

Detailed guide: Packaging waste: producer responsibilities

Updated: Added a link to the Environment Agency 2018 monitoring plan.

If your business or organisation produces or uses packaging, or sells packaged goods, you may be classed as an obligated packaging producer. Obligated packaging producers must follow rules which help to:

- reduce the amount of packaging produced in the first place
- reduce how much packaging waste goes to landfill
- increase the amount of packaging waste that's recycled and recovered

These are in addition to [waste duty of care](#) rules all businesses must follow.

Every year an obligated packaging producer must:

- register as a packaging producer by 7 April
- meet their recovery and recycling obligation
- obtain evidence of compliance
- submit a certificate of compliance (CoC) by 31 January the following year

Check if you're an obligated packaging producer

Packaging definition

'Packaging' is any material used to hold, protect, handle, deliver and present goods. This includes packaging for raw materials right through to finished goods to be sold or being sold. For example, pallets, boxes, bags, tape for wrapping, rolls, tubes and clothes hangers sold as part of the clothing item.

What an obligated packaging producer is

You're an 'obligated' packaging producer if you, or a [group](#) of companies you're part of handled 50 tonnes of packaging materials or packaging in the previous calendar year. And you have a turnover of more than £2 million a year (based on the last financial year's accounts).

If your business provides [licences](#) to other businesses such as franchises or pub leases, any packaging they handle may contribute towards the 50 tonne threshold for your business.

What 'handling' means

Handling means you do all of the following:

- carry out one or more of the activities in the [activity list](#) or have these activities carried out on your behalf
- own the packaging on which the activities are carried out
- supply packaging or packaging materials at any stage in the chain or to the final user of the packaging

You're not handling packaging or packaging materials you use internally within your business.

Activity list: description

The activities are:

- raw material manufacture – produce raw materials for packaging manufacture
- packaging conversion – convert raw materials into packaging
- packing/filling – put goods into packaging or put packaging around goods
- selling – supply packaged goods to the end user
- importing – import packaged goods or packaging materials from outside the UK; this includes raw materials that will become packaging, for example, plastic pellets used to make bottles
- service provider – a business that supplies packaging by hiring it out or lending it

Check the tonnage you handle

When you work out if you handle 50 tonnes of packaging or more, do not include packaging or packing material you export or give to someone else to export. Export includes supplies sent to the Isle of Man, Channel Islands and Republic of Ireland. You must be able to demonstrate what packaging you've exported.

When your business is part of a group

If you're a group you must add up the total amount of packaging handled and annual turnovers to see if you're an obligated packaging producer.

If you're a holding company and you have 2 or more subsidiaries that handle packaging, or both you the holding company and at least one subsidiary handle packaging, you're a group.

A holding company that does not handle packaging itself with only one subsidiary that does, is not a group.

Licensors or pub chains

You can find an explanation of what a licensor and pub operating business is in the [Regulations](#).

The type of packaging relevant to your business includes:

- packaging or packaging materials with your trademark
- packaging or packaging materials around goods that carry your trademark

- packaging or packaging materials members must buy from the head organisation or a business specified by the head organisation

Register as a packaging producer

By 7 April every year you must register or be registered with your environmental regulator.

You can either join a compliance scheme or register yourself in the [National Packaging Waste Database](#) (NPWD).

A compliance scheme will register you with the correct environmental regulator, obtain evidence of your compliance and submit the CoC each year.

If you register yourself you will be responsible for registering, getting evidence of compliance and submitting the CoC.

Small packaging producer status

You're classed as a small producer if you have a turnover:

- between £2 million and £5 million
- of less than £2 million but you're part of a company group that has an obligation

See [step 1](#) to find out how to register as a small producer.

Join a compliance scheme

Select an approved compliance scheme from the [public register](#). You'll need to pay a fee and follow the scheme's instructions.

Check the compliance scheme timescales and make sure you provide the correct information about your company and packaging handled.

Register yourself

You need to register with the [environmental regulator](#) where your registered head office or main place of business is based.

To submit a registration you must be an 'approved person'. This is a:

- director or company secretary
- company partner
- sole trader

To get access to NPWD you need to complete and return an authorised signatory form. Contact your [environmental regulator](#) to get a form. Once returned and accepted NPWD will issue a login.

