

# LITTERING - METHODOLOGY

## Reimbursement of costs for cleaning up packaging waste



This methodology is based on the commission notice of [the European Commission](#) [\[C\(2021\) 3762\]](#).



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# What packages are included in the reimbursement of costs for cleaning up packaging waste

Duties apply to the single-use plastic packaging that is entirely or partly made from plastic and it is not reusable packaging.

Specifically, these are the following types of packaging and so-called packaging means:

## Part C of Annex No. 4 of the Packaging Act

- **packets and wrappers made from flexible material,**
- **beverage containers with a capacity up to 3 litres,**
- **plastic carrier bags,**



## Part D of Annex No. 4 of the Packaging Act

- **cups for beverages,**
- **food containers.**



## NOTE

Littering applies only to sales packaging (bags and packages made of flexible material, beverage containers up to 3 litres, beverage cups, food containers) and also applies to plastic carrier bags.

To determine, if it is a plastic packaging, it is decisive to know **any proportion of the plastic component**, and no minimum limit is set. Please note that the same rules do not apply here as for the record of composite packaging (e.g. even a paper cup with a plastic content of less than 5% will be recorded as Paper - paperboard and at the same time also on sheet L as a Cup for beverage, because it contains plastic).

# Who is subject to the obligation to pay for reimbursement of costs for cleaning up packaging waste and keep records

The obliged person is a company that places on the market or into circulation single-use plastic packaging that is wholly or partly made from plastic and it is not reusable packaging (packets and wrappers made from flexible material, containers for beverages with a volume of up to 3 litres, plastic carrier bags, beverage cups, food containers).

Single-use plastic packaging (e.g. a lunch box with food from a restaurant) and plastic means (e.g. empty box - menu box) are defined in Packaging Act No. 477/2001, § 2, § 10a and § 15b.

# Which packaging is covered by the records and payment of the fee?

Single-use plastic packaging specified in Part C of Annex No. 4 of the Packaging Act No. 477/2001 Coll.

**1. Packets and wrappers made from flexible material** containing food that is intended for immediate consumption from these packets or wrappers without any further preparation.

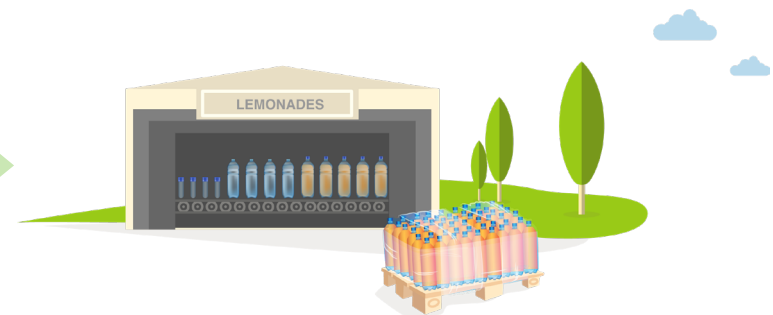
**2. Beverage containers with a capacity of up to 3 litres**, i.e. receptacles used to contain liquid, e.g. beverage bottles, including their caps and lids, and composite beverage packaging, including their caps and lids, except glass or metal beverage containers that have caps and lids made from plastic, including their caps and lids.

**3. Plastic carrier bags.**

## Who should keep records and pay for this littering packaging



A person who places packaging mean on the market or puts into circulation – **is not an obliged person**.  
for example: a beverage container manufacturer



The person who places the packaging on the market or into circulation **records the packaging on sheet L and pays for littering**.  
for example: a filler - lemonade maker

## Single-use plastic packaging specified in Part D of Annex No. 4 of the Packaging Act No. 477/2001 Coll.



**1. Cups for beverages, including their caps and lids.**

**2. Food containers**, i.e. receptacles such as boxes, with or without a lid, used to contain food which:

**a) is intended for immediate consumption**, either on the spot or to take away,

**b) is typically consumed from this receptacle**, and

**c) is ready to be consumed without any further preparation**, such as cooking, boiling or heating, including food containers used for fast food or any other meal ready for immediate consumption, except for beverage containers, plates and packets and wrappers containing food.”

