, trade and industry. With the amendment of the act henceforth the size of the packaging will be the crucial factor.

If packaging below a certain size criteria is “commonly” accumulated in private households or comparable sites then the packaging is allocated to the household section. According to the notes of the Austrian Waste Management Act “commonly” is defined as regularly and repeatedly, whereby this can also be the case in less than 50%.

The **size criteria** are:

- A surface area up to and including 1,5m²
- In case of hollow bodies a net volume up to and including 5 liters
- In case of packaging made from expanded polystyrene (EPS e.g. Styrofoam[™]) up to and including a mass of 150 grams per sales unit

Comparable sites of accumulation count independently from their size or the accumulated quantity of waste:

- Restaurants, hotels, cafeterias
- Hospitals
- Educational institutions (schools, universities)
- Freelancers (lawyers, notary)
- Cinemas, theaters, museums
- Leisure facilities (fitness center, sport facilities, public baths, solariums)
- Tobacconist
- Other microenterprises (every business with less than 10 employees and less than 2 million Euros annual turnover)

Excluded from these criteria is **paper packaging**. Paper has to be distinguished between sales packaging and transport packaging, independently from its surface area or capacity. Generally, paper sales packaging accounts to the household section if they are accumulated in private households or comparable sites. Paper transport packaging is allocated to the commercial section.

Service packaging and carrier bags are generally household packaging whereas pallets, hoops and adhesive tapes are allocated to the commercial section.

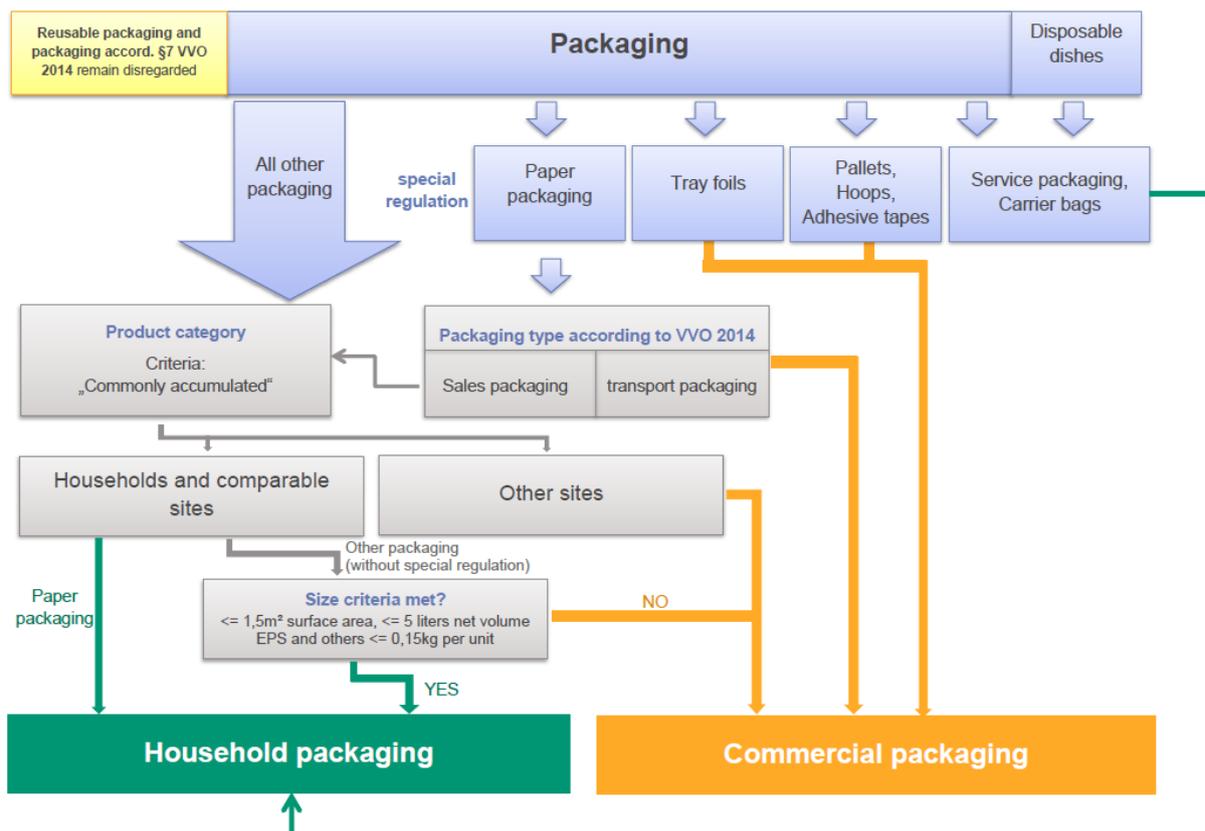
This new allocation scheme would have caused a drastic shift of packaging material into the household section and a significant price increase for the obliged person. Therefore the Ministry of Environment was already authorized in the Austrian Waste Management Act to determine percentages for those packaging materials for which these allocations are not viable.



