



The Packaging Ordinance

The Fifth Amendment of the German packaging ordinance entered into effect on January 1, 2009

The Packaging Ordinance (5.Novelle der Verpackungsverordnung) amended in November 2007 entered into effect on January 1, 2009. The amendment has three main purposes:

- 1) Ensure that all packages purchased by end consumers (private households) are licensed by a dual system company. This means that all firms that sell packaged goods must officially join a dual system licensed in Germany.
- 2) Prevent free rider behavior from the companies producing and distributing packaged goods. Until today there is still no disposable fee paid for around 30 percent of the packages put out in the market.
- 3) Increase competition among dual system companies in the country. This means that the well established dual system company DSD GmbH (Grüner-Punkt-System) will face a stronger competition by the recently recognized eight dual system companies in Germany.

In addition, companies that place large amounts of packages in the German market must submit annual declarations containing a summary of product packaging being sold to end consumers within a year. This "statement of completeness and accuracy" (Vollständigkeitserklärung) must include the following information:

- 1) The amount of b2c packages put into circulation in Germany, differentiated by packing material.
- 2) The participation in a licensed German collection and disposal system for the b2c packaging

This declaration must be audited by a certified accountant or an authorized qualified expert and be submitted to the local Chamber of Industry and Commerce. The "statement of completeness and accuracy" must be filled out by all companies that are the first ones to place the following packing amounts in the market:

- More than 80,000 kg glass
- More than 50,000 kg paper, paperboard, cardboard
- More than 30,000 kg of other kind of packaging materials

It is estimated that with these thresholds around 97 % of all b2c packaging in Germany will be declared and recorded. The declaration form can be found on the web page of the Association of German Chambers of Industry and Commerce (DIHK). This webpage also offers a new internet portal in which companies are able to fill out and submit their declaration online <http://www.ihk-ve-register.de/>. This portal is available in German, however an English guide to the Packaging Ordinance is available for download.