For beverage cups and food containers, the littering obligation already arises at the stage of the packaging mean (for example, at the cup manufacturer).

This means that the person who places these packaging means on the market or into circulation has the same obligations as the person who subsequently places the packaging on the market or into circulation (Packaging Act No. 477/2001 Coll., Section 15b).

### ILLUSTRATIVE EXAMPLES

The cup manufacturer – places packaging mean on the market

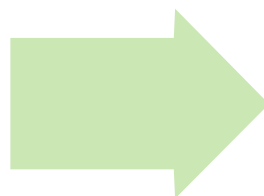
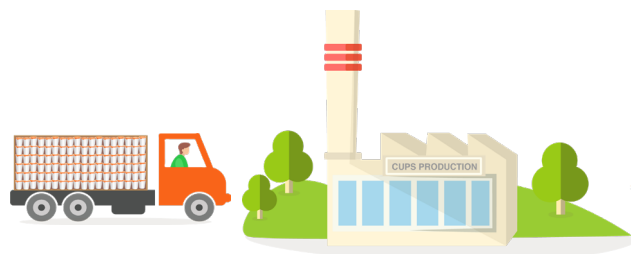
The gas station where the cup is filled with coffee – places packaging on the market



## Methodological recommendation, who should pay for littering

We differentiate between two different cases.

**1. Filled at the filler** – e.g. yoghurt filled into a food container in a dairy: The person placing the packaging mean on the market or into circulation is also an obliged person, but for reasons of provability and correctness, we **recommend charging at the filler**.

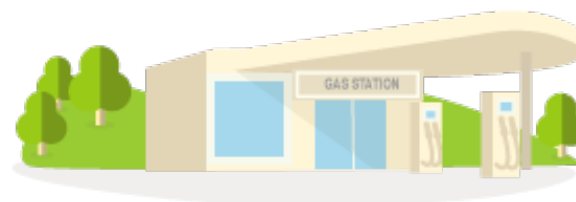
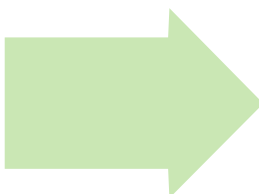


The person who places the packaging mean on the market or into circulation has to **register it newly also on the sheet L as unpaid**.

The person who places the packaging on the market or into circulation **registers the packaging newly on the sheet L and pays the fee**.

There **must be a written agreement** between the supplier and the customer that the customer pays the fee for the take-back and recovery of packaging and also the littering fee.

**2. Filled at the point of sale** – e.g. filling a cup with coffee at a gas station: We recommend that the fee will be paid by the person placing the packaging mean on the market or into circulation.



The person who places the packaging mean on the market or into circulation (e.g. the cup producer) has to **register it on the sheet L and pay the fee**.

The person who places the packaging on the market (gas station) registers the packaging on the sheet L as **prepaid**. **Must have a Statement of Charges from the supplier**.

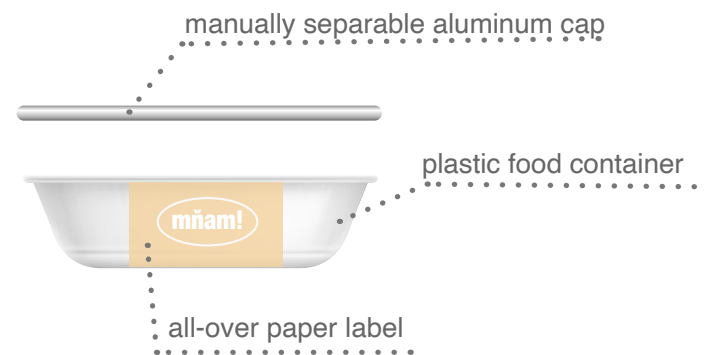
# Material determination - Manual separability

If the individual packaging parts can be manually separated, **then we assess each packaging part separately**. If the part contains plastic, then it is subject to the reimbursement of the costs for cleaning up packaging waste and to keep records of the entire weight of this part. If the part does not contain plastic, then the obligations do not apply to that part.

