

in December  
**2023**

# vere e.v.

CHRISTMAS COURIER



## take-e-way takes back 35,000 tonnes of old appliances

In 2022, the VERE service department take-e-way GmbH was once again able to increase the output reports of waste electrical and electronic equipment (WEEE) reported to the EAR Foundation (German WEEE and battery registration board).

Together with its partners, take-e-way has collected 35,171 tonnes of waste electrical and electronic equipment (previous year: 29,920 tonnes) and taken back on behalf of their customers to certified primary treatment plants for the purpose of preparation

for reuse or for raw material recycling. Our success in this area shows that producers and sellers can fulfil the existing legal obligations to take back old appliances. However, there is still plenty of room for improvement. Our system depends on the participation of many individuals. We therefore welcome any support. If you would also like to take back old appliances or make yourself available as a take-back centre, please write to us at [info@vereev.de](mailto:info@vereev.de).

[You can download the take-e-way performance report here.](#)

## Save the date

Annual General Meeting in  
Hamburg on 17 September  
2024

Make a note of the VERE General Assembly 2024 now. The date and location have already been set: 17 September 2024 at the VERE premises in Hamburg. We will keep you informed and look forward to your suggestions for topics. Simply send us an email to [info@vereev.de](mailto:info@vereev.de).

## Imprint

Publisher:

VERE e.V. (Association for the take-back and recycling of waste electrical and electronic equipment)  
Oliver Friedrichs and Hjalmar Vierle  
Schlossstr. 8 d-e  
22041 Hamburg/Germany  
Phone: +49/40/750687200  
email: [info@vereev.de](mailto:info@vereev.de)

Editing:

VERE e.V.

## Improvement in EAR processing times

The EAR Foundation (German WEEE and battery registration board) currently has over 55,000 registered producers and sellers. This means that the number of registered producers has more than doubled as a result of the marketplace liability recently implemented in the Electrical and Electronic Equipment Act. This development has presented the EAR with major administrative challenges. The processing times for new registration applications as well as registration supplements were at times over 11 weeks. The situation has now improved and the EAR Foundation's processing times have been significantly reduced.



## EU Parliament adopts stricter rules for packaging

The European Parliament adopted new EU-wide [rules for packaging](#) on 22 November 2023. The report, which represents the Parliament's mandate for negotiations with EU governments, was adopted with 426 votes in favour, 125 against and 74 abstentions. You can find the key points and objectives here:

- Reduction of packaging (5 % by 2030, 10 % by 2035 and 15 % by 2040)
- Reduction of plastic packaging (10 % by 2030, 15 % by 2035 and 20 % by 2040)
- Ban on the sale of very lightweight plastic carrier bags
- Reduction or restriction of the use of certain disposable packaging
- Ban on the use of so-called perpetual chemicals (per- and polyfluorinated alkyl substances or PFAS) and bisphenol A in food contact packaging
- All packaging must be recyclable
- The EU countries should ensure that 90% of the materials contained in packaging (plastic, wood, ferrous metals, aluminium, glass, paper and cardboard) are collected separately by 2029.

**Next step:** Parliament is ready to start talks with national governments on the final form of the law once the Council has adopted its position.

# Greeting from the Management Board

Dear members,

It has been 20 years since the VERE Association was founded. Back then, the Electrical and Electronic Equipment Act (ElektroG) and its implementation were our biggest challenge. And rightly so, there were considerable problems with the new law, which had not even come into force at the time. Today, the ElektroG is still one of the biggest issues for warnings and, above all, unequal market conditions, especially due to online marketplaces that operate outside the European market and allow free riders unregulated market access. Nevertheless, in the 20th anniversary year of our and, above all, your association, an important milestone has finally been reached that we have been fighting for: Electronic marketplaces based within the EU are now finally obliged to request the registration numbers for packaging and electrical appliances from their sellers. Thanks to the courageous implementation, at least by the most important online marketplaces, many former free riders from third countries can now no longer avoid registering under the ElektroG and Packaging Act. We will continue to campaign for the same stringency to be introduced in the other areas of extended producer responsibility, in the interests of greater market fairness and more environmental and consumer protection for all. The "Association for the take-back and recycling of waste electrical and electronic equipment" is no longer an association that only focuses on electrical appliances. Over the years, we have successfully expanded our focus to other areas of extended producer responsibility and other countries. For some years now, we have had the Battery and Packaging Directive (including all national implementations of the EU member states) and its future successors, the EU Battery Regulation and the EU Packaging Regulation (PPWR), on our radar. Not least since the introduction of "invisible electrical appliances", i.e. products that are barely recognisable as electronics, and many other regulations that also apply to other products, VERE has been working on all of these issues at the request of its members. For the past two years, VERE has expanded its expertise to include the field of product safety and marketability (product compliance) of non-food products, with the addition of a further board member, and utilises the opportunity to comment on regulatory initiatives, predomi-

