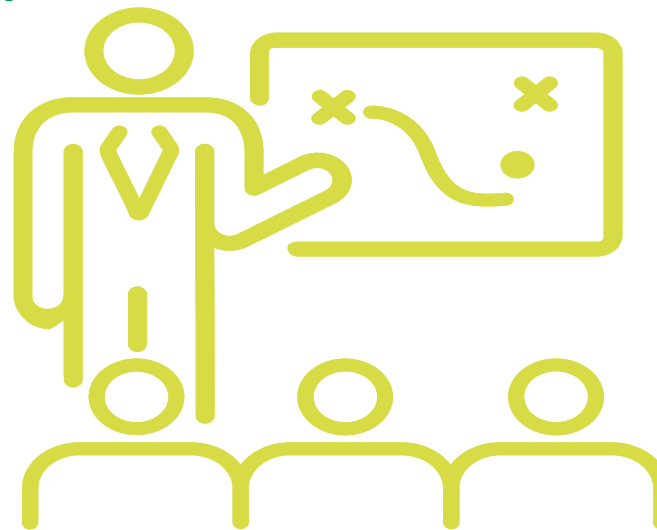


CHANGES DUE TO AMENDMENTS OF THE AUSTRIAN WASTE MANAGEMENT ACT (BGBLA_2021_I_200) AND THE AUSTRIAN PACKAGING ORDINANCE (BGBLA_2021_II_597)

AUSTRIA: NUOVI OBBLIGHI SUGLI IMBALLAGGI E LORO SMALTIMENTO PER LE AZIENDE ESPORTATRICI

Webinar

December 15th, 2022
Verena Rössner (ARA)



THE COMPLIANCE SCHEME FOR PACKAGING

ARA AG
AUSTRIAS MARKET LEADER

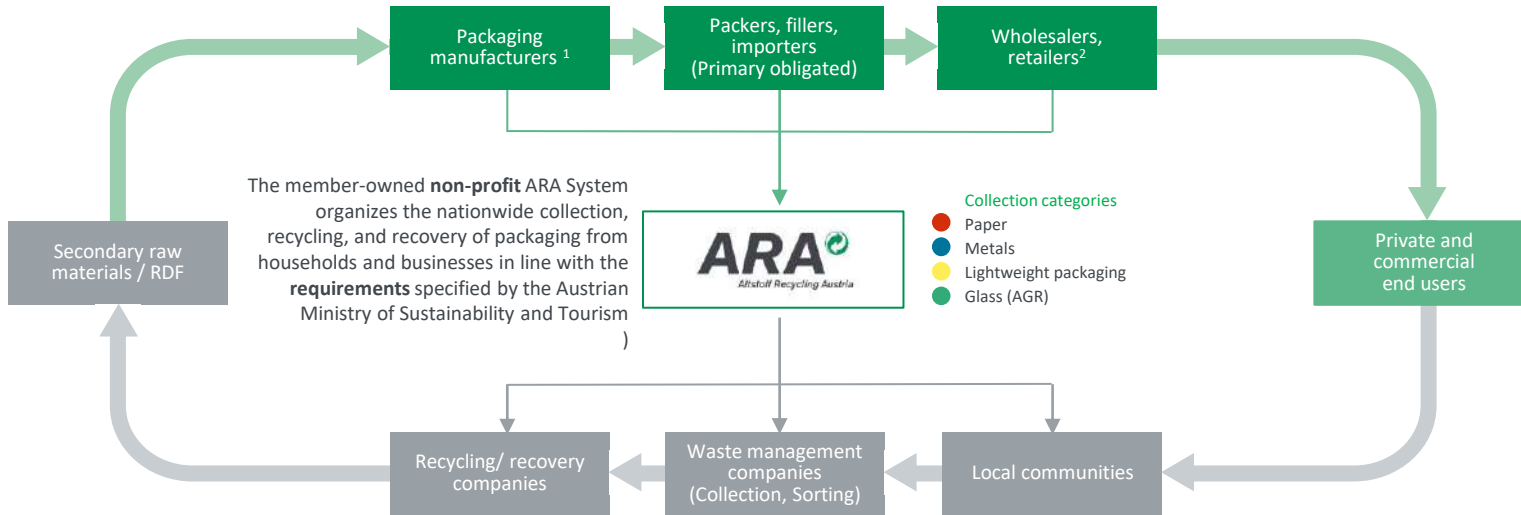


ZUKUNFT. KREISLAUF. WIRTSCHAFT.

