



Some remarks on
Extended Producer Responsibility
in Germany and the European Union



Federal Ministry
for the Environment, Nature Conservation,
Nuclear Safety and Consumer Protection

I. Introduction

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Getting EPR to work
Amman, 20th - 21st September 2022



I. Introduction

II. The concept of Extended Producer Responsibility

III. Overview: “EPR schemes” of individual material streams

IV. Outlook



II. The concept of Extended Producer Responsibility

- Firstly introduced in the German environmental law during the early 1990s.
- **German Circular Economy Act:** Anyone who develops, produces, processes or distributes a product has ***Product Responsibility*** to fulfil the objectives of circular economy.



II. The concept of Extended Producer Responsibility

- As far as possible, products shall be designed in such a way as
 - to reduce the generation of waste during their production and use and
 - to ensure that waste generated after their use is recovered or disposed of in an environmentally sound manner.
- Thus, Product Responsibility is a manifestation of the **polluter pays principle**.



II. The concept of Extended Producer Responsibility

- **Polluter pays principle:**

- The entity, which causes environmental damage, should be held responsible for its elimination, reduction or compensation.
- One of the key principles of German and European Union environmental law.



II. The concept of Extended Producer Responsibility

- German regulations on *Product Responsibility* influenced the codification of a corresponding general approach – *Extended Producer Responsibility (EPR)* – in the **EU-Waste Framework Directive** in 2008.



II. The concept of Extended Producer Responsibility

- Despite difference in terminology – “***Product Responsibility***” and “***Extended Producer Responsibility***”: No fundamental differences in substance between relevant provisions of the Waste Framework Directive and the German Circular Economy Act.
- Together with special national regulations, these regulations of the Circular Economy Act transpose the Waste Framework Directive into German law.



III. Overview: “EPR schemes” of individual material streams

- „**Extended Producer Responsibility schemes**” according to the Waste Framework Directive are established in Germany for **packaging, electric and electronic equipment, batteries and end of life vehicles**.
 - **Packaging Act (2017)**,
 - **Electric and Electronic Equipment Act (2015)**,
 - **Batteries Act (2009)**,
 - **End-of Life Vehicles Ordinance (2002)**.



III. Overview: “EPR schemes” of individual material streams

- These acts also transpose corresponding EU-Legislation:
 - **Packaging Directive,**
 - **Waste Electric and Electronical Equipment Directive (“WEEE-Directive”),**
 - **Batteries Directive,**
 - **End-of life Vehicles Directive.**



IV. Outlook

- In the context of the Revision of the European Waste Framework Directive:
Discussion whether an **EPR-scheme for Textiles** should be introduced.



IV. Outlook

- **Role of EPR in a whole lifecycle oriented approach**
 - **Blueprint** of this approach: **European Commission's Proposal for a Batteries Regulation** – legally reflects systemic shift from an “**end-of-pipe view**” towards a **whole lifecycle approach**.
 - The Proposal is a central element of the “**Green Deal**” and the “**Circular Economy Action Plan**” which both also announce the strengthening of EPR.



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**Thank you very much
for your attention!**

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