## ILLUSTRATIVE EXAMPLES

### Plastic food container with an all-over paper label with a manually separable aluminium cap

Plastic food container with an all-over paper label – YES,  
manually separable aluminium cap - NO



### Beverage bottle with a capacity up to 3 litres

PET beverage bottles, PE caps a PET shrink sleeve – all the parts can be manually separated and are made from plastic, we will therefore record the total weight of all parts in the Beverage containers column on the sheet L. At the same time, we will record these parts separately as before also on the sheets J.

## ADDITION

### Manually separable

- Labels, that are not all-over beverage bottles
- Shrink sleeves on the beverage bottles
- Beer or wine stoppers where an opener or corkscrew must be used

### Manually non-separable

- Labels, that are all-over beverage bottles



## Auxiliary criteria and illustrative examples of determining the limits for registration for the following types of packaging

- **Packets and wrappers made from flexible material**
- **Food containers**



For the determination of the criterion of immediate consumption, the portion size of the food containers is determined. This criterion is also applied to packets made from flexible material by setting a volume limit of 3 liters.

### SIZE LIMITS

1. **Service packaging for food** (counter sales) – **up to 3 litres max** OR
2. **Take-away packaging** (restaurants, fast food) – **up to 3 litres max** OR
3. **Packaging for portioned flavourings up to 3 litres max**  
(e.g. ketchup, mustard, butter, marmalade, cream cheese, spread) OR
4. **Other type of containers for food up to 3 litres max;** OR
5. **Other bags and packages made of flexible material up to 3 litres max;**  
including a flexible wrapper, which contains several portions in flexible wrappers up to 3 litres max  
(e.g. individual muesli bars in a flexible wrapper - outer bag)





# Criteria and illustrative examples of packaging that are covered by the reimbursement of the costs for cleaning up packaging waste (littering)

## Packets and wrappers made from flexible material

Packets that contain food intended for **immediate consumption from these packets or wrappers without any further preparation.**

### CRITERION

**both of these criteria must be met**

#### 1. Made from flexible material

Flexible packaging is packaging whose shape changes easily, e.g. when food is inserted or removed, in contrast to rigid packaging, whose shape remains unchanged when food is inserted or removed.

From the design of the packaging follows that the contained food is intended for immediate consumption after its purchase. A packet or wrapper can be easily opened, e.g. by tearing, cutting, twisting or stretching.

#### 2. Containing food intended for immediate consumption from a packet or wrapper without any further preparation

**Example No. 1:** Character of the food contained: food suitable for immediate consumption (e.g. sweets, nuts, chocolate bars, cherry tomatoes, potato crisps).

**Example No. 2:** The design of the packet or wrapper allows consumption directly from the packet or wrapper.



## ILLUSTRATIVE EXAMPLES



### ✔ ARE packets and wrappers made of flexible material

- packet or wrapper containing **food for immediate consumption** (e.g. **biscuits, nuts, crisps, ready-to-eat popcorn, sweets, chocolate bars, bakery goods, frozen goods**) sold by single unit
- packet or wrapper containing food for immediate consumption from that packet or wrapper without any further preparation (e.g. **crisps, sweets, chocolate bars, bakery goods, frozen goods**) sold in one or more than one unit (i.e. **within a multipack packaging**)
- packet containing **multiple-serve portions of food for immediate consumption from the packet** and which are not individually wrapped (e.g. **bakery goods, biscuits, sweets, chewing gum, crisps**)
- **sandwich wrapper**
- packet containing **condiment/sauce** (e.g. **ketchup, tartar or soy sauce**)
- **packet of cut salad leaves** that do not require **any further preparation** before immediate consumption



### ✘ are NOT packets and wrappers made from flexible material

- packet containing **dry breakfast cereals**
- **foodstuff is not intended for immediate consumption from the packet; milk is typically added before consumption and it is not component of the packet**
- packet containing **fresh/dried food that requires further preparation** (e.g. **entire head of lettuce, uncooked pasta, uncooked lentils**)
- **foodstuff is typically not consumed directly from the packet or wrapper; Foodstuff is typically further prepared before consumption**

## Food containers



i.e. receptacles such as boxes, with or without a lid, which are used to contain food that **must meet all three criteria**:

**a) is intended for immediate consumption, either on-the-spot or take-away,**

**b) is typically consumed from this receptacle,** and

**c) is ready to be consumed without any further preparation**, such as cooking, boiling or heating, including food containers used for fast food or other meal ready for immediate consumption, except beverage containers, plates and packets and wrappers containing food.



