



## A guide to Extended Producer Responsibility Legislation In various countries

Extended Producer Responsibility (EPR) is an environmental regulation. Under EPR regulations, the responsible company must take steps to reduce the environmental impact of their products through the entire product life cycle.

There are some countries that already have implemented waste management systems. If you are selling products to any of the below countries, please ensure that you follow their waste management regulations.

### AUSTRIA:

Austria Waste Management Act (Abfallwirtschaftsgesetz -AWG)

To comply with legal obligations in Austria, where you 'licence' the quantities of sales and/or transport packaging, register on Reclay via the [Activate tool](#) by choosing 'Austria' as country. Fees apply depending on the amount of packaging placed on the market.

The contact at The Reclay Group to establish which option is the most suitable for your business is: Ms. Fenja Petrich Phone: +49 221 58 00 98 2793 Email: [fenja.petrich@leko-organisme.fr](mailto:fenja.petrich@leko-organisme.fr) The Reclay Group - Leko Website: [www.leko-organisme.fr](http://www.leko-organisme.fr)



*Tidy Man Symbol (left), Mobius Loop Symbol (right)*

**AUSTRALIA** National Environment Protection (Used Packaging Materials) Measure 2011 (NEPM). Australian Packaging Covenant (APC) 2017 A voluntary scheme that focuses on ways to design more recyclable, compostable or reusable packaging. Packaging labelling is not mandatory <https://apco.org.au/the-australasian-recycling-label>.

### BULGARIA:

Ordinance on Packaging and Packaging Waste Effective from 1 January 2022. Voluntary use of the Mobius loop symbol containing the relevant alphanumeric code identifying packaging materials, as per the EU's Decision 97/129/EC. Also requires the "Tidy Man" symbol – the Tidy Man symbol is not trademarked in the EU so you can use without the need to obtain a licence. Prepacked goods placed on the market before 1 January 2022 that do not bear the Mobius symbol can be sold until out of stock.



#### **FRANCE:**

Article L.541-10 of the French Environmental Code - France has EPR schemes in place for the waste management of 22 product categories, including clothing, footwear, household textiles, sportswear, some DIY gardening wear and packaging products. Products within the legislation must be marked with the Triman logo and appropriate sorting information. Producers must register with the relevant appointed PRO in France, submit data and pay fees related to the amount of product placed on the market.

#### **GERMANY:**

The German Verpackungsgesetz (Packaging Act) requires registration on the LUCID Packaging platform for all producers that place packaging filled with goods on the German market, including transport packaging and retail, as well as grouped packaging that does not typically accumulate as waste with private final consumers. Register on the LUCID Platform to submit the data relating to the amount of packaging you place on the German market annually. Fees apply.

#### **INDIA:**

Plastic Waste Management Rules In August 2021, the Indian federal government amended the 2016 Plastic Waste Management Rules, prohibiting identified single use plastic items in India. Plastic packaging waste must now be collected and managed in an environmentally sustainable way through the Extended Producer Responsibility (EPR) of the producer, importer, and brand owner. Both these amendments will be effective from July 1, 2022.

**ITALY** Extended responsibility for textiles on 3 March 2023, the public consultation related to a draft decree which identifies obligations in the chain of textile products for clothing, footwear, accessories, leather goods, and home textiles was closed. A Coordination Centre for Textile Recycling (CORID) has been set up. This comprises all the individual and collective management systems recognised by the Ministry.

Legislative Decree 116/2020 amended article 219(5) of the Environmental Regulations of Italy (Legislative Decree 152/2006); 21 November 2023 - Ministerial Decree n. 360 of 28 September 2022 Effective from 1 January 2023 – mandatory environmental labelling for packaging destined for the Italian market, for B2C and B2B. Stock manufactured before 30 June 2022, can continue to be placed on the Italian market without the mandatory signage until the end of stock. There is no obligation to register with an eco-organisation for non-Italian businesses.

**ITALIAN Plastic Packaging Tax** A new tax on non-reusable plastic packaging will take effect as of 2024. The new tax has a tax rate of €0.45 per kg of non-recycled, single use plastic packaging. The new tax is applicable on the manufacture, importation, and intra-community acquisition of nonreusable plastic packaging for its final use within the Italian market. It covers empty and filled packaging materials and packaged products, applying to primary, secondary, and tertiary packaging.

**Requirement:** - 1. Whether destined for B2B or B2C, the end user must be informed of the identification of the packing composition using the Commission Decision, 97/129/EC alphanumeric code. for example: Material: - Written code Numeric code Corrugated cardboard PAP 20 Smooth



cardboard PAP 21 Paper PAP 22 This can be achieved by marking the packaging, or using digital options, see\* below - 2. In addition, for B2C, the end user must also be given instructions for proper disposal. Any written instructions for disposal must be in Italian. A company must use the form and manner that they consider the most suitable and effective for achieving the goal Details on the recyclability, composability, and reusability of the packing is optional. The Guidelines provide digital labelling options\* as an alternative to the physical affixing of information on packaging. It is now possible to: • Completely replace physical labelling with digital eg by using an App, a QR code, an EAN code, or by having the information on a website. Proper instructions must be provided to the end consumer on how to find the mandatory information through the chosen digital channel

## **IRELAND**

European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste Ireland uses the Extended Producer Responsibility (EPR) model for dealing with a number of waste streams and has developed six Producer Responsibility Initiatives (PRIs), based on the 'producer pays' principle. If a business has a turnover of more than €1 million and places more than 10 tonnes of packaging on the Irish market, they have a legal obligation to fund the recycling of that packaging under Irish and EU Packaging Regulations.

**SLOVAKIA** Act No. 223/2001 Businesses that place packaging or packed goods on the Slovakian market have an obligation to contribute to their recycling and end-of-life disposal. Companies without a registered office in Slovakia need to appoint an authorised person with a registered office in Slovakia, in addition to a membership with a Producer Responsibility Organisations (PRO).

For information on the Slovakian EPR scheme please contact: Ms. Fenja Petrich Phone: +49 221 58 00 98 2793 Email: [fenja.petrich@leko-organisme.fr](mailto:fenja.petrich@leko-organisme.fr) The Reclay Group - Léko Website: [www.leko-organisme.fr](http://www.leko-organisme.fr)

**SOUTH KOREA:** Packaging EPR – Promotion of Saving and Recycling of Resources Act Effective from 24 September 2020 Packaging material must be graded and evaluated according to its recyclability, with the appropriate grade of:

- Good Recyclability
- Fair Recyclability
- Poor Recyclability.

**USA – California** - The Plastic Pollution Prevention and Packaging Producer Responsibility Act (Senate Bill 54) – updates the California Integrated Waste Management Act of 1989 Producers, placing single-use plastic packaging (and plastic single-use foodservice ware) on the market in California must join a producer responsibility organization (PRO) by 01 January 2024, to continue selling, importing, or distributing these materials in California. Senate Bill 54 requires all packaging in the State to be recyclable or compostable by 2032.

**USA – California** The California Integrated Waste Management Act of 1989; The Responsible Textile Recovery Act of 2023, (Senate Bill 707). Adoption into law no earlier than 31 December 2025. The first bill of its kind in the US, this Bill is aimed at introducing an EPR programme for



facilitating the repair and reuse of clothing and the recycling of textile fibres. The products covered by the Bill are textiles commonly used in households and businesses, including, but not limited to, apparel, accessories, handbags, backpacks, curtains, shower curtains, furnishings, upholstery, bedding, towels, napkins, and tablecloths that are “unsuitable for reuse by a consumer in its current state or condition.” If the bill is passed, producers would be obligated to either set up their own repair, collection and recycling system or join and financially contribute to a stewardship organization.

**SPAIN - Royal Decree on Packaging and Packaging Waste** – entry into force 27 December 2022  
The Royal Decree 1055/2022 repeals Law 11/1997 that previously regulated these issues. The decree seeks to align Spain’s packaging legislation with the new extended producer responsibility scheme set in place by the EU.

Producers including distance and marketplace sales into Spain from abroad, (or their Authorised Representative), must register with the relevant appointed eco-organisation on the packaging section of the Registers of Producers of Products ([miteco.gob.es](http://miteco.gob.es)). A registration number will be issued which must be quoted on all customs documentation and commercial invoices. Packaged products that do not display the registration number on the documentation will not be permitted entry to the market.

From 01 January 2025, marking obligations must be displayed on the packaging to indicate the products reuse or the relevant sorting bin. The EU alphanumeric codes can be displayed voluntarily. The Decree does not define the nature of the marking, this is left to the discretion of the producer. In addition to the above, it is prohibited to indicate the packaging is “environmentally friendly or any other equivalent text. The % of recycled materials must be stated. This information must be certified by an accredited entity that issues certification from the National Accreditation Entity or any other accreditor with whom the National Accreditation Entity (hereafter ENAC) has an international recognition agreement.

Compostable plastic packaging must be designed in such a way that no non-compostable elements prevent the recycling and composting process. It must bear a label indicating its quality based on the EN 13432:2001 standard.

Packaging made with non-compostable plastic must incorporate a sufficient amount of recycled plastic to meet the objectives established in the Royal Decree. The amount of recycled plastic in the products must be certified by an accredited entity that issues certification under the UNE-EN 15343:2008 "Plastics. Recycled plastics. Traceability and conformity assessment of the recycling of plastics and recycled content”.

**By 2030, all packaging placed on the market must be recyclable and, where possible, reusable.**

**Plastic Packaging Tax, (Spanish acronym IEP), Law 7/2022 on Waste and Contaminated Soils**  
Effective from 1 January 2023. A new tax on non-reusable plastic packaging will take effect as of 1 January 2023. The new tax has a very broad scope with a tax rate of €0.45 per kg of non-recycled plastic packaging. Recycled plastic is not included in the tax.

**SWEDEN: Producer Responsibility for Packaging**



From 01 November 2023, you must be signed up to a PRO and registered with the Swedish Environmental Protection Agency either directly or through a PRO. You must report to the Swedish Environmental Protection Agency the amount of packaging placed on the Swedish market and pay an annual enforcement fee to the Swedish Environmental Protection Agency.

**Packaging marking:** There is no legal obligation to provide marking on packaging for the Swedish market, it is entirely voluntary at this stage.

**THE NETHERLANDS Ministry of Infrastructure and Water Management: Environmental Management Act, Extended Producer Responsibility for Textiles Draft Decree (UPV)** - Entry into force, 01 July 2023. The Dutch EPR for Textiles Decree applies to producers/importers who are the first to place B2B and B2C consumer clothing, workwear, corporate wear and some household linens on the Dutch market. This is usually when VAT is charged for the first time. The Decree also applies to textiles with recycled content.

Producers not established in the Netherlands who place textile products on the market need to register with the Stichting UPV Textiel, the appointed eco-organisation, (PRO), declare the amount of product placed on the market each year and pay fees. Registration should be within 6 weeks after 12 01 July 2023 with an estimate of the number of units thereafter. It has not yet been established whether the fee structure will be calculated on weight or product units. The 2023 declarations will be used for reporting purpose only. From 2024, fees will be applied based on the estimated amount of textiles expected to be placed on the Dutch market with any adjustments made in 2025 to the 2024 figures. Unsold stock not placed on the market and returns should not be included in the declaration. The Decree provides for the following targets for the reuse and recycling of textiles placed into the Dutch national market: 50% in 2025 and 75% in 2030.

**Ministry of Infrastructure and Water Management: Environmental Management Act, Packaging Management Decree 2014 (UPV)** The Dutch EPR for packaging scheme applies to manufacturers, producers and importers who are the first to place packaging on the Dutch market. An exemption for packaging reporting applies to producers or importers who annually places less than 50,000 kilograms of packaging on the Dutch market.

**Packaging marking** There is no legal obligation to provide marking on packaging for the Dutch market, it is entirely voluntary at this stage. If a producer or importer wants to use a code to identify the packaging components, it must comply with European Decision 97/129/EC. The Dutch have developed their own logos, specifically for the Dutch market, to convey information to the consumer on how to dispose of packaging, again, their use is entirely voluntary.

**UNITED KINGDOM Plastic Packaging Tax (General) Regulations** In force from 1st April 2022. Applies to plastic packaging manufactured in or imported into the UK unless it contains at least 30% recycled plastic. Imported plastic packaging will be liable to the tax, whether the packaging is unfilled or filled. Tertiary packaging in use around grouped units at the time of import is exempt from the tax. There are other exemptions for some plastic packaging depending on their



use. Companies that manufacture or import less than 10 metric tonnes of plastic packaging in a 12month period are exempt from the charge, but they may still have to register.

Packaging EPR Effective from 1 January 2024 There are two sets of obligations:

1. Waste cost and recycling obligations
2. Nation data reporting obligations This new legislation is a reform of the existing UK Packaging Waste Regulations. The regulations will apply to all UK organisations that handle and supply packaging over a de Minimis threshold.

Waste cost and recycling obligations the obligation for Small Organisations differs to Large Organisations, please ensure you are clear as to which category you fit into. If your annual turnover is below £1 million, you have no obligations currently.

**Packaging marking requirements** from 31 March 2026, specific mandatory labelling of packaging and by 31 March 2027 for plastic films and flexibles. The Recycle Now 'swoosh' symbol has been adopted by DEFRA and relevant wording (recycle/do not recycle) will need to be added. Until the infrastructure and evidence base can be improved, compostable and biodegradable packaging must have the 'do not recycle' label applied. The Office for Product Safety and Standards will be the enforcement body responsible for the monitoring and enforcement of the labelling requirements.