

## PRESS INFORMATION

### **Food producer fined for failing to file declarations of completeness on packaging volumes – ZSVR reports every suspected case to enforcement authorities**

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**It's a dangerous game: companies that place large volumes of packaging on the German market together with their goods and fail to file an audited declaration of completeness with the ZSVR are committing an administrative offence. The penalties may be severe, as evidenced by the case of a large food producer from the Netherlands that exports its goods to Germany.**

Together with these goods, the company placed considerable packaging volumes on the German market every year. Even though the food producer had exceeded the statutory thresholds, it did not file a mandatory declaration of completeness in three consecutive years. This misconduct was not without consequences as the ZSVR reported the suspected case to the responsible enforcement authority, which opened proceedings against the company. In the end, the food producer not only had to file the missing declarations of completeness, it also had to pay a fine of several thousand euros. The ZSVR has published an extensive report on the case on its website at <https://www.verpackungsregister.org/en/foundation-authority/case-reports/specific-case-reports>.

With large volumes comes large responsibility: around 6,300 companies are required to file an audited declaration of completeness by no later than 15 May of a given year for the previous year. By doing so, they confirm that they have duly participated their packaging with a system and paid for that packaging's recycling. The obligation to file a declaration of completeness applies to companies that distribute retail, grouped and/or shipment packaging together with their goods and whose packaging volumes met or exceeded at least one of the following three thresholds during the past calendar year:

- ◆ Glass: 80,000 kg
- ◆ Paper, paperboard, cardboard (PPC) in total: 50,000 kg
- ◆ Ferrous metals + aluminium + plastics + beverage cartons + other composites (lightweight packaging) in total: 30,000 kg

Where there are specific grounds to suspect an administrative offence, the ZSVR will report this suspected case to the responsible state enforcement authority. Filing an audited declaration of completeness late, or not filing it at all, can be very expensive for the companies in question as fines of up to 100,000 euros may be imposed and profits can be confiscated. To avoid a rude awakening, companies with large packaging volumes should see filing a declaration of completeness for what it is – a statutory obligation, with consequences for non-compliance.

### **About the ZSVR**

Since the Verpackungsgesetz (Packaging Act) entered into force on 1 January 2019, the Stiftung Zentrale Stelle Verpackungsregister (Foundation Central Agency Packaging Register – ZSVR) has served as an entrusted body to foster greater transparency and control in the packaging recycling market. To this end, the ZSVR maintains a register of all industrial and commercial companies under legal obligation, reconciles volumes between producers and systems, and provides for more recycling-friendly design by setting standards. Lawyer Gunda Rachut is the Chair of the Foundation.

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