nantly from the EU, and to address the views of SMEs at Commission level. The great void in the political landscape, in which an association with such a broad range of expertise has long been lacking as a representative of the interests of small and medium-sized sellers and producers, continues to motivate us to act. In the future, VERE will continue to advocate the implementation of new legislation in a way that is friendly to SMEs and minimises bureaucracy, of which the Product Safety Regulation, the Ecodesign Framework Regulation (digital product passport) and the Single-Use Plastics Fund Act are just a few examples.

And we as an association also have to face new bureaucratic challenges. For example, the stricter Lobby Register Act requires us as an association to maximise transparency. However, we see the additional requirements placed on us by the lobby register for the publication of statements on the drafting of legislation in connection with members of the German Bundestag as an opportunity for VERE to be better recognised and found by stakeholders using key terms. Until now, the lobby register has mainly been limited to information on individuals or costs. In future, the register could become a vital research platform for specific content. We are therefore very excited about the new possibilities and see real opportunities in transparency, despite the additional obligations.

In this Christmas Courier, we would like to summarise the key topics and information for you and take a look at what awaits us in the coming year.

We wish you all the best as you read this year's Christmas Courier. Stay healthy and use the Christmas period to recharge your batteries and then start 2024 with full vigour, for which we wish you and ourselves more peace than ever. We look forward to the challenges that we can tackle for you in the new year and to continuing to successfully advocate for the interests of small and medium-sized enterprises.

With this in mind, we wish you a Merry Christmas and a Happy New Year.

    
Oliver Friedrichs   Hjalmar Vierle   Martin Buseher



We wish you and your families  
a Merry Christmas and a Happy New Year.

## A word of thanks to our partner law firms

We would like to take this opportunity to thank our partner law firms specialising in environmental and waste law, competition law, product safety, trademark law, internet

law and administrative law for their competent and always constructive support in legal matters and look forward to continue working with them in the new year. With such

strong partners at our side, VERE is an energetic community that is able to get things moving for its members.

## Fit for the new EU Battery Regulation

The new EU Battery Regulation came into force on 17 August 2023. The new requirements will be applied in stages from 18 February 2024. By converting the previous Battery Directive to the Regulation, the new rules will then apply directly in all member states without further adaptation. The far-reaching changes are currently leading to numerous queries and uncertainty among sellers and producers.

For this reason, trade-e-bility is offering a customised, comprehensive online training course in which you will learn which requirements the EU Battery Regulation will place on you and when, and how to deal with them in your specific case. The training modules include an introduction to the new EU Battery Regulation as well as comprehensive information on the implementation of your obligations with regard to labelling, documentation, battery passports, extended producer responsibility and due diligence obligations in the supply chain. The training course is subject to a fee so that we can customise it to your personal situation.

You can find more information and advice on the EU Battery Regulation training course at: <https://www.trade-e-bility.com/services/batteries-regulation-training/>

## VERE against an increase in the quarterly fee

Following the initial introduction of a quarterly fee per registration number for 2023, the Federal Ministry for the Environment (BMUV) has announced a significant increase for 2024.

Due to its quantity-independent nature, this fee hits SMEs harder than large companies. The BMUV justifies the fee increase of 80 (!) per cent with the inclusion of IT overheads and the increase in the PR budget of the EAR Foundation (German WEEE and battery registration board) by €1.62 million.

VERE took a critical stance on this in the context of a hearing of associations organised by the BMUV. VERE found the BMUV's statement in the explanatory memorandum to the draft bill dated 1 September 2023, that the total burden of the fees is so low compared to the value added by companies that a levy on consumer prices is negligible, particularly annoying and out of touch with reality. There is no consideration of the economic circumstances of micro-enterprises, which are already hit by cost increases in other areas. The Ninth Ordinance amending the Electrical and Electronic Equipment Act-Battery Act Fee Ordinance – with an increased quarterly fee – was published in the [Federal Law Gazette](#) on 11 December 2023.

