

Amendments to the minimum standard 2024 – Rationale

1 Period of application added under 1 (page 4)

The Verpackungsgesetz (Packaging Act) provides for the minimum standard to be updated and published by 1 September every year. The scope of application of the minimum standard as amended has now been clarified: the minimum standard applies to packaging placed on the market during the following calendar year, in line with the customary terms of system participation agreements.

2 Definition for 'object of determination' amended under 3 (page 5)

If packaging components that accumulate as waste separately are also assessed separately, this can have a positive or negative impact on the determination of recyclability. That is why components accumulating as waste separately must now be assessed separately. The freedom to choose one way or the other has been removed. By specifying the packaging components that need to be taken into account, the minimum standard is now in sync with the definition of an 'object of determination' as per the future provisions under Article 6 of the EU Regulation on Packaging and Packaging Waste.

3 Provisions restructured under 4.2 and 4.4 (pages 8–9)

These sections have been given a clearer structure not only to improve readability and make the provisions contained therein easier to understand, but also to correct misunderstandings that had arisen in the past and ensure that it is unmistakable which provision applies to which packaging type. The content has not been changed.

4 Requirements for individual evidence specified in Appendix 1, 2 and 3 (pages 6, 8, 9, 31, 34 and 39)

The 2024 edition of the minimum standard includes uniform requirements for the contents and validity period of individual evidence, creating a standard that must be met by everyone as results become comparable and legal certainty is provided for. The applicable requirements can be found in the last parts of each Appendix.

5 Treatment of packaging types and materials that are not mentioned in Appendix 1 (pages 17 et seqq.)

The minimum standard had already included a provision on packaging types and materials that had not been expressly mentioned. This provision has now been highlighted and expanded to include additional examples.

6 Classification of liquid packaging board changed in Appendix 1 (page 24)

Recycling capacities for reject from liquid packaging board recovery have risen considerably compared with the last minimum standard. A recent survey by the German Environment Agency to determine the practice of sorting and recovery for 2022/2023 shows that the share of plastic and aluminium from liquid packaging board undergoing mechanical recycling today is significantly higher than three years ago. This is accounted for in the present minimum standard with a change in the assessment in Appendix 1: while individual evidence used to be mandatory for these packaging shares, individual evidence is now recommended, but no longer mandatory.

7 Materials terminology harmonised in Appendixes 1, 2 and 3 (pages 15 et seqq.)

To make the minimum standard easier to use, the terminology applied to designate materials has been harmonised, allowing for consistent allocation. The content has not been changed.

8 Reference use cases added in Appendixes 1 and 3 (pages 18 et seqq. and 35 et seqq.)

When classifying recyclables or assessing recycling capacities and incompatibilities, the specific use case in question always has to be taken into account. That is why the present minimum standard includes footnotes that list the reference use cases underlying a given rule. These reference use cases are based on the practice of sorting and recovery for 2022/2023, as determined by the German Environment Agency, and the expert opinion formulated by the ZSVR's Expert Committee III. Reference use cases are relevant for users if individual evidence is required.

9 Measurement requirements for the testing of identifiability specified in Appendix 2 (pages 32–33)

The packaging characteristics requiring evidence of identifiability have been extended for liquid packaging board and plastic packaging, as recommended by Expert Committee III. This is justified by the fact that the same sensor-based sorting technology is used for this packaging that is used for fibre-based composite packaging and that the newly added characteristics had already been listed for fibre-based composite packaging.

10 Presentation of recycling incompatibilities changed in Appendix 3 (pages 35 et seqq.)

The structure of Appendix 3 has been changed to improve readability. Recycling incompatibilities are expressly stated and presented more clearly now; exceptions are now listed in a separate column. This presentation makes clearer where recycling compatibilities have already been documented through individual evidence. This new minimum standard draft for consultation takes into account new or updated science-based evidence that is available for flexible PE (PA layers and PE-X components)¹.

11 Size criterion for flexible PE eliminated in Appendix 3 (page 35)

The size criterion for flexible PE has been eliminated from Appendix 3 because the practice of sorting and recovery for 2022/2023 as determined by the German Environment Agency shows that lightweight packaging sorting facilities have increasingly sorted small-size flexible PE (< DIN A4) into the films groups, making them available for recycling. This means that the recycling incompatibilities and reference use cases for small-size flexible PE have changed.

¹ The underlying study is available at https://www.verpackungsregister.org/fileadmin/files/Mindeststandard/2024_Test_Report_PE-X.pdf.

12 Recycling incompatibilities for liquid packaging board added in Appendix 3 (pages 35 et seqq.)

Extended reject recycling for liquid packaging board resulted in a corresponding adjustment in Appendix 3. Recycling incompatibilities referring to the recycling of plastic and aluminium shares have been added.² The multi-stage recycling process for liquid packaging board, which includes fibre recovery and the subsequent processing and recovery of plastic and aluminium shares, means that a recycling incompatibility in one of the two areas impacts only the packaging share in question and not, as is common, the packaging as a whole. It will be reviewed whether comparable multi-stage processes are in place for other recycling procedures that could be included in Appendix 3 for the 2025 edition of the minimum standard.

13 Presentation of recyclable material to be included in recyclable content extended in Appendix 1 (pages 18 et seqq.) – not implemented following consultation

In the context of the consultation procedure, the ZSVR had proposed changes to the materials to be included in recyclable content. After duly evaluating the consultation submissions, the ZSVR has decided against implementing a detailed breakdown at this time. It should first be established if the additional cost and efforts would be proportionate to the ecological benefit and if a detailed breakdown would hamper or – depending on the determination procedure – even entirely prevent a user-friendly classification. The same applies to the provision for recyclables, polymer types, etc., that are not expressly mentioned, which was added during consultation. That is why the ZSVR plans to revisit these issues in the next update to the minimum standard and liaise with the Expert Committee about simplifying how the minimum standard provisions are applied.

14 Outlook: harmonising the minimum standard with the European Union's Packaging and Packaging Waste Regulation

If the European Union's Packaging and Packaging Waste Regulation (PPWR) has entered into force in time for the upcoming 2025 edition of the minimum standard, it should be harmonised with the provisions in the PPWR. The goal is to make the transition to the EU-wide provisions for the assessment of recyclability, which will apply in future based on Article 6 PPWR, easier for businesses. A number of suggestions received during this year's consultation, for example on the object of determination or the presentation of the determination result, were shelved because they need to be reviewed together with other issues to avoid a patchwork regulation.

² Based on the Beverage Cartons Design for Recyclability Guidelines published by [The Alliance for Beverage Cartons and the Environment \(ACE\)](#) in October 2022, which Expert Committee III has recommended including in the minimum standard.