PRODUCER RESPONSIBILITY FOR PACKAGING

HOW DOES THE ARA SYSTEM WORK?

Companies obliged under the **Packaging Ordinance** transfer to **ARA AG** their obligation to take back used packaging.



The member-owned **non-profit** ARA System organizes the nationwide collection, recycling, and recovery of packaging from households and businesses in line with the **requirements** specified by the Austrian Ministry of Sustainability and Tourism)

Collection categories

- Paper
- Metals
- Lightweight packaging
- Glass (AGR)

Cities, municipalities, and more than 200 waste management/ recycling companies perform collection, sorting, recovery and communication activities in 94 collection regions.

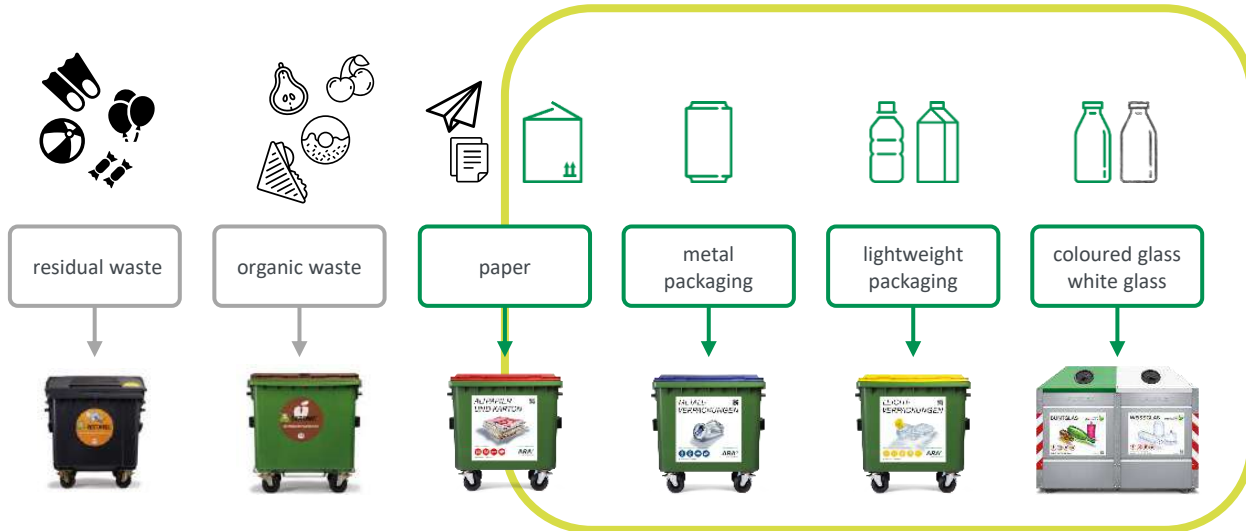
1) Primary obligated for service packaging

2) Primary obligated für online/mail order selling

WHO IS RESPONSIBLE FOR THE WASTE?

Municipalities and municipality associations:
fee financed

Extended Producer Responsibility:
Collection and Recycling System



100 % cost coverage

WHO IS OBLIGATED?

WASTE MANAGEMENT ACT
PACKAGING ORDINANCE
SINGLE USE PLASTIC PRODUCTS



WHO IS OBLIGATED?

The obligation for packaging is **still** held by the **„primary obligor“** according to **§ 13g AWG**:

- **Packers**, regarding their first use packaging
- **Importers**, regarding packaging of their imported goods and materials
- **Manufacturers and Importers** of service packaging (as well as single use dishes and cutlery)
- **Self-importers**, regarding packaging of goods and materials imported in order to operate one's own businesses
- ■ – **Mail order operators based outside of Austria**, who are selling packaged goods and materials to private customers and consumers in Austria via means of distance selling.
§ 16b VVO iVm § 12b (1) AWG: as of 01.01.2023 obligatory appointment of an **authorised representative**
- ■ – § 12c (1) AWG: as of 01.01.2023: **digital marketplaces** must ensure compliance of all listed sellers

■ ■ = Italian companies exporting from Italy to Austria

HOW TO COMPLY?

