

EXTENDED PRODUCER RESPONSIBILITY FOR MARKETPLACE SELLERS IN GERMANY

What will change for Marketplace sellers?

Starting in 2022, if you sell your products in Germany and/or France, operators of Marketplaces must ensure that you are fully complying with the Extended Producer Responsibility (EPR) in these countries. The Marketplace will therefore collect and validate your EPR registration number(s).

If you cannot prove your EPR compliance to your Marketplace, you can expect the following actions:

Germany: Marketplace will be obliged to suspend your non-compliant listings under the relevant EPR product categories:

- Packaging: all listings from July 1, 2022
- Electrical and Electronic Equipment (EEE): all listings falling under EEE from January 1, 2023
- Batteries: currently not in scope within German regulations

France: Information from the French regulators has not yet been announced. Once this information is made public, it will be displayed on this page: www.epr-info.com

What is EPR – and why does it concern me as a Marketplace seller?

Extended Producer Responsibility (EPR) is an environmental policy that makes producers responsible for the entire life cycle of the products that they introduce on the market, from their design until end of life (including waste collection and recycling). The corresponding directives apply throughout the EU and in the individual countries.

With your company, you are considered a producer, if you produce, import or sell a product that falls under the EPR regulations in the respective country and if you are not domiciled in this country.

PLEASE NOTE:

If you are a “distance seller” (all marketplace sellers/online sellers are considered “distance sellers”!) you must register and provide your Marketplace with your own EPR registration

number(s) because of the shipping packaging that you use. Details on these obligations and the respective waste streams

How do I fulfil my obligations as a Marketplace seller in Germany?



PACKAGING

- **Join a PRO (Producer Responsibility Organization):** The packaging placed on the market must be licensed with a dual scheme (PRO). Easy and completely online possible with the Landbell [EASy-Shop](#)
- **Register with the Central Agency Packaging Register:** (<https://www.verpackungsregister.org>) before selling any packaged goods on the German market.
- **Report** the packaging quantities placed on the German market to the Central Agency (LUCID Platform) and at the same time to the dual scheme. (via customer login at Landbell [EASy-Shop](#))

PLEASE NOTE:

Packaging is not only sales packaging (so-called product packaging), which is used to protect goods and products and ensure their safe handover to the consumer.

Shipping packaging for online sales (e.g. the shipping cartons, filling materials such as bubble wrap, etc.) is also always subject to registration and membership of a PRO.

For shipping packaging, there are always direct obligations for Marketplace sellers/online sellers selling to Germany.

Very rarely, sales packaging (product packaging) may already be registered and covered by membership of a scheme, if the manufacturer fulfilled the obligations in Germany. In this case, a proof of registration and scheme membership is required. If there is no proof, the obligations remain with the Marketplace seller/online seller.



EPR explained easily:

Learn more in the video by scanning the QR code





WASTE OF ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

- **Register** your electrical devices with the registry [®]ear (per category and per brand)
<https://www.ear-system.de/ear-portal>
- **Appoint an Authorized Representative in Germany:** for electrical and electronic equipment manufacturers/dealers without a subsidiary in Germany
- **Join a PRO like ERP Deutschland** to ensure collection and recycling of electrical and electronic equipment
- **Regular quantity** reports (input, output, annual reports) to [®]ear

What is the definition of 'WEEE'?

Devices which are exposed to an alternating voltage of maximally 1,000 V or a direct current voltage of maximally 1,500 V during operations and:

- which are dependent on electric currents or electromagnetic fields for proper operation, or
- which serve for the generation, conduction and measurement of electric currents and electromagnetic fields.

If you offer an EEE product containing a battery, you must register for both EEE and Batteries.



What is the definition of 'Batteries'?

The battery law differentiates between three battery types

- **„portable batteries“** are batteries, which are sealed and can be hand-carried.
- **„Industrial and automotive batteries“** are not portable batteries. „industrial batteries“ are all batteries for exclusively industrial, commercial or agricultural purposes. An industrial battery can also be used in electric vehicles such as e-bikes or hybrid cars.
- **„automotive battery“** means any battery used for automotive starter, lighting or ignition power.

The manufacturer of all battery types has to register these batteries with the correct brand and battery type at the authority (Stiftung ear) before placing them on the market.

Manufacturers of portable batteries are obligated, to take back waste portable batteries at no charge and nationwide, which were collected at distributors or local collection points. In order to fulfil this take-back obligation, the producer has to participate in a take-back scheme approved by §7 of the battery law. The take-back scheme implements take-back and recycling of waste batteries, and reaches the legally demanded collection rate of at least 50 % from reporting year 2021 onwards.

Manufacturers of industrial batteries and automotive batteries are obligated to take back waste batteries. They have to offer a take-back solution at no cost and reasonably convenient, and recycle these according §14.



You need support?

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LANDBELL GROUP is an international provider of comprehensive take back, consulting and software solutions for environmental and chemical compliance.

Established as a packaging compliance scheme in Germany in 1995 LAND-BELL GROUP has since evolved into a global service provider.

Today, LANDBELL GROUP operates in 13 countries producer compliance schemes worldwide for various waste streams, helps over 38.000 customers

in more than 60 countries to fulfil their extended producer responsibilities, and collected over 760.000 tonnes of waste batteries, electronics and packaging in 2020.

Specifically in Germany, Landbell AG operates a certified and independent packaging compliance scheme for producers and retailers to meet their legal requirements.