### NOTE

For food containers, the total weight of the container including all parts with any proportion of plastic (container + lid + label) is recorded on the sheet L.

## ILLUSTRATIVE EXAMPLES



### Containers made from plastic (entirely from plastic)

If the container is made entirely from plastic, we record the total weight of the container including all plastic parts (container + lid + label) in the line

**Food container - made from plastic** and in the **column total weight in tonnes**.

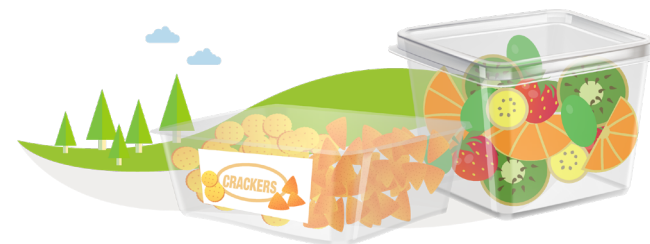
### Containers made partly from plastic (plastic container with manually non-separable paper label)

If the container is partly made from plastic, we record its total weight (row **food container - partly made from plastic**; column **total weight in tonnes**) and at the same time the weight share of plastic (column **weight of plastic in tonnes**).



### ARE food containers

- plastic food container containing **small snacks**, (e.g. nuts, crackers)
- plastic food container containing **sauces and bread spreads** (e.g. mustard, ketchup or dips)
- plastic food container containing **vegetables or fruit** that do not require further preparation
- **ice-cream container** made of cardboard with plastic liner, from which the food is typically directly consumed



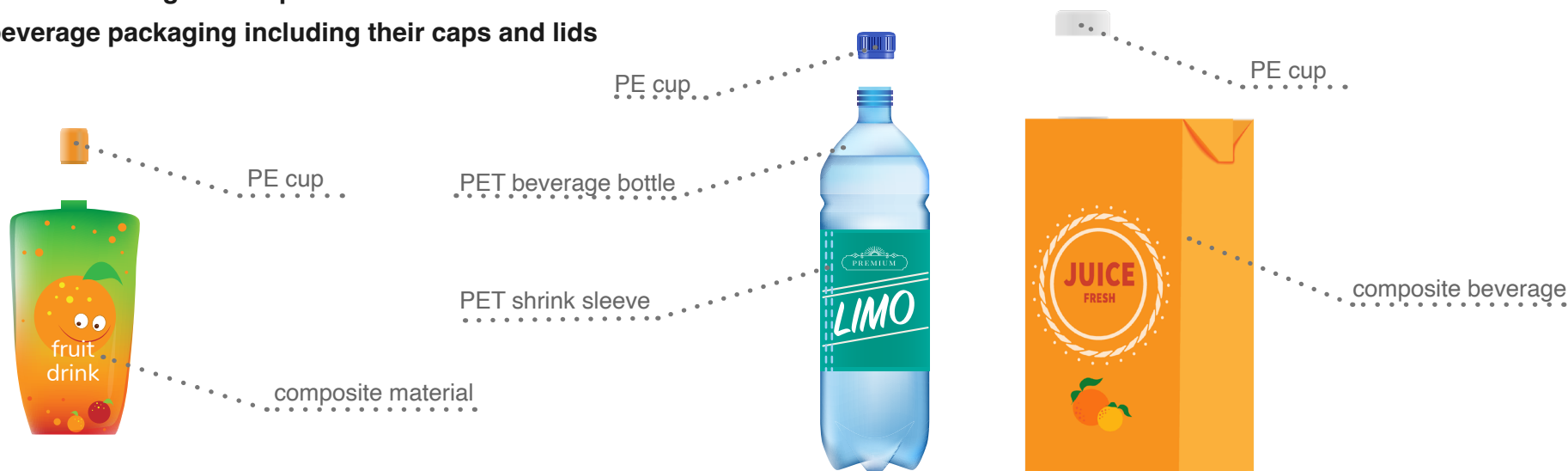
### are NOT food containers

- plastic food container containing a **frozen meal which requires further preparation**.
- **not typically sold as a takeaway; foodstuff requires preparation**
- fish boxes, meat trays, made out of plastic containing packed food that **is not intended for immediate consumption, not typically consumed from the food container, and not ready to be consumed without further preparation**
- foodstuff requires **further preparation and is not typically consumed from the food container**