These percentages are obligatory for the whole category of packaging and **must** be applied by all companies which put such packaging on the market, independently from the individual, actual allocation of the business. The basis is a representative market analysis valid for the entire federal territory of the Austrian Republic.

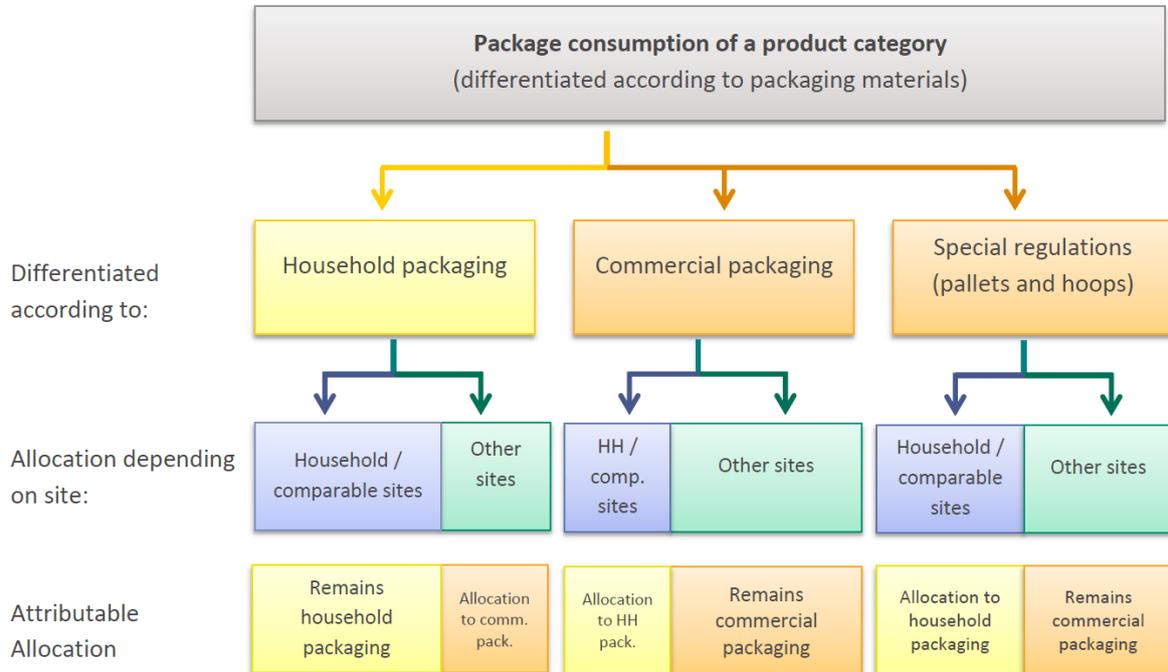
This representative market analysis was conducted by the society for market research specialized for packaging (Gesellschaft für Verpackungsmarktforschung, GVM for short) and is the basis for the amendment of the Austrian Waste Management Act. The study is intended to include 47 product categories, whereby currently results and quotas for 20 product categories are available. The remaining product categories will be examined later on. Therefore, for these remaining product categories the way of allocation stays at the moment as mentioned above according Austrian Waste Management Act.

For the 20 examined product categories, the allocation to either household packaging or commercial packaging has to be performed as described in the graph below:



Afterwards the allocation quotas for either the household or commercial section have to be applied on the following three categories of packaging:

- Household packaging
- Commercial packaging
- Pallets, hoops and adhesive tapes



The following principle is important:

If you put products on the market which are part of the 20 examined product categories, the quotas **must** be applied. The previously described procedure for the allocation to either household or commercial packaging is mandatory.



The product categories are:

- Agricultural products
- Beverages
- Dairy goods
- Canned products (fruits, vegetables, meat, sausage, fish)
- Frozen food
- Candies, snacks
- Pastries
- Meat, sausage, fish, poultry
- Dry products, other groceries
- Tabaco products
- Pet supplies
- Building chemicals, building materials and installation
- Surface treatment (detergents, cleaning agents)
- Hygiene articles, cosmetics
- Industrial chemicals, adhesives, road salt
- Health sector (pharmaceuticals, medical equipment and supplies, veterinary medicine)
- Furnishings, fitted kitchens
- Household, games and sports
- White goods industry, building services, electrical equipment, information and communication technology
- Print media (newspapers, magazines, books)