1. Contract & Authorised Representative
2. Submit Packaging Report
3. Submit Single-Use-Plastics Report
4. Submit Additional Reports

CONCLUSION OF AN ARA CONTRACT APPOINTING AN AUTHORIZED REPRESENTATIVE



ARA CONTRACT

- Until 22.12.2022 you can apply for a contract at <https://online.ara.at/vertragonline/>
- Contract starts 1.1.2022, unless you indicate it should start 1.1.2023
- After 22.12.2022: get-e-right concludes a contract on your behalf

The screenshot shows the 'VERTRAG ONLINE FOR ARA' application form. The page is titled 'STEP 1 - INFORMATION' and includes a 'Fast track to ARA membership' section. The form is divided into several sections:

- Navigation:** HOME, IMPRINT, DE, EN
- ARA Logo:** ARA Altstoff Recycling Austria
- Left Sidebar:**
 - VERTRAG ONLINE FOR ARA
 - Step 1: Information (selected)
 - Step 2: Company data
 - Step 3: VAT number
 - Step 4: Personal data
 - Step 5: Authorised signature
 - Step 6: E-mail address for legally binding communication
 - Step 7: Projected amount of packaging (for assignment to a group)
 - Step 8: Summary and confirmation
- ARA CUSTOMER SERVICE:** +43 3-599 97-555, service(at)ara.at
- STEP 1 - INFORMATION:**
 - Fast track to ARA membership:** Enter your data on the following pages and we will send you a copy of your contract by email. Our team will be happy to answer any questions you may have. Just call us on +43 3 599 97-555 or email us at service@ara.at. If you also place electrical and electronic equipment or batteries on the market, you can request an ERA contract here. Our subsidiary ERA Elektro Recycling Austria GmbH takes on all obligations for electrical and electronic equipment and batteries you have and may outsource under the Austrian WEEE Ordinance and the Batteries Ordinance.
 - ARA contract:** Sample contract, Terms and Conditions, Tariff rates
 - incl. ERA agreement:** Sample Contract, Terms and Conditions Online reporting system, Tariff rates
 - I have read the privacy statement and understand which data are collected, why they are collected and what they will be used for. Privacy statement ARA
- Footer:** You have to sign the Compliance and License Agreement using DocuSign (simple electronic signature). No certificates, Austrian citizen cards or card readers are required for signing the agreements via DocuSign. For more information on DocuSign, please go to <https://www.docuSign.com/how-it-works/legalty/global/austria>. If you have any questions about the process, just give us a call on +43 3 599 97-555 or send an email to service@ara.at. We will be happy to assist you.
- Buttons:** CONTINUE >>

TERMS OF REPORTING AND PAYMENT

Reporting intervals

on 15th of the month following each individual reporting period

- Annual report: up to 1.500 € ARA annual licensing fee
- Quarterly report: up to 20.000 € ARA annual licensing fee
- Monthly report: from 20.000 € ARA annual licensing fee

Term of payment

on 15th of the second month following each individual reporting period

Online reporting

can be easily done via ARA online platform: <https://online.ara.at/>

End-of-year report (not mandatory, only for necessary corrections)

until 15.03. of following year (as database for audits by Packaging Coordination Board)

“REPRESENTATIVE” AS OF PACKAGING ORDINANCE

– As of Waste Management Act §13g, foreign entities cannot license goods and packing for the Austrian market without appointing an authorized representative in Austria.

– Italian company delivers to **Austrian private consumers:**

- Obligated by the Packaging Ordinance to report
- Authorised representative mandatory



– Italian company delivers to **Austrian businesses:**

- Not obligated by the Packaging Ordinance to report
- BUT if you continue to report your packaging because of contractual obligations with your Austrian client, an authorised representative is mandatory



PACKAGING REPORTS



ZUKUNFT. KREISLAUF. WIRTSCHAFT.

