



Mandatory return and deposit system for one-way packaging in Germany

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Details

- Background of the deposit-regulation
- Discussion-process with industry and EU-Commission
- Legal disputes
- Amendment of Packaging Ordinance in 2005
- Current situation of return and deposit system



Drinks Packaging and ecology

- life-cycle assessments: reusable drinks packaging
 - protect resources
 - avoid waste
 - use less energy
 - have less share to the greenhouse effect
 - reduce littering

- 0,63 million tonnes refillable packaging for 22,5 billion liters
- 1,85 million tonnes one way packaging for 9,5 billion liters



Waste Policy and drinks packaging

- high level of reusable systems in the 80th
reusable quota of beer, mineral water, soft drinks: 73%
- increase of one-way drinks packaging
- littering and disposal problems for municipalities
- plans by industry bringing even more PET-one-way packaging onto the market
- reaction of government in 1988: deposit for plastic drinks packaging
- discussion with EU-Commission
- Packaging Ordinance in 1991

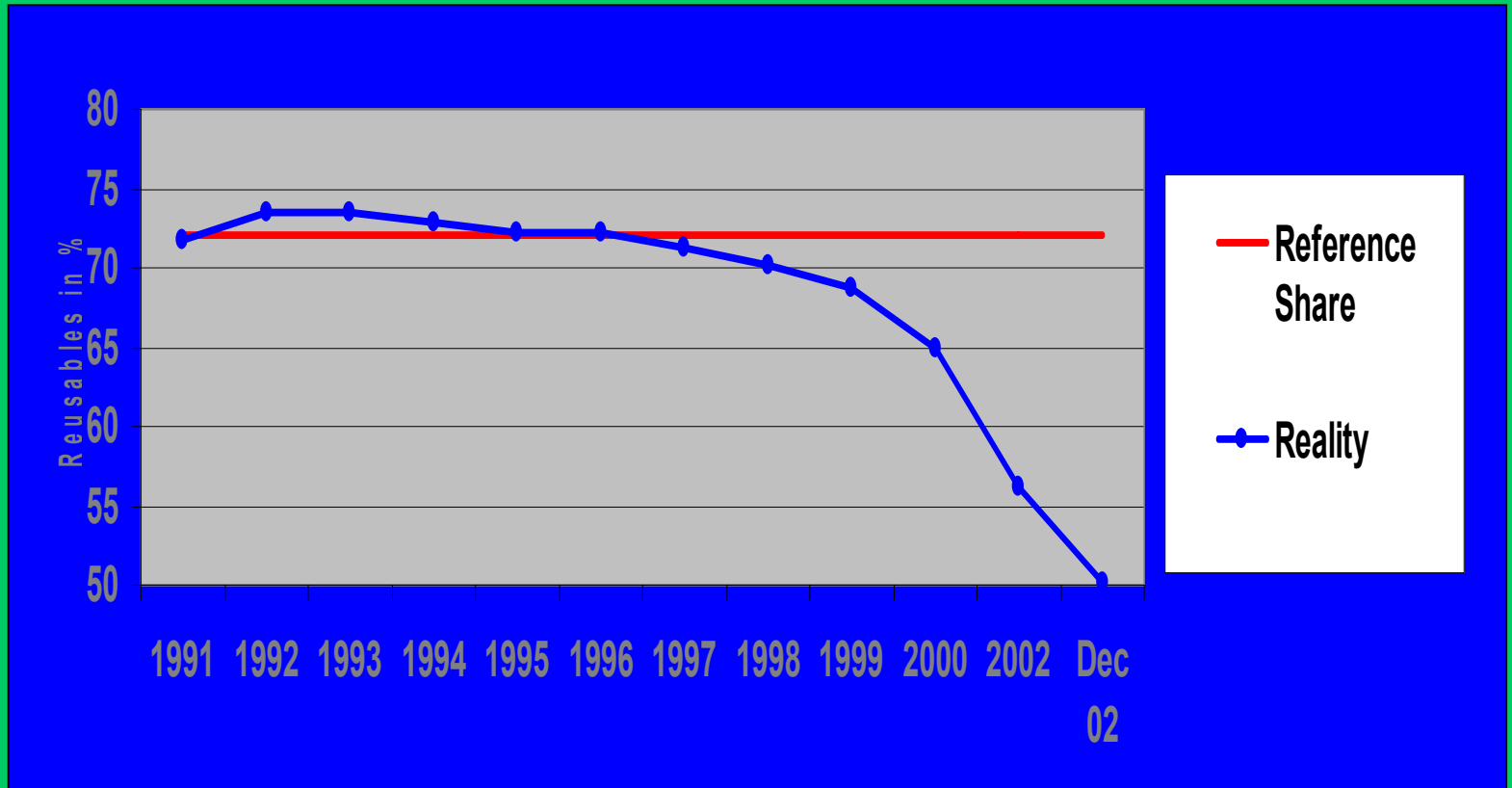


The way to the Deposit

- Packaging Ordinance '91:
deposit on disposable drinks packaging
exemptions: participation in the Dual System
reusable quota over 72%
- all drinks packaging participated in the Dual System
- fall of the reusable quota since 1995
- dialogue with industry: no consensus about tax-alternative
- reusable quota repeated below 72%
- mandatory deposit effective 1 January 2003