Use the [delegation of approved/appropriate person form](#) if you want to

delegate your function to another person. Sign the form and send it to your environmental regulator.

Log in and fill in the registration form in [NPWD](#).

If you've registered before, your information is copied into your new registration. You'll need to check it and make any necessary amendments.

Information you need to enter into NPWD

Step 1: contact details and business information

Provide your:

- registered office information and any main site address where your packaging activities happen or where you collate your packaging data
- Standard Industrial Classification ([SIC](#) code)
- turnover (last set of audited accounts)
- status – small producer, subsidiary, holding company or licensor

Small producers can register as a small producer in one of two ways. They can:

- use the allocation method – obligation based on turnover, the obligation is calculated by multiplying turnover in £ million to the nearest £10,000 by 30 tonnes
- register as a packaging producer – obligation based on weight of packaging handled in the previous year

Groups can register:

- as one group; the holding company can do this even if it's not a packaging producer
- individually by subsidiary
- as a combination of individual subsidiaries and the holding company

Subsidiary details you need to include are:

- company registration numbers
- contact details, including addresses
- [SIC](#) code
- turnovers
- main packaging activities of each subsidiary
- whether any subsidiary is a small producer

Step 2: packaging data

You must describe:

- your main packaging activity, for example, sell packaged goods
- any secondary packaging activities, for example, import packaging
- how you worked out how much packaging you handled in the previous year

You must enter:

- the amount (in whole tonnes) of packaging you supply to the next stage in the packaging chain or sell to the end user
- any packaging you import and any packaging around goods you import
- materials you or another company exports for which you have auditable records

Do not include:

- packaging that's been used before unless its imported
- processed waste

Step 3: review your recovery and recycling obligation

NPWD auto-generates your obligation from the data you entered into the tables. If you do not fill out the tables correctly you will have the wrong recovery and recycling target so you need to follow the instructions in NPWD carefully.

Small producers must review their obligation calculated on the turnover and main material handled entered.

Amend any data inconsistencies and then submit.

To find out how the producer obligation is calculated see [Schedule 2 of the Packaging Waste Regulations 2007](#).

The table shows the current UK government recycling targets in percentages:

Material	2014 (%)	2015 (%)	2016 (%)	2017 (%)
Aluminium	46	49	52	55
Glass*	75	76	77	77
Glass by remelt*	65	66	67	67
Steel	73	74	75	76
Paper/ board	69.5	69.5	69.5	69.5
Plastic**	42	47	49	51
Wood	22	22	22	22

*new glass targets announced by Defra for 2014 to 2016

**new plastic target announced by Defra for 2016 and 2017

Step 4: upload supporting information

Consumer information obligations

If your main activity is selling packaged goods, you must give your customers information about:

- return, collection and recovery systems they can use
- their role in reusing, recovering and recycling packaging and packaging

waste

- what recovery and recycling symbols on packaging mean
- how to get copies of waste strategy guidance

You must upload an explanation on how you will achieve this.

Small producer

You must upload proof of turnover or audited accounts if you chose the allocation method.

Packaging producer charges

You cannot pay online. You must pay by cheque, BACS or credit or debit card.

The charges if you register yourself are:

- producer: £776
- small producer: £562

You can register a group as a small producer if the group of companies has a combined turnover under £5 million. Where the holding company itself is a small producer, but the whole group turnover is greater than £5 million, the holding company must register as a producer.

Group: £776 plus these subsidiary charges:

- £180 each for the first 4 subsidiaries
- £90 each for the next 5 to 20 subsidiaries
- £45 for any further subsidiaries
- no charge for a small producer subsidiary using the allocation method

Compliance scheme fee

When you join a compliance scheme, it must pass on your registration fee to the appropriate regulator. The scheme's charges are:

- single company: £564
- small producer: £345

The scheme can register a group as a small producer if the group of companies has a combined turnover under £5 million. Where the holding company itself is a small producer, but the whole group turnover is greater than £5 million, the holding company must be registered as a producer.

Group: £564 plus these subsidiary charges:

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Late fees

If you register with a compliance scheme after the registration deadline you'll have to pay an additional late fee of £110.