TARIFF CATEGORIES

		Rates (€/kg) excl. VAT	
		from 01.01.2022	from 01.01.2023
Household packaging			
1.01.0	Paper, household	0.120	0.100
1.02.0	Glass, household	0.087	0.095
1.03.1	Ferrous metal, household	0.275	0.300
1.03.2	Aluminium, household	0.310	0.340
1.04.1	Plastic, household	0.715	0.780
1.04.2	Beverage cartons, household	0.650	0.750
1.04.3	Other composite materials, household	0.730	0.850
1.04.4	Ceramics, household	0.120	0.140
1.04.5	Wood, household	0.018	0.020
1.04.6	Textile fibres, household	0.150	0.170
1.04.7	Biodegradable materials, household	0.400	0.440
Commercial packaging			
2.01.0	Paper, commercial	0.033	0.040
2.02.0	Glass, commercial	—	—
2.03.1	Ferrous metal, commercial	0.060	0.070
2.03.2	Aluminium, commercial	0.080	0.090
2.04.1	Foils, commercial	0.080	0.100
2.04.2	Moulded containers, commercial	0.070	0.100
2.05.0	EPS, commercial	0.190	0.350
2.06.0	Beverage cartons, commercial	—	—
2.07.0	Other composite materials, commercial	0.100	0.100
2.08.0	Ceramics, commercial	0.100	0.100
2.09.0	Wood, commercial	0.007	0.020
2.10.0	Textile fibres, commercial	0.100	0.100
2.11.0	Biodegradable materials, commercial	0.100	0.100
ARA minimum fee (see Section VI.A. of ARA's Terms and Conditions): € 90, excl. VAT per calendar year			
ARA flat fee (see Section VI.S. of ARA's Terms and Conditions): € 250, excl. VAT per calendar year			
ARA standard fee (see Section VII.A. of ARA's Terms and Conditions): € 2,000, excl. VAT			

Please refer to Article 13h WMA 2013 for the definition of household packaging and commercial packaging.

1. CATEGORISE PACKAGING BY SIZE (HOUSEHOLD, COMMERCIAL)

- **Small packaging (household):**

Size $\leq 1.5 \text{ m}^2$, moulded containers: nominal volume $\leq 5 \text{ l}$, EPS $\leq 0.15 \text{ kg/sales unit}$ as well as sales packaging made of paper (no size requirements)

- **Large packaging (commercial):**

Size $> 1.5 \text{ m}^2$, moulded containers: nominal volume $> 5 \text{ l}$, EPS $> 0.15 \text{ kg/sales unit}$ as well as tray foils made of plastic and transport packaging made of paper (no size requirements)

- **Special rule (commercial):**

disposable pallets, strapping bands and adhesive tapes

2. ALLOCATE PACKAGING TO DEFINED PRODUCT GROUPS

- Each individual product must be allocated to one of 47 product groups (AT 01 ... AT 47) as defined in the Packaging Classification Ordinance based on the GVM study.
- Shipping packaging (including filling material) are allocated to AT 32 “Mail Order Goods”
- Each product group has correction quota which (might) shift a percentage of household packaging to commercial packaging and vice-versa. These quota are applied if you report correctly in the ARA online report.


EXAMPLE




- Determine weight (kg) of
 - cardboard, paper household
 - foil and ribbon (< 1,5m²), plastic household
 - cardboard box (not shown), paper commercial
 - e-commerce: shipping packaging, household
- Allocate product groups
 - AT 09 Bakery goods
 - e-commerce: AT 32 Mail order goods for shipping packaging only
- AT 09: Weight per tariff category (kg) x piece
- AT 32: Weight per tariff category (kg) x piece

HOW TO SUBMIT A PACKAGING REPORT

Please select the type of data report:



GVM calculation 

BACK **CONTINUE**

Packaging material category	AT_09	AT_32	
	Bakery goods	Mail order goods	
1.01.0 Paper, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.02.0 Glass, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.03.1 Ferrous metal, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.03.2 Aluminium, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.1 Plastic, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.2 Beverage cartons, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.3 Other composite materials, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.4 Ceramics, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.5 Wood, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.6 Textile fibres, household	<input type="text"/>	<input type="text"/>	<input type="text"/>
1.04.7 Biodegradable materials, household	<input type="text"/>	<input type="text"/>	<input type="text"/>

SINGLE-USE PLASTICS REPORTS



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ARA[®]
Altstoff Recycling Austria

SINGLE USE PLASTICS DIRECTIVE

What must be reported:

Packaging: Single-use food and beverage packaging that contains plastic and whose contents are suitable for immediate consumption.

Products: Some disposable products that contain plastic.

The term "plastic" does not include:

Plastic-based paints, inks and adhesives, and natural polymers that have not been chemically modified.

