

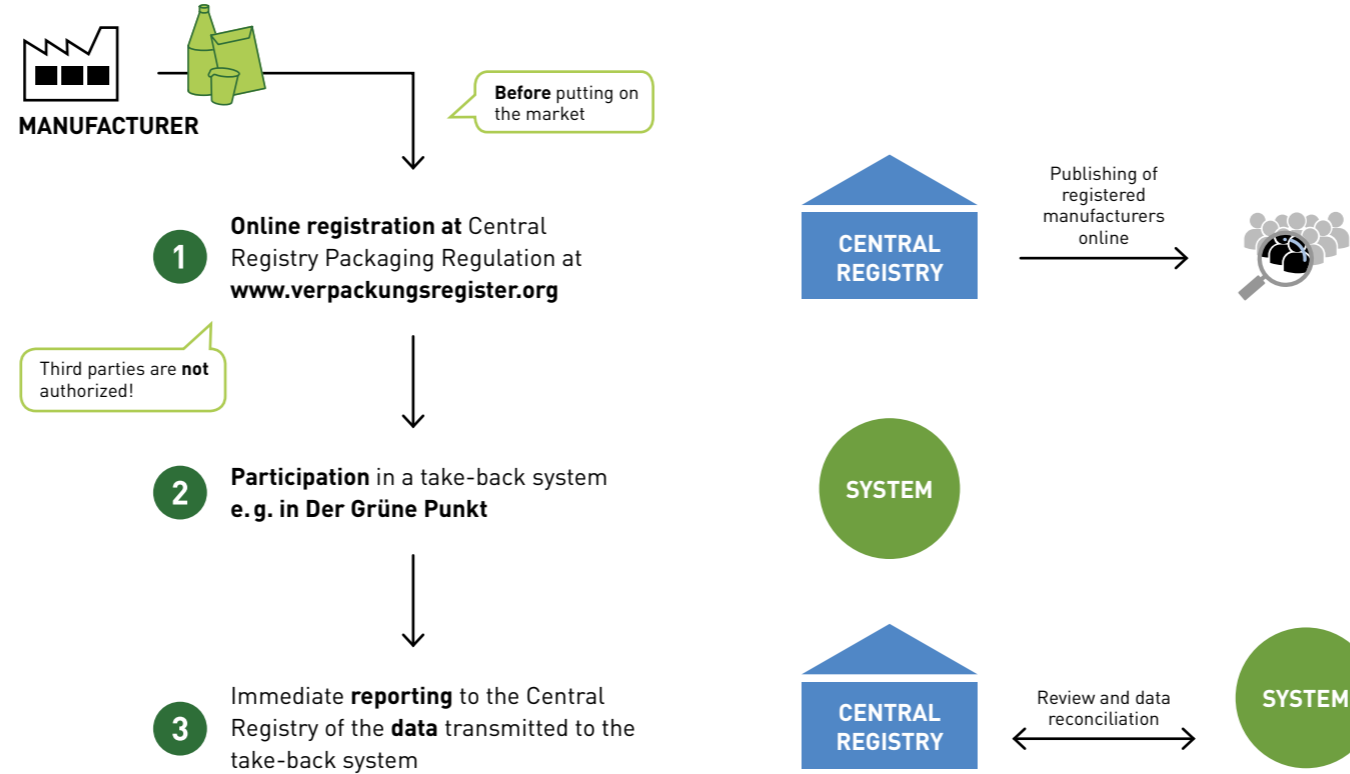
ARE YOU A MANUFACTURER/IMPORTER OF PACKAGING OBLIGED TO PARTICIPATE IN A TAKE-BACK SYSTEM?

Do you have sales and secondary packaging that is filled with goods and typically ends up with the final consumer after use?*



Take it and shape it!

YOUR OBLIGATIONS FOR THE FIRST REGISTRATION:



THE NEW GERMAN PACKAGING ACT

AS OF 1ST JANUARY 2019

THE MOST IMPORTANT FACTS AND CHANGES FOR MANUFACTURERS AND DISTRIBUTORS

More information:
verpackgo.de

Further information

Current information about the new Packaging Act is available on our website www.gruener-punkt.de/en/packagingact. For further questions, please write an email to customerservice@gruener-punkt.de.