## Beverage containers with a capacity up to 3 litres

With a capacity up to 3 litres for beer, wine, water, liquid refreshments, juices and nectars, instant beverages and milk **intended for immediate consumption without the necessary mixing with another product or other treatment.**

- **beverage bottles including their caps and lids**
- **composite beverage packaging including their caps and lids**



### SPECIFICATION

- I.e. receptacles **used to contain liquid**, such as beverage bottles including their caps and lids and composite beverage packaging including their caps and lids.
- A beverage container is, in principle, sold and consumed for a product that is in liquid form, and **consumed by drinking**.

### ❌ DO NOT BELONG HERE

- **Glass or metal beverage containers** that have caps and lids made from plastic.
- **Beverage containers intended and used for food for special medical purposes** as defined in Article 2 Paragraph 2 Letter g) of Regulation (EU) No. 609/2013 of the European Parliament and of the Council that is in liquid form.

## ILLUSTRATIVE EXAMPLES

### ✓ ARE beverage containers with a capacity up to 3 litres

- **pouches** (fully plastic or with plastic layer, up to three litres)
- **plastic bottles** (up to three litres)
- **composite beverage carton** (up to three litres)
- **flexible plastic beverage container** (up to three litres) in a carton box easily separable by hand
- **one-piece plastic beverage container** with a moulded break-off closure
- **cups that are already delivered to the point of sale filled**, are beverage containers (e.g. yogurt drink)



### ✗ are NOT beverage containers with a capacity up to 3 litres

- plastic water bottle **ABOVE** 3 litres
- reusable and refillable plastic beverage bottles designed and placed on the market for such purpose and typically conceived and used by consumer as such
- reusable bottle

# Plastic carrier bags

Carrier bags, with or without handle, made from plastic, which are supplied to consumers at the point of sale of goods or products.

## INCLUDES

- **lightweight plastic carrier bags** (< 15 microns)
- **lightweight plastic carrier bags** (15 < 50 microns)

**Doesn't apply to thicker plastic carrier bags** ( $\geq 50$  microns)

## NOTE

Plastic carrier bags are recorded on sheet the L in tons and at the same time in pieces.



## ILLUSTRATIVE EXAMPLES



### ARE plastic carrier bags

- **lightweight plastic carrier bag supplied to consumer at point of sale** (wall thickness less 50 microns)
- **lightweight plastic carrier bag supplied to consumer at point of sale** (wall thickness less 15 microns)



### are NOT plastic carrier bags

- **waste collection bags** made from plastic **Not “carrier bag”** and therefore out of the scope of the Directive

## Cups for beverages



Filled at the point of sale including their caps and lids.

Caps and lids for cups for beverages:

- Caps and lids used on cups for beverages which **protect the liquid contained but generally do not provide a complete seal.**
- **They can be re-placed on the product after having been removed** without losing their closure function.

### NOTE NO.1

In the case of a cup for beverages, the total weight of the cup including all parts with any proportion of plastic (cup + lid) is recorded on the sheet L.

### NOTE NO.2

If the cup has a character of a beverage cup at the manufacturer site, then this cup is classified as a beverage cup (even if it was ultimately used by the customer as a food container).

## RECORDS

**Cups for beverages made from plastic** (entirely from plastic)

If the cup for beverage is made entirely from plastic, we record the total weight of the cup for beverage including all plastic parts (cup for beverage + lid) in the line **cups for beverages - made from plastic** and in the column **total weight in tonnes**.

**Cups for beverages made partly from plastic** (paper cup for beverage with plastic layer)

If the beverage cup is partly made from plastic, we record its total weight (**beverage container row - partly made from plastic**; column **total weight in tonnes**) and at the same time the weight share of plastic (column **weight of plastic in tons**).

