

# Changes through the new packaging law

## The most important information summarised for you

The new packaging law fully comes into force on 1 January 2019. The following points show you the requirements producers and retailers have to consider.

### System Participation Obligated Packaging § 3

System participation obliged packaging is sales and secondary packaging filled with goods which typically end up as waste at the private end consumers after usage. This also includes:

- service packaging
- shipping packaging (e.g. online shops, e-commerce and mail-order business)
- secondary packaging

### Registration § 9

All initial circulators now have to register with the Central Office via an electronic data processing system and their names will be published.

Information to be provided at registration:

- name
- address
- brand name
- VAT ID no. (German+EU)
- natural person who is authorised to represent
- declaration about the registration with a dual system
- declaration that all information is true

**According to § 33, a registration by third parties is not possible!**

### Data Reporting § 10

The packaging reports made for the purposes of system participation have to be reported to the Central Office instantaneously. These are, after the initial registration, at the minimum:

- registration number
- type of material and quantity of the involved packaging
- name of the system the system participation has been done with
- period of time the system participation has been done for (e.g. annual planned quantity declaration as well as monthly, quarterly and annual quantity declarations during the year)

**According to § 33, reporting of data by third parties is not possible!**

Questions or need for action?  
Our team is happy to assist:  
phone: +49 9241 4832 200  
e-mail: [vertrieb@bellandvision.de](mailto:vertrieb@bellandvision.de)

### Declaration of Completeness § 11

When the de minimis limit is exceeded, the declaration of completeness must be electronically deposited at the Central Office along with the corresponding audit reports for all distributed sales and secondary packaging.

- deadline: 15 May concerning the preceding calendar year
- examination must only be carried out by an expert, auditor, tax consultant or sworn in accountant registered at the Central Office
- **The declaration of completeness concerning the licensing year 2018 must be deposited at the Central Office by 15 May 2019 and will be examined there!**

### Central Office ("Zentrale Stelle") §§ 24-30

The Central Office ("Zentrale Stelle") as supervisory authority will be fully functioning from 1 January, 2019 at the latest. Its tasks include i.a.:

- acceptance of the registration
- examination of the quantity declaration during the year and the declaration of completeness of the initial circulators
- control of the declarations of the dual systems, initial circulators and the operators of branch related solutions
- examination of the mass flow balances of the dual systems and branch related solutions

### Ecological Participation Fees § 21

The participation fees of the systems are supposed to create an incentive to use packaging which is made:

- from most recyclable materials and
- from recyclates or renewable raw materials.

### Mandatory Deposit for Disposable Drinks Packaging § 31

The mandatory deposit is extended to:

- carbonated fruit and vegetable nectars
- mixed drinks which include at least 50% dairy products, especially whey

### Reference Requirement Disposable/Reusable Drinks Packaging § 32

Retail is obligated to attach symbols saying "EINWEG" (disposable) or "MEHRWEG" (reusable) when selling disposable and reusable drinks packaging charged with a deposit.