

Legal deposit obligation expanded to include packaging for milk drinks starting 1 January 2024

The legal deposit obligation will be expanded to include single-use plastic bottles for milk drinks with a volume between 0.1 and 3.0 litres. This affects companies that distribute

- ◆ milk and dairy drinks with at least 50 percent milk content or
- ◆ other drinkable dairy products as set out in section 2 of the Milk and Margarine Act (MilchMargG), especially yoghurt and kefir.



Starting 1 January 2024, companies must charge a deposit of € 0.25 on each of these beverage bottles. There is no statutory transition period. Companies are **not allowed** to sell single-use bottles for beverages to the final consumer with a deposit before 1 January 2024.

How to fulfil your obligations under German packaging law

Until 31 December 2023

System participation

Until 31 December 2023, you are required to pay for the recycling of your single-use plastic bottles for beverages, even if you are already preparing for the deposit obligation. In other words:

- ◆ All beverage bottles affected by the amendment that you place on the German market in 2023 must without exception participate in a (dual) system.
- ◆ Once the year ends, you must also report the specific packaging volumes of the beverage bottles you placed on the German market in 2023 to your system and in the LUCID Packaging Register. This must be done by submitting a year-end volume report by no later than 15 May 2024.



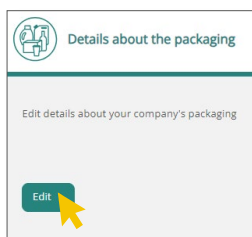
Breaching the system participation requirement will lead to a distribution ban on your packaged goods, and may attract fines of up to € 200,000.

Starting 1 January 2024

Registration amendment in the LUCID Packaging Register

Due to the implementation of the deposit obligation, you are required to review and adjust your existing registration in the LUCID packaging register (registration amendment) as follows:

1. Details about the packaging



This is where you state that you place single-use beverage packaging subject to deposit on the German market. Please note: if you switch to reusable beverage bottles, you have to tick the 'Reusable packaging' box.

If, in addition to single-use plastic or reusable beverage bottles, you also place packaging that is not subject to system participation on the German market, 'Packaging subject to system participation' must remain ticked. Otherwise, you can remove the tick.

2. Edit brand name

The brand names of your single-use plastic bottles subject to deposit must be entered under 'Packaging not subject to system participation', even if you switch to reusable packaging. To do so, click the 'Edit' button behind the respective brand name and tick the appropriate box. You can remove the tick from 'Packaging subject to system participation' if you do not place products in packaging subject to system participation under the same brand name on the German market.



What is reusable packaging?

Reusable packaging is packaging that is

- designed and intended to be used multiple times for the same purpose and
- whose actual return and reuse is facilitated by suitable logistics, and
- encouraged by an appropriate incentive system, usually a deposit.

For a package to be reusable, all three of the listed criteria must apply.

Participating your beverage bottles in DPG's deposit scheme

Starting 1 January 2024, single-use plastic bottles for relevant milk drinks must participate in the DPG's deposit scheme (DPG Deutsche Pfandsystem GmbH). The system participation requirement for this beverage packaging and – as a consequence – the requirement to report its volume (data reporting) no longer applies.

In order to comply with statutory requirements as fully as possible, affected distributors and collection service providers can prepare by participating in the DPG's scheme and start to plan for the implementation of the deposit obligation. The sale of single-use beverage packaging marked as subject to deposit to final consumers is not permitted before 1 January 2024.

Where can I find further information?

- ❶ For further information about the implementation of the deposit obligation and about how to handle remaining stocks, please refer to the [DPG website](#).
- ❷ The DPG has published an overview of beverage packaging subject to deposit [here](#).