VERE will continue to actively campaign against the increase in fees, especially the quarterly fee.

# Right to repair instead of sale



On 21 November 2023, the [European Parliament](#) in Strasbourg adopted its position on a stronger “right to repair” by 590 votes to 15 with 15 abstentions. The new rules are intended to encourage more sustainable consumption: they should make it easier to **repair faulty goods**, reduce waste and promote the repair industry. During the warranty period, sellers would be obliged to **repair instead of replace** if a repair costs the same or less - unless the repair is not feasible or unfavourable for the consumer. MEPs also propose **extending the warranty period** by one year from the date of repair. Consumers should have the right to demand that appliances such as washing machines, hoovers and smartphones, as well as bicycles, be repaired even after the warranty period has expired. To **make repairing more attractive than replacing**, manufacturers are to provide **loaner appliances** for the duration of the repair. If a product can no longer be repaired, an already repaired product could be offered instead. High costs, difficult access to repair services or design features that prevent repair – all of these factors often prevent consumers from having a product repaired. Parliament therefore wants to ensure that **independent companies** that offer repairs and maintenance, as well as end consumers, can obtain all the necessary spare parts, information and tools at reasonable prices. Consumers should be able to use online platforms to find repair businesses (including so-called repair cafés) and **sellers of refurbished goods in their neighbourhood**. MEPs also propose using national repair funds to provide vouchers and other financial incentives to make repairs more affordable and attractive. The Right to Repair proposal complements EU initiatives on [eco-design](#) and empowering [consumers for the green transition](#). Next steps: Once the Council has finalised its negotiating position, discussions with the Parliament can begin. A first meeting was planned for 7 December 2023.



## 01/01/2024

- **Supply Chain Due Diligence Act (LkSG)** The Act on Corporate Due Diligence to Prevent Human Rights Violations in Supply Chains affects companies with 1,000 or more employees in Germany (including temporary workers) and foreign companies with branches in Germany from 1<sup>st</sup> January 2024. [Further information can be found here.](#)
- **Sweden: Packaging** The Swedish packaging take-back system FTI will be integrated into the Producer Responsibility Organisation (PRO) Näringslivets Producentansvar (NPA) from 1<sup>st</sup> January 2024. Since 1<sup>st</sup> November 2023, all producers must have joined a recognised PRO. [Further information can be found here.](#)

## 18/02/2024

- **The new EU Battery Regulation** came into force on 17 August 2023. The legal text was published in the [Official Journal of the European Union](#) on 28 July 2023. The new requirements will come into force gradually from 18 February 2024 until 18 August 2036. The transition from the previous Battery Directive to the Regulation will then take place on 18 August 2025. The new regulations will apply directly in all member states without further adaptation, although the German BattG will retain a certain independent scope of application (registration, responsibilities, administrative offences, etc.). If required, [trade-e-bility offers individual training courses](#) (subject to a charge).

## 01/04/2024

- **Denmark: Obligation to register packaging** that is expected to be placed on the market. [Further information can be found here.](#)

## 17/09/2024

- VERE General Meeting

## 01/01/2025

- **CBAM registration requirement:** from 1 January 2025, imports will only be possible for registered declarants. [Further information on the Carbon Border Adjustment Mechanism \(CBAM\) can be found here.](#)

## get-e-right establishes branches in Vienna and London

get-e-right Austria GmbH was founded in **Vienna** last year to take account of the amendment to the Austrian Packaging Ordinance, which came into force on 1 January 2023. This states that foreign producers or sellers must appoint an authorised representative based in Austria when selling to private end users. At the same time, the obligation to register resellers and professional end users based in Austria can only be assumed by producers based in the EU if an authorised representative is appointed. Based on this, get-e-right Austria GmbH offers a comprehensive service and thus ensures that legally compliant sales can also be made in Austria in 2023 and beyond. get-e-right also established a branch in **London** this year. The aim is to support companies as an authorised representative and third-party

agent after the UK left the EU, thereby facilitating and simplifying the sale of their products. It offers comprehensive advice and services on VAT, customs, EPR and product safety. Despite the UK government’s announcement of unlimited recognition of the CE marking for the majority of products subject to CE marking, there are still some uncertainties that make it necessary to take a close look at how producers, sellers and importers are affected. Business operations are currently being set up and are scheduled to start in the first quarter of 2024. You can already get in touch with your existing contacts at the e-systems Group (take-e-way, trade-e-bility, get-e-right) in Hamburg with your questions about UKCA, EPR, VAT or other topics relating to get-e-right GB Limited.



