

“On the Implementation of the Extended Producer Responsibilities”

Newsletter



Draft Law “On the Implementation of the Extended Producer Responsibilities”

On October 25, 2023, the Ministry of Tourism and Environment released the Draft Law “*On the Implementation of the Extended Producer Responsibilities*” for public consultation.

The Draft Law aims to encourage producers to reduce the environmental impact of their products, minimize waste generation, and foster a circular economy by promoting material reuse and recycling. Extended Producer Responsibility (EPR) is a widely adopted environmental policy principle. It places significant financial and/or physical responsibility on producers for the environmental impacts of their products throughout the entire product life cycle. This includes the ecological effects from material selection, manufacturing processes, product use, and disposal stages. Producers are accountable for designing their products to minimize environmental impact throughout their life cycle and accepting legal, physical, or socio-economic responsibility for impacts that can't be eliminated through design.

The Draft Law introduces the Extended Producer Responsibility Organization, which will be established as a limited liability company, by a minimum of two producers of EPR products. Its primary objective is to manage specific product waste streams from the market, involving both founding and contracted producers.

The Extended Producer Responsibility Organization engages in a contractual agreement with producers, with a minimum duration of five years. The contract outlines the primary responsibilities of each party in line with the relevant legal requirements of this Draft Law. This includes expected waste quantities for each

stream and waste type, along with the related EPR responsibilities.

In accordance with the provisions of Law No. 10 463 dated September 22, 2011 “*On Integrated Waste Management*”, the proposed Draft Law covers the following waste streams:

- Packing and packing waste;
- End-of life vehicles;
- Electrical and electronic equipment waste;
- Batteries and accumulators.

Entities operating under the provisions of this Draft Law must comply with specific obligations. These include registration with relevant authorities, such as the National Environmental Agency, which will maintain online registries. Additionally, they must provide reports on packaging usage and recycling rates while contributing financially to support waste management initiatives.

Furthermore, in accordance with consumer protection regulations, entities must provide consumers with information on various aspects. This ranges from guidelines on product reuse to clarifying the impact of generated waste on both the environment and human health.

Producers subjected to Extended Producer Responsibility (EPR) for introducing products to the market for the first time are accountable for paying a product tax, which will be determined by a decision of the Council of Ministers.

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