Link to Guidelines (in Italian):

[https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:52021XC0607\(03\)&from=EN](https://eur-lex.europa.eu/legal-content/IT/TXT/PDF/?uri=CELEX:52021XC0607(03)&from=EN)

SUP „LITTERING“ REPORT SINGLE USE PLASTIC PACKAGING

Masses in kg are to be reported by March 15th of following year

March 15th, 2023: only report for 2022, no payment

March 15th, 2024: report and payment for 2023 (and then annually)

- **Beverage cups**

- In addition, number of cups 100% and partially made of plastic

- **Rigid Food packaging (up to 400g filling content)**

- In addition, number of food packaging 100% and partially made of plastic

- **Bags and foil packaging made of flexible materials (up to 400g filling content)**

- **Beverage container (up to 3 litres)**

- PET-beverage bottles

- other beverage bottles

- other beverage containers (e.g., beverage cartons)



SUP „LITTERING“ REPORT SINGLE USE PLASTIC PRODUCTS

Masses in kg are to be reported by March 15th of following year

March 15th 2023: only report of 2022, no payment

March 15th 2024: report and payment for 2023 (and then annually)

- **wet wipes** (impregnated tissues for body and household care, weight in moist condition)
- **balloons**
- **tobacco products** (with filter and filter sold in combination with tobacco products)
- **fishing gear** (for fishing, sea products)

From **2023** additionally:

- Volumes of **recyclate** used in PET beverage bottles

From **2028**:

- Volumes of **recyclate** used in single use beverage bottles

RIGID AND FLEXIBLE FOOD PACKAGING

Both rigid and flexible food packaging are subject to the SUP

1. service packaging
2. Take-away packaging e.g., for meals, sandwiches, sliced fruit, ready-made salads, unless service packaging
3. Small portion packaging up to 50g (e.g., ketchup, mustard, butter, jam)
4. Other rigid packaging up to max. 400g
5. Other flexible packaging up to max. 400g; including packaging that combines multiple servings (example: 4 chocolate bars of 100g in one packaging – all packagings are included)

RIGID AND FLEXIBLE FOOD PACKAGING

Positive list structured according to the relevant GVM product groups (food):

Lists products that are usually consumed from the packaging or are intended for this purpose and do not require any further preparation

AT_04 Dairy Products

AT_05 Preserved Food

AT_06 Frozen Food

AT_07 Confectionary, Snacks

AT_09 Bakery Goods

AT_10 Meat, Sausage

AT_12 Dry Goods, Other Food

AT_33 Service Packaging

HOW TO SUBMIT THE SUP REPORT

MELDUNG / BELEGE

Jahr: 2022 | Meldung für Periode: 03 | **NEU ERSTELLEN** | EMM anzeigen | **EWK anzeigen**

*EWK = „Einwegkunststoffe“
= Single Use Plastics*

MELDUNG / BELEGE

Jahr: 2022 | Meldung für Periode: 03 | **NEU ERSTELLEN** | EMM anzeigen | **EWK anzeigen**

RC	Meldungsart	Periode	E-Mail-Adresse	Rechnungsnummer	Zwischensumme	Status	versendet am	Herk
	M	2022/02	online.testsystem@ara.at	AR-382955	78.372,48	Meldung	10.03.2022	Meldungs
	M	2022/01	online.testsystem@ara.at	AR-381140	86.733,30	Meldung	10.02.2022	Meldungs

Wollen Sie EWK-Meldungen für dieses Jahr zulassen?

JA **NEIN**

HOW TO SUBMIT THE SUP REPORT

MELDUNG / BELEGE

Jahr: 2022

Meldung für Periode: EWK

NEU ERSTELLEN

EMM anzeigen EWK anzeigen

EINWEGKUNSTSTOFFPRODUKTE

Dummy Text für EWK-Meldung

Jahr	2022	Periode	EWK
		Mengen in kg bzw. Anzahl in Stk	Einheit
Getränkebecher			kg
Getränkebehälter, sonstige Getränkebehälter			kg
Feuchttücher			kg
Luftballons			kg
Tabakprodukte			kg
Fanggeräte			kg
sehr leichte Kunststofftragetaschen (mit einer Wandstärke < 0,015 mm)			Stk
Getränkebecher aus 100% Kunststoff			Stk
Getränkebecher teilweise aus Kunststoff			Stk
Lebensmittelverpackungen			kg
Lebensmittelverpackungen aus 100% Kunststoff			Stk
Lebensmittelverpackungen teilweise aus Kunststoff			Stk
Säckchen und Folienverpackungen aus flexiblen Material			kg
Getränkebehälter, PET-Getränkeflaschen			kg
Getränkebehälter, sonstige Getränkeflaschen			kg

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TO DO

- Mark all affected articles or packaging according to category (cups, foils, wet wipes...) in your database
- Determine the weight of packaging (cups, foils..) or products (wet wipes, balloons..) in kg
- Multiply the weights per category by the quantities placed on the market each year
- The report for 2022 is due by March 15th, 2023. In your ARA online report, click on the "EWK" box and report the kg (and sometimes the pieces) of the affected categories - no payment.
- The report for 2023 is due by March 15th, 2024. From then on, all EWK/SUP put on the Austrian market must be reported and paid for annually (tariffs have yet to be announced and will be shown in the online reporting platform).