# Counteract increasing fire risks from lithium-ion batteries

Lithium-ion batteries in electrical appliances are the basis of an energy-driven, wireless performance society. This welcome technology requires a high degree of responsibility on the part of all those involved. The responsible handling of high-performance batteries unites producers, sellers, consumers, logistics companies and disposal companies. The latter are increasingly falling victim to incorrect disposal, which releases uncontrolled energy through deep discharge, short circuits, de-

fects, heat, cold, moisture, pressure or exposed terminals and, in the worst case, leads to fires in disposal vehicles and entire treatment plants. As a result, the German recycling infrastructure is increasingly thinning out, entire plants have to close, people lose their jobs and the goal of recycling critical raw materials is jeopardised.

The electrical appliance manufacturers and retailers organised in the VERE association want to do something about this. Under

the motto #LithiumVEREint (Lithium united), the campaign brings together all those involved to tackle the known problems constructively. The association is raising 20,000 euros from its own funds to sensitise people to the correct handling of lithium-ion batteries. VERE is also looking for supporters to get things rolling. If you are an affected economic actor, would like to contribute expertise or support the campaign financially, please contact [info@vereev.de](mailto:info@vereev.de).

## New EU product safety regulation coming in 2024

The new EU Product Safety Regulation will come into force in December 2024, i.e. it must be applied from then on. It is aimed not only, but primarily, at all economic operators who are part of the supply chain for marketing products that are not permitted to bear a CE mark. New features include

the requirement for a mandatory risk analysis for each product and the addition of an email address and internet contact details to the importer’s address. Although a declaration of conformity is not required, a list of the standards used to implement the Product Safety Regulation is. Overall, the Product

Safety Regulation is thus very similar to the already established requirements of CE product legislation. Providers of online marketplaces are also affected. In addition to various other obligations, they must ensure the establishment of a “product compliance process”.

## PC seller insolvent due to UrhG - pay copyright fees now and save 20 per cent

In the middle of the Christmas shopping season, the German PC industry is unsettled by the insolvency of an established distributor of PC hardware due to claims for copyright levies totalling millions. The issue is not new, but largely underestimated, as the case shows.

For many of our member companies, the cost burden of copyright fees is enormous. VERE members, as distributors of products subject to royalties under the Co-

pyright Act (UrhG), have the opportunity to join a collective contract that VERE has concluded with the 9 copyright collecting societies and save 20 per cent of the copyright fees due. You can currently join collective agreements for mobile phones, tablets, PCs, USB sticks and memory cards, smartwatches, hard drives and external burners via VERE e.V.

<https://www.vereev.com/services/savings-on-copyright-fees-zpue/>

## Attention, supply chain law: impacts are approaching

VERE and its service departments have already gained initial experience with the topic of sustainability management in 2023. The background to this is the Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz/LkSG), which has affected many larger VERE members since January 2023. The topic has also been widely reported on in the media. From 1 January 2024, companies with more than 1,000 employees will also be affected by the LkSG. This means even more impact on indirectly affected VERE members, which is already being felt. For example, the “Mazur case” or a strike by Polish lorry drivers has brought the LkSG enforcement to the fore. [Further information can be](#)

[found here.](#) VERE advises great care when responding to enquiries from companies directly affected by this, several of which have been submitted to us. Many questions are still unresolved and are awaiting initial case law. We recommend that you are already on your way with the sustainability requirements, as companies will be faced with further requirements (e.g. CSRD). Well-organised sustainability management brings opportunities and can lead to competitive advantages.

If you have any questions on the subject or specific problems, please contact the trade-e-bility consulting team on +49/40/750687-300 or [beratung@trade-e-bility.de](mailto:beratung@trade-e-bility.de)