Resubmission fee

If you need to update your information during the registration year there is no charge for making a minor change. If you need to correct your obligation or packaging handling data, for example following an inspection by your environmental regulator, the charge is £220 for each resubmission where there is a change to the obligation.

Northern Ireland

There are different charges, contact the [Northern Ireland Environment Agency](#).

Business changes

Tell your environmental regulator within 28 days if a change to your business means the information you supplied in your registration needs updating.

Cancel registration

You need to immediately cancel your direct registration if you become a member of a producer compliance scheme or stop being a producer.

Financial difficulties

Tell your environmental regulator immediately if your business has:

- a winding up order, or a resolution for voluntary wind-up
- entered insolvency, receivership or administration

Comply with your registration

Once registered you must meet your obligations. If you joined a compliance scheme it takes on your legal responsibility to meet the recovery and recycling obligation and submit the certificate of compliance (CoC). You must give the scheme correct information and accurate data.

Obtain evidence

You must get evidence of waste packaging recycling and recovery equivalent to the weight of your obligation from [accredited reprocessors and exporters](#). They (or yourself if you are accredited) can issue electronic packaging recovery notes (ePRNs) and electronic packaging export recovery notes (ePERNs) for the waste packaging they recycle or recover.

Small producers must obtain ePRNs for the main packaging material handled.

If you recover and recycle packaging waste your own business handled or

supplied, you must still obtain an ePRN or ePERN from accredited reprocessors and exporters.

You cannot use NPWD to carry out financial transactions for evidence notes. It does record and track ePRN/ePERNs credited to your account, and shows the balance of your obligation for which you still need evidence.

Submit a certificate of compliance (CoC)

NPWD generates CoC for directly registered producers. It will say whether your obligation has been met. Your authorised person must check it's correct, then log in to NPWD to sign it off and submit it.

The deadline for submission is 31 January immediately following the end of the calendar compliance year.

See the [Environment Agency monitoring plan](#) which sets out how they'll check businesses are complying each year.

Penalties

If you fail to meet your legal obligations, or provide false or misleading information, you may face prosecution under criminal law. In England and Wales there are also civil penalties. These include:

- fixed penalty fines for minor offences
- higher fines for more serious offences
- an [enforcement undertaking](#): an offer, formally accepted by your environmental regulator that redresses the impact of your non-compliance – these apply to offences after 6 April 2010 in England and after 15 July 2010 in Wales

Public register and disclosure

By law, your environmental regulator must put your details on a public register. This will include the name and address of your registered office or your main place of business for each site.

If you think any information you provide about your business is confidential, contact your environmental regulator and explain why. Be aware that under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 your environmental regulator may have a legal duty to disclose information about you if asked.

Contact your environmental regulator

England

Environment Agency

Producer Responsibility Regulatory Services

Quadrant 2

99 Parkway Avenue

Sheffield

S9 4WF

Telephone: 03708 506 506

Email: packaging@environment-agency.gov.uk

Scotland

Scottish Environment Protection Agency (SEPA)

Producer Compliance and Waste Shipment Unit

Strathallan House

Castle Business Park

Stirling

FK9 4TZ

Telephone: 01786 457 700

Email: producer.responsibility@sepa.org.uk

Northern Ireland

Northern Ireland Environment Agency (NIEA)

Producer Responsibility Unit

Klondyke Building

Cromac Avenue

Gasworks Business Park

Lower Ormeau Road

Belfast

BT7 2JA

Telephone: 028 9056 9338

Email: packaging@daera-ni.gov.uk

Wales

Natural Resources Wales

Producer Responsibility Unit

Rivers House

St Mellons Business Park

St Mellons

Cardiff

CF3 0EY

Telephone: 0300 065 3096

Email: packaging@naturalresourceswales.gov.uk

Legislation and regulations

The producer responsibility regime implements the [Packaging and Packaging Waste European Directive \(94/62/EC\)](#).

The [Producer Responsibility Obligations \(Packaging Waste\) Regulations 2007 \(as amended\)](#) and [2016 amendments](#) cover recycling and recovery, while the [Packaging \(Essential Requirements\) \(Amendment\) Regulations 2013](#) cover single market and design and manufacturing aspects.