EXTENDED QUANTITY REPORTS



EXTENDED QUANTITY REPORT (EMM)

Report until March 15th of the following year (for the first time for 2022), **no payment**, separately reported for household and commercial packaging:

Completed ARA via online notification (mostly filled in by ARA):

1. Masses of packaging placed on the market for the first time per tariff category
2. Masses of sales packaging put into circulation for the first time per tariff category

Not yet clearly defined by Ministry (this is about reusable packaging purchased in the reporting year), but this only applies to some companies:

3. Volumes of reusable packaging placed on the market for the first time per tariff category
4. Volumes of reusable sales packaging put into circulation for the first time per tariff category
5. Masses of reusable packaging per tariff category based on circulation
6. Masses of reusable sales packaging per tariff category based on circulation
7. Volumes of unlicensed reusable packaging per packaging material (incl. recycler and recycling information)

HOW TO SUBMIT THE EMM REPORT

MELDUNG / BELEGE

Jahr: 2022 | Meldung für Periode: 03 | **NEU ERSTELLEN** | EMM anzeigen | EWK anzeigen

EMM

= „Erweiterte Mengenmeldung“
= Extended Quantity Report

MELDUNG / BELEGE

Jahr: 2022 | Meldung für Periode: 03 | **NEU ERSTELLEN** | EMM anzeigen | EWK anzeigen

RC	Meldungsart	Periode	E-Mail-Adresse	Rechnungsnummer	Zwischensumme	Status	versendet am	Herk
	M					8 Meldung	10.03.2022	Meldungs
	M					0 Meldung	10.02.2022	Meldungs

Wollen Sie EMM-Meldungen für dieses Jahr zulassen?

JA **NEIN**

HOW TO SUBMIT THE EMM REPORT

MELDUNG / BELEGE

Jahr: 2022 | Meldung für Periode: EMM | **NEU ERSTELLEN** | EMM anzeigen | EWK anzeigen

ERWEITERTE MENGEN-MELDUNG

Dummy Text für EMM Meldung

Jahr	2022					Periode	
	erstmalig in Verkehr gesetzte Verpackungen	erstmalig in Verkehr gesetzte Verkaufsverpackungen	erstmalig in Verkehr gesetzte wiederverwendbare Verpackungen	erstmalig in Verkehr gesetzte wiederverwendbare Verkaufsverpackungen	Umläufe pro Kalenderjahr	wiederverwendbare Verpackungen mal Umlauf je Kalenderjahr	wiederverwendbare Verkaufsverpackungen mal Umlauf je Kalenderjahr
Packstoffkategorie	Mengen in kg						
1.01.0 Papier Haushalt	75.198,709			0,000		0,000	0,000
1.02.0 Glas Haushalt	946.421,127			0,000		0,000	0,000
1.03.1 Eisenmetall Haushalt	76.930,407			0,000		0,000	0,000
1.03.2 Aluminium Haushalt	21.398,764			0,000		0,000	0,000
1.04.1 Kunststoff Haushalt	53.216,630			0,000		0,000	0,000
1.04.2 Getränkeverbundkarton Haushalt	1.197,210			0,000		0,000	0,000
1.04.3 Sonstige Materialverbunde Haushalt	164,417			0,000		0,000	0,000
1.04.4 Keramik Haushalt	0,000			0,000		0,000	0,000
1.04.5 Holz Haushalt	3.091,030			0,000		0,000	0,000
1.04.6 Textile Faserstoffe Haushalt	17,280			0,000		0,000	0,000
1.04.7 Biogene Packstoffe Haushalt	4,608			0,000		0,000	0,000
2.01.0 Papier Gewerbe	167.014,345	0,000		0,000		0,000	0,000

IF YOU HAVE ANY FURTHER QUESTIONS...

Please contact us at service@ara.at