



New packaging act Start 01.01.2019

The new Packaging Act (VerpackG)¹ – The most important changes

✓ Definition / § 3

NEW: Packaging subject to mandatory system participation: Sales packaging and overpack filled with goods, which after use typically return to waste at the private end consumer. Shipment packaging is considered as sales packaging. For classification of packaging subject to mandatory system participation the Central Authority (Zentrale Stelle) will publish a catalogue expected in Q4 2018. Classification criteria will be inter alia filing quantity or edge length of the packaging.

NEW: No mandatory system participation for the producer or filler/packer in case packaging filled for and delivered to a third party is only marked with a) the Name or b) with the trademark of the third party or c) with both (e.g. trade licensing).

✓ Registration / § 9

NEW: Producers personal obligation² (producer by the means of VerpackG could be also distributors or importers) to register at the Central Authority before the packaging is put into circulation. Publication of all registered Producers on the website of the Central Authority. Possibility of preregistration at the report and registration portal „LUCID“ expected in August 2018.

✓ Data report / § 10

NEW: Producers personal obligation² to immediately report not only to the extended producer responsibility scheme for producers of packaging, but also parallel to the Central Authority the following data: registration number, material type and volume, name of the extended producer responsibility scheme for producers of packaging, period of licensing, optional: corrective action.

✓ Recycling requirements / § 16

NEW: Significant increase in the recycling quota and for the first time own quota for beverage carton packaging leads to considerably higher costs. Setting up and upgrading necessary for the waste management.

✓ Ecological structuring of the participation fees / § 21

NEW: Incentive system to promote the recyclability of packaging and to increase the use of recyclates during the production of packaging. Publication of minimum level expected in Q4 2018.

✓ Central Authority / § 24-30

NEW: Tasks of the new Central Authority are inter alia establishment and operation of the new packaging register „LUCID“, allocating the registration number, acceptance of data reports, registration and the declaration of completeness, data report matching, examination of experts.

✓ Deposit and return obligations for non-reusable drinks packaging / § 31

NEW: The deposit obligation will be extended to aerated fruit and vegetable drinks and mixed beverage with a whey content of 50 % or more.

✓ Third party authorization / § 33

NEW: Basically still possible, but registration and data report to the Central Authority must be done by the obligated party itself. Delegation is not permitted. Exception: service packaging – when transfer of the mandatory system participation to a predistributor, the predistributor is also responsible for registration and data report.

¹ Most of the new regulations will come into force on 01.01.2019.

² Personal obligation means representation by a third party is not permitted.