

Extended Producer Responsibility (RAP) for ES B2C sellers

GUIDE.SUMMARY What is Extended Producer Responsibility (RAP) - translated La responsabilidad ampliada del productor, - aims to extend the liability and specific obligations of producers, importers and eBay sellers in relation to the products they put on the Spain market, including:

- Their end-of-life, and
- The collection and recycling of residues generated by the product in question

When Starting March 29th 2023, Royal Decree 1055/2022 on containers and residues of containers establishes the RAP requirements regarding containers:

- Intended for use or consumption by individuals
- Susceptible to being purchased by the consumer in shops
- Regardless of the place of sale or consumption

In Spain, law 7/2022 established the legal framework for extending the liability of producers, importers and sellers for the entire life cycle of products they sell to buyers based in Spain.

Who

- B2C sellers selling to buyers based in Spain including:
- B2C sellers who list directly on the ES site (Active CBT)
- B2C sellers who list on other sites and ship to Spain (Passive CBT)
- ES domestic B2C sellers

Actions

- For both Passive and Active CBT B2C sellers:
- Add eBays registration number from the Producer of Products Registry to all invoices, receipts and sales documentation issued to buyers in Spain
- eBays Producer of Products Registry registration number is as follows: ENV/2023/000034242
- For Active and passive CBT B2C sellers in 2023 and beyond, eBay will - on your behalf - take care of:
- Reporting the annual packaging volume put into circulation in the market, and
- Related fees such as the economic contributions to the Spanish entities collecting and processing waste containers

For ES domestic B2C sellers:

- Register with the Producer of Products Registry and add your registration number to all invoices, receipts and sales documentation issued to buyers in

Spain Make economic contributions with the aim of financing and organizing the collection and processing of waste containers Annually report to the authorities on packaging put into circulation in the market

<h2>GUIDE.RELATED_LINKS Related articles Agencia Estatal

Boletín Oficial del Estado - Royal Decree 1055/2022:
 BOE-A-2022-22690 Real

Decreto 1055/2022, de 27 de diciembre, de envases y residuos de envases

MITECO framework - For more info on EPR and the distinct systems within it:
 <a

href="https://www.miteco.gob.es/en/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-resi
duos/flujos/responsabilidad-ampliada/">https://www.miteco.gob.es/en/calidad-y-evaluacion-ambie
ntal/temas/prevencion-y-gestion-residuos/flujos/responsabilidad-ampliada/

MITECO website - For more info on registration or reporting obligations and a telephone
number for contact:
 <a

href="https://www.miteco.gob.es/es/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-resi
duos/flujos/envases/Registro-productores-producto-seccion-envases.aspx">https://www.miteco.g
ob.es/es/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-residuos/flujos/envases/Regist
ro-productores-producto-seccion-envases.aspx For tutorials and

explanatory videos on the Producer of Products Registry:
 <a href="https://www.miteco.gob.es/es/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-resi
duos/flujos/envases/videos-tutoriales-registro%20productores%20.aspx">https://www.miteco.gob
.es/es/calidad-y-evaluacion-ambiental/temas/prevencion-y-gestion-residuos/flujos/envases/videos-tu
toriales-registro%20productores%20.aspx

<h2>GUIDE.TALKING_POINTS What happens if I am not compliant?

For the moment, we do not