

GERMAN PACKAGING ACT - AMENDMENT 2021

IMPORTANT MODIFICATIONS

On 20 January 2021, Germany's Federal Cabinet approved a new Draft Law transposing the Single Use Plastics Directive (EU-Plastics Directive 2019) and the Waste Framework Directive into the Packaging Act (VerpackG). This is intended to bring the Packaging Act into line with the current EU directives and to improve its enforcement. The law comes into force as of 3 July 2021.

The summary below only covers the most important changes. For detailed and updated information, please visit our website at: <https://verpackungsgesetz-info.de>

- 2021
- 03.JULY 2021**
Entry into force of the amendment with the following changes:
- New Producer's obligations for packaging not subject to system participation (e.g., transport or reusable packaging)**
- Keep records on the fulfilment of takeback and recycling obligations and establish appropriate self-monitoring mechanisms
 - Hold sufficient „financial and organisational resources“ to fulfil these duties and set up appropriate self-regulatory mechanisms
 - Final distributors must advise end consumers about the return possibilities
- Service packaging**
Delegation of Producer obligations to upstream distributors still possible
- Assignment of an Authorised Representative (voluntary)**
- This new rule is intended to make it easier for Producers without branch or registered office in Germany to fulfil their obligations, by allowing them to delegate specific duties to an appointed Authorised Representative (AR):
 - Only possible for the submission of quantity reports (registration remains Producer's duty)
 - AR performs the tasks in his own name.
 - AR must be established in Germany.
 - Assignment shall be submitted in written form and in German language

- 2022
- 01.JANUARY 2022**
- Extension of deposit and return obligations**
Mandatory deposit for all one-way beverage bottles and drink cans (exemption for one-way beverage bottles filled with dairy products: Obligation as of 1 January 2024)
- Offering reusable alternatives (and their take-back)**
- Applies to final distributors: Commitment to offer and indicate alternative and not “more expensive” reusable packaging in addition to single-use plastic food packaging and single-use beverage cups
 - Applies to small companies: Customers should be advised that, products can be filled in reusable containers brought by the end consumers as an alternative to single-use packaging
 - Obligation to take back only “own” returnable packaging
- 01.JULY 2022**
- Changes to the registration requirements for Producers**
Registration of all packaging (e.g., also transport and reusable packaging) with the Central Agency „Zentrale Stelle Verpackungsregister“
- Implementation of obligations for Digital Marketplaces and fulfilment service providers**
- Initial distributors are still obliged to license their packaging by themselves
 - Applies to e-marketplace operators (defined in § 25 para. 5 and 6 UstG): Are not authorised to offer non-registered and non-licensed packaging
 - Applies to **providers of fulfilment services: Are not allowed to carry out operations for unregistered manufacturers and non-licensed packaging**
- 2025
- 01. JANUARY 2025**
- Minimum recycled content**
Sales ban on PET bottles containing less than 25% recycled plastics (from 1 January 2030, sales ban on all one-way beverage bottles containing less than 30% recycled plastics)



LANDBELL GROUP is an international provider of comprehensive take back, consulting and software solutions for environmental and chemical compliance.

Established as a packaging compliance scheme in Germany in 1995 LAND-BELL GROUP has since evolved into a global service provider.

Today, LANDBELL GROUP operates in 13 countries producer compliance schemes worldwide for various waste streams, helps over 38.000 customers

in more than 60 countries to fulfil their extended producer responsibilities, and collected over 760.000 tonnes of waste batteries, electronics and packaging in 2020.

Specifically in Germany, Landbell AG operates a certified and independent packaging compliance scheme for producers and retailers to meet their legal requirements.