

Information on Packaging Obligations in Germany

If you are planning to sell goods to Germany, please be aware:

- **The first entity to introduce sales packaging to the German market commercially is responsible for licensing it.**
- **There are no minimum thresholds.**
- **A German business presence *is not* necessary.**
- **Selling goods via distributors, retailers, e-commerce platforms or directly to end-users means that there is a requirement to license packaging**
- **In Germany, end-users include households, businesses and organisations**

→ **There is an obligation to license packaging.**

German Packaging Law

The German packaging obligations differ from those in the UK in a variety of ways:

The law obliges manufacturers and distributors to take back used, empty sales, service and shipping packaging from consumers free of charge and to forward it for recycling, regardless of whether they sell direct (including e-commerce), via retailers, wholesalers or importers.

Sales packaging is anything that helps with the containment, protection, handling, delivery or presentation of goods. The easiest way to determine what is sales packaging is to establish if the packaging in question is discarded by the consumer/end-user, e.g. cartons, cans, tubes, jars, pots, polystyrene moulds and chips, bubble wrap, plastic bags etc. but ultimately, the **product catalogue** of the [Central Register](#) decides what is included (link only in German).

End-users can also be, but are not limited to: bakeries, butchers' shops, hairdressers, pharmacies/chemists, educational institutions, old people's homes, restaurants, pubs and hotels, hospitals and comparable institutions, offices.

For all obligated companies, there is compulsory membership of a **dual system** (compliance scheme), which ensures that used sales packaging is regularly collected from private households and other locations throughout Germany.

There is **no minimum threshold**, so that anyone who commercially distributes eligible packaging in Germany is affected.

There is no option to pass on this responsibility to others along the distribution chain, however, the German importer may take on the licensing requirements (this should be explicit in the sales contract). Membership of one of the UK schemes (Valpak, Wastepak etc.) does not cover a British exporter's obligation in Germany. Companies are free to choose which dual system they join and there is no requirement to display the Green Dot, or any other dual system membership symbol, on sales packaging.

German Dual Systems

There are several dual systems to choose from, including:

- BellandVision GmbH
- Der Grüne Punkt – Duales System Deutschland GmbH
- ELS Europäische Lizenzierungssysteme GmbH
- INTERSEROH Dienstleistungs GmbH

- Landbell AG
- NOVENTIZ Dual GmbH
- Reclay Systems GmbH
- Veolia Umweltservice Dual GmbH
- Zentek GmbH & Co. KG

The Central Packaging Register (LUCID)

It is mandatory for companies to register with the **Central Packaging Register LUCID**: <http://lucid.verpackungsregister.org/> in addition to participation in a recycling scheme. Companies receive a registration number and must report their packaging data to both the recycling scheme and to LUCID.

From 1 July 2022, anyone who introduces **any filled packaging** (transport, reusable, B2B product packaging, packaging not suitable for licensing, packaging of hazardous goods) needs to register with LUCID and keep records of said packaging from 1 January 2022.

Final distributors are also required to advise customers and end users of the **return possibilities**. This can be done by adding the information to the invoice or the distributor's website.

Certificate of Completeness

For companies, which handle large amounts of packaging, documented proof of compliance detailing materials, tonnages and participation in one or more dual systems must be submitted to the Packaging Register.

Companies, which sell annually more than 80 tonnes of glass OR 50 tonnes of paper/card / cardboard OR 30 tonnes of aluminium/tinplate/plastic/composites, must complete a Certificate of Completeness (*Vollständigkeitserklärung*) online at <https://lucid.verpackungsregister.org/login> . This Certificate must be audited by an external party registered with LUCID (auditor, tax consultant) and be submitted by 15 May every year to cover the previous calendar year.

E-Commerce / Internet Sellers / Fulfilment providers

Anyone who offers products via E-Commerce platforms or digital marketplaces has the same obligations. From 1 July 2022 digital marketplaces must check if their sellers have registered with LUCID and licensed their packaging. Unlicensed/unregistered packaging faces a sales ban. The same goes for fulfilment providers who will no longer be allowed to carry out any activities (storage, packing, shipment etc.) for unlicensed/unregistered products. The rules cover both product and shipping packaging.

Transport Packaging

Packaging such as cardboard outers, pallets or shrink-wrap, which is discarded by the wholesaler or retailer, is classified as transport packaging. There is an obligation on suppliers to recover this type of packaging and British exporters could join one of the transport packaging recovery schemes should they wish. However, many wholesalers or distributors make a small charge, usually as a percentage of the invoice value, to cover the cost of recycling such packaging. The Chamber only advises on sales packaging but please see the **section on the Central Packaging Register** above.



Other Circumstances

If you believe the above doesn't apply because you sell on an ex-works basis, if you ship someone else's goods or if you are not sure if your products ought to be licensed, please contact us for more information: recycling@ahk-london.co.uk.

Deposit Scheme

Germany operates a deposit scheme for single-use beverage containers. This was extended to all single-use drinks bottles and drinks cans from 1 January 2022 and will cover all milk and milk product packaging from 1 January 2024. Please see our website for more information.

WEEE & Batteries

According to the Electrical and Electronic Equipment Act (*ElektroG*) the manufacturer of electrical and electronic equipment, or company which first places the product (if the manufacturer does not have a registered location in an EU member state), is responsible for its disposal. The law also covers goods with an electrical/electronic function, e.g. furniture and clothing, and introduced changes to the categories of equipment to be registered.

From 1 July 2022, the law will also apply to all products offered on online marketplaces and dealt with by fulfilment centres.

According to the Batteries Act (*Batteriegelgesetz/BattG*) manufacturers and distributors are responsible for the professional disposal of the batteries distributed by them on the German market.

The Chamber has teamed up with a member of the Alliance for the Returning and Recycling of Electric and Electronic Devices (VERE) to offer British exporters a simple and cost-effective solution to WEEE and Battery compliance in Germany.