

Amendments to Austrian Law – Circular Economy Package 2021

# SYSTEM CHANGES, NEW REPORTING- AND DOCUMENTATION OBLIGATIONS

## LEGAL CHANGES IN A NUTSHELL:

### PACKAGING RELATED CHANGES:

- **Mandatory labeling** for certain single-use plastic products since 3 July 2021 ([More Info](#)) (see § 13p AWG 2002)
- **Ban** on the introduction to the market of **numerous single-use plastic products** since 3 July 2021 ([More Info](#)) (see § 13n AWG 2002)
- Updates to the **Black List** of non-licensable packaging ([ARA Info sheet](#))
- **Overall Reduction** of single-use plastic packaging by 20 % compared to 2018 until 2025 has been decided (see § 9 Z18 AWG 2002)
- As of 1 January 2030, **only reusable or recyclable plastic packaging** may be introduced to the market (see § 4 Abs. 5 VerpackVO 2014)
- Transposition of specifications set by the EU Single-Use Plastics Directive into national law, e.g.: single-use plastics beverage container with tethered caps and lids, targets for recycled content in plastic bottles. (see § 4 Abs. 6 to Abs. 8 VerpackVO 2014)

### SYSTEMIC CHANGES:

- **Obligatory participation** in a collection and recovery scheme for **online marketplaces and fulfillment service providers** (see § 12c AWG 2002)
- **Mandatory registration** in an EDM-platform for all licensing parties ([Austrian EDM platform](#)) (see § 13g Abs. 5 AWG 2002)
- **Commercial packaging** must be licensed, starting on 1 January 2023. Exceptions: Own imports, deliveries to major accumulation points (see § 13g Abs. 2 AWG 2002 and § 10 Abs. 1 VerpackVO 2014)
- **Disposal:** Commercial sites must ensure separated collection of waste and hand over the collection and recovery systems according to defined collection categories as of 1 January 2023. The collection and recovery system then bear all costs for the separately collected packaging once it leaves the point of collection. (see § 14a VerpackVO 2014)
- **Audits by the Packaging Coordination Board:** deviations of more the 5 % per tariff category will result in penalties of 20 % of the shortfall. Starting with the audit period 2022 (see § 29 Abs. 14 AWG 2002)



## REPORTING RELATED CHANGES:

- Since 1 January 2022 “**Bio plastics**“ must be licensed as “Plastics” (Exceptions: natural polymers that have not been chemically modified) (see §3 Z 8e VerpackVO 2014)
- **Suppliers from other EU-states** without their main location or subsidiary in Austria, that are not B2C oriented mail order businesses, may no longer license/pre-license their packaging, unless they appoint an authorized representative in Austria until 1 January 2023 (see §16a VerpackVO 2014)
- **Annual reports** must henceforth be filed by 31 March of the following year (for the time until 31 February 2023 für the year 2022). For the first year (2023 for 2022) a quantitative report is sufficient (free of charge). (see §21a Abs. 1 also §9 Abs. 2a VerpackVO 2014)

Report must contain:

- o Beverage cups (mass as well as quantity, as well as separate reporting of 100 % plastic and partially plastic)
- o Food packaging (mass as well as quantity, as well as separate reporting of 100 % plastic and partially plastic)
- o Bags and foil packaging made of flexible materials
- o Beverage containers, separated into PET-beverage bottles, other beverage bottles, other beverage containers (e.g., beverage cartons)
- o Wet wipes
- o Balloons
- o Tobacco products
- o Fishing gear

- A separate report for the following packaging materials divided into household and commercial waste must be filed until the 15 March of the following year (starting with 15 March 2023 for the year 2022) (see §9 Abs. 1b also §13 Abs. 3a VerpackVO 2014)

Report must contain:

- o Masses of **packaging** introduced to the market per tariff category
- o Masses of **sales packaging** introduced to the market per tariff category
- o Masses of **reusable packaging** introduced to the market per tariff category
- o Masses of **reusable sales packaging** introduced to the market per tariff category
- o Masses of **reusable packaging** per tariff category in relation to **number of circulations** (mass x circulations)
- o Masses of **reusable sales packaging** per tariff category in relation to **number of circulations**
- o Masses of **reusable packaging** discarded as **waste** per packaging material (including recycler and recycling information)
- Amounts of recyclate used in certain beverage bottles must henceforth be included in reports (see §21a Abs. 2 VerpackVO 2014):
  - o Additionally, as of 2023: Mass of recyclate used in PET beverage bottles
  - o As of 2028: Mass of recyclate used in single-use plastic beverage bottles

### ANY QUESTIONS?

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