Beverage cups that are already delivered to the point of sale filled, **are beverage containers** (e.g. yogurt drink).



## ILLUSTRATIVE EXAMPLES



### ARE cups for beverages

- cups for beverages **for cold beverages made entirely from plastic** (with or without cap or lid)
- **empty cups made entirely from % plastic and empty paper-based cups with plastic lining or coating** (with or without cap or lid) for hot or cold beverages
- **paper-based cups with plastic lining or coating sold in retail and wholesale stores**
- paper-based cups with **bio-based or biodegradable plastic lining or coating sold in retail and wholesale stores**



### are NOT cups for beverages

- reusable plastic cups sold as part of refill schemes
- plastic cup with instant soup powder to which the addition of e.g. water is necessary before the product can be consumed
- the cup is intended to be used for preparing a soup, which is not a beverage under the Directive
- “plastic cups for parties”, which are intended to use at home (e.g. birthday party)

## EXAMPLES - COMBINATION OF PACKAGING

### COMBINATIONS

### PARTS OF PACKAGING SUBJECT TO LITTERING

Plastic container + sealing foil (e.g. sandwich in a plastic container with a foil)	All parts of the packaging are subject to littering. Register as a food container.
Plastic container + plastic foil (e.g. chocolate biscuits in a container placed in a plastic bag)	All parts of the packaging are subject to littering. - Plastic container: food container - Plastic bag: packets and wrappers made from flexible material
Plastic container inserted in a paper box	- Plastic packaging: food container - Outer cover: is not subject to littering
Rigid packaging, which are not made from plastic + from plastic foil	- Plastic foil: bags and packaging made from flexible material - Rigid packaging: is not subject to littering
The smallest sales unit is a plastic bag containing products, that are each individually wrapped in other individual bags. (e.g. bag of fruit jelly -each jelly is single wrapped in a foil.)	All parts of the packaging are classified as packets and wrappers made from flexible material, if the amount of filling of the outer bag doesn't exceed criterion 3 liters. If the amount of filling of the outer bag is greater than 3 liters, only jellies packed individually in a foil are considered.
Manually separable packaging consisting of cardboard with several products packed individually in bags. (e.g. candies in a corrugated board box)	Bags around the individual products are packets and wrappers made from flexible material. Outer packaging made from corrugated board is not subject to littering.
Individually packed products that are packed in a foil and then in a corrugated board box.	Inner film is classified as packets and wrappers made from flexible material. Corrugated board box is not subject to littering.
Plastic box with spout + cap	All packaging components are considered as packets and wrappers made from flexible material.



STATEMENT TO RECORD SINGLE-USE PLASTIC PACKAGING AND PACKAGING MEANS  
THAT IS SUBJECT TO THE OBLIGATIONS TO PAY THE COSTS OF CLEANING UP PACKAGING WASTE  
ACCORDING TO SECTION 10a OF THE PACKAGING ACT NO. 477/2001 COLL.

one-way		beverage/non-beverage					
<b>L - Littering packaging and packaging means</b> <sup>(1)</sup>		<b>IČO:</b>					
Statement to record single-use plastic packaging and packaging means that is subject to the obligations to pay the costs of cleaning up packaging waste according to Section 10a of the Packaging Act No. 477/2001 Coll.		<b>1. quarter 2023</b>					
		Paid			Pre-paid	Non-paid	Exported
		weight of plastic in tonnes	total weight in tonnes	quantity in pieces	total weight in tonnes	total weight in tonnes	total weight in tonnes
<b>Beverage containers</b> <sup>(2)</sup>							
<b>Packets and wrappers</b> <sup>(3)</sup>							
<b>Cups for beverages</b>	made from plastic <sup>(4)</sup>						
	made partly from plastic <sup>(5)</sup>						
<b>Food containers</b>	made from plastic <sup>(6)</sup>						
	made partly from plastic <sup>(7)</sup>						
<b>Plastic carrier bags</b> <sup>(8)</sup>	Lightweight plastic bag 15 < 50 microns						
	Lightweight plastic bag < 15 microns						