The content of this flyer is based on our present knowledge. Final definitions and specifications by the Central Registry are still being expected.

Impressum:

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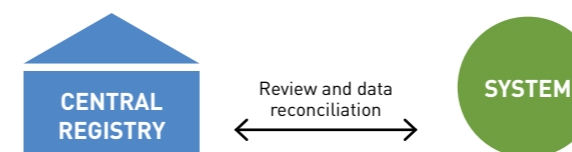
Helmut Schmitz

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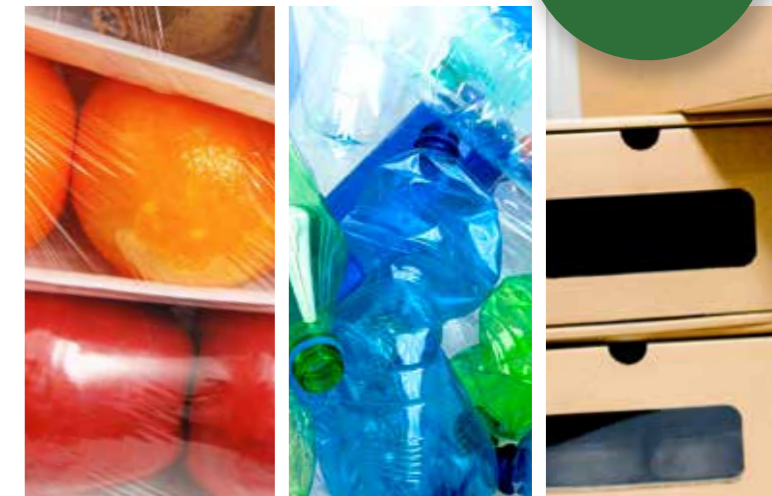
Regularly as of
01.01.2019

Immediate **transfer of information** given to the take-back system (data reporting)

Only if quantities are above the de minimis limit: Submission of the declaration of completeness by 15th May for the previous year



* Definition acc. to § 3 para. 8 Packaging Act



THE MOST IMPORTANT FACTS AND CHANGES

Since 1st January 2019 the new Packaging Act has been in effect. Every manufacturer in the sense of the Act, this means **every distributor who professionally circulates packaging in Germany or imports it into the area of validity of the Act**, is concerned by the legislation. Thus not only national manufacturers of packaged goods, but also **importers, online retailers** etc. are affected. There is no de minimis limit for small companies.

Distributors of sales packaging have to face both modifications and completely new provisions and obligations. Please find below a summary of the most important new regulations:

In the following, **O** stands for Obligation and **I** for Information.



» MANDATORY PARTICIPATION FOR MANUFACTURERS AND DISTRIBUTORS

Sales and secondary packaging that is filled with goods and typically ends up as waste with the final consumer after use has to participate in a system such as the Green Dot that guarantees the nationwide take-back (mandatory participation). It is forbidden to distribute packaging which does not properly participate in a system.



» OBLIGATION TO REGISTER FOR MANUFACTURERS

Every manufacturer has to apply for a registration number at the Central Registry Packaging Regulation (Central Registry) before circulating the packaged goods for the first time. This is online as of summer 2018 at www.verpackungsregister.org.

The following specifications, among other things, need to be entered at the Central Registry:

- Complete company and contact details
- National identity number including the European or national tax registration number of the manufacturer

- Brand names under which the manufacturer sells his packaging that has to participate in a take-back system
- Declaration that the legal obligation to contract with a take-back system has been fulfilled
- Declaration that all data given by the manufacturer are true



» OBLIGATION TO PARTICIPATE IN A SYSTEM

Manufacturers must conclude a contract with a dual system such as the Green Dot – see www.verpackgo.de for more information.



» ADDITIONAL DATA REPORTING TO THE CENTRAL REGISTRY

The packaging data which the manufacturer registered with the take-back system in order to fulfill his obligation to participate also need to be submitted to the Central Registry **without delay**, at least

- Registration number
- Material category and quantity of the packaging registered
- Name of the take-back system in which the packaging participates
- Period of participation in the take-back system

Notice: The registration in accordance with § 9 Packaging Act as well as the reporting of data according to § 10 Packaging Act cannot be done by a third party (cf. § 33 Packaging Act)!



» THE CENTRAL REGISTRY

The newly created Central Registry a foundation under civil law executing tasks of public authority – is responsible among other things for the following tasks:

- Registry of manufacturers before they put packaging on the German market
- Receipt of data reported by manufacturers and take-back systems
- Review of submitted of declarations of completeness

- Keeping of an auditor register (experts, auditors, tax consultants, chartered accountants)

For further information concerning the Central Registry please refer to the website www.verpackungsregister.org.



» AMBITIOUS INCREASE OF RECYCLING TARGETS

The current legal minimum recycling targets have been increased in all material categories. The take-back system has to prove in the mass flow verification report once a year that these targets have been achieved.

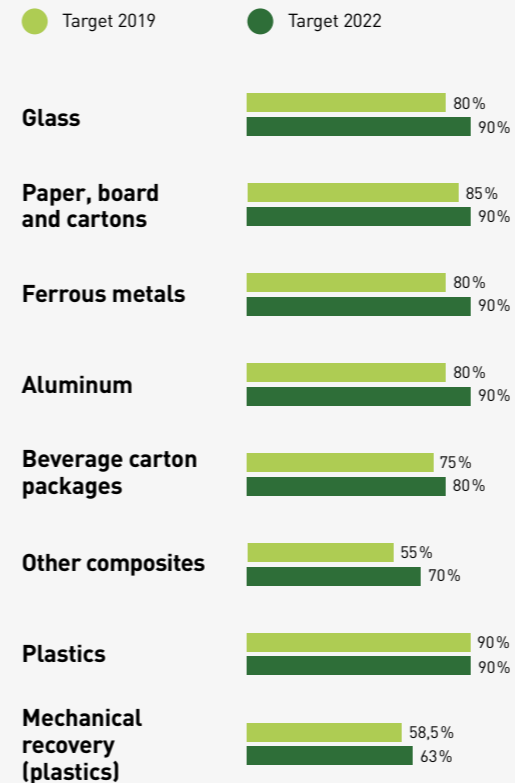


Figure: Increase of recycling targets



» DECLARATION OF COMPLETENESS

The procedure concerning the declaration of completeness and the bagatelle limits (§ 11 para. 4 Packaging Act) have been preserved. The following regulations are new:

- The deadline for the submission of the declaration of completeness has been extended from 1st May to 15 May
- Review of declaration of completeness only by registered experts, auditors, tax consultants or chartered accountants
- Deductions because of damaged or unsaleable packaged goods have to be disclosed and the fulfillment of recycling requirements confirmed separately



» EXTENSION OF MANDATORY DEPOSIT

The modifications concerning mandatory deposit are mainly limited to an extension of the mandatory deposit for single-use beverage packages on carbonated fruit and vegetable nectar as well as the introduction of a compulsory labelling of the shelves as „ONE WAY“ and „RETURNABLE“ beverage packaging by the final distributor.



» INCENTIVES FOR MANUFACTURERS TO USE ECOLOGICALLY BENEFICIAL AND RECYCLABLE PACKAGING

The take-back systems shall create incentives for the use of recyclates, renewable raw materials and materials which can be recycled at a high percentage. These incentives shall be reflected in the participation fees, this means that participation fees shall be fixed in accordance with ecological criteria in the medium-term.

The Green Dot will be pleased to sustain and consult you in view of the recycling-friendly construction, product design, optimization of your packaging as well as the use of high-quality recyclates. For further information please refer to our website www.gruener-punkt.de/de/leistungen/design4recycling.