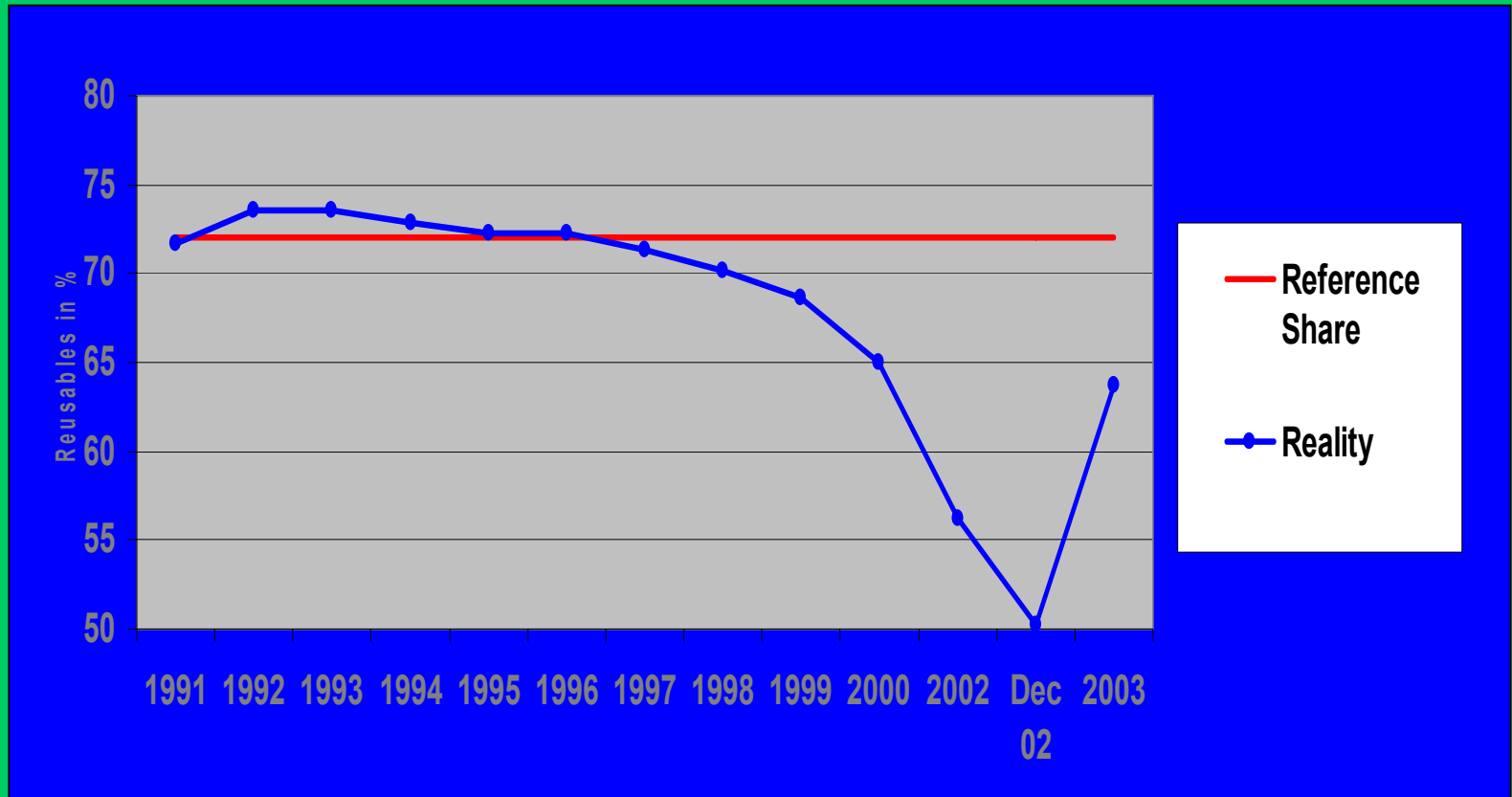


Descent of Reusable Share





Effect of Deposit





Legal disputes

- Proceedings by industry:
 - against the Federal Government and the Federal States
 - the courts have thrown out all cases to date
 - the courts confirmed the deposit under the conditions set by the ECJ
- Decisions of the ECJ December 2004
- Consultations with the Commission
- 3rd Amendment of the Packaging Ordinance



Decisions of the ECJ December 2004

- deposit is in principle compatible with EU law
- deposit can be a barrier to trade, but is justified for environmental reasons

deposit improves return-quota

deposit improves recycling of packaging

deposit reduces littering

reusable drinks packaging reduces amounts of wastes

- sufficient transitional period is necessary
- sufficient number of points of return for one-way drinks packaging is necessary



Consultations with the Commission

- COM accepts mandatory deposit:
 - “isolated solutions” have to be discontinued
 - national return-system has to be open to all national and international distributors without discrimination especially for importers
 - national return-system may not cause barriers of trade
- understanding with COM about ending of “isolated solutions”



3rd Amendment of the Packaging Ordinance

- standard deposit of € 0,25 only for one way containers from 0.1 – 3 litres for
beer, mineral water, carbonated soft drinks
and from May 2006 also for
 - non-carbonated soft drinks
 - alcoholic mixed drinks (“Alcopops”)
- no deposit for juice, milk and wine
- no deposit for ecologically advantageous packaging
cartons, polyethylene tubular bags, stand-up bags
- “isolated solutions” are finished since May 2006
take back duty to the material (glass, metals, plastic), which is
put on the market



Extension of Deposit and Return Systems

- Producers and retailers have founded the “Deutsche Pfandsystem GmbH” (DPG) in June 2005:

www.dpg-pfandsystem.de

- basic principles
 - non-profit company
 - open for all producers and retailers to equal conditions
 - deposit, product, clearing and return flows only between producers/retailers and service providers
 - no knowledge of service providers' deposit funds, sales/return quantities and terms



Main tasks of DPG

- Framework for the system-relevant areas of action:
 - Contract management
 - Management of marking standards
 - Processing DPG-stickers for small volumes
 - Master database provision
 - IT interface management
 - Certification management



Future effects of the Compulsory Deposit

- no littering of one-way drinks packaging
- high return-quota of one-way drinks packaging
- high quality recycling of seperately collected PET-bottles
- stabilising of refillable systems



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Many thanks for your attention

Further informations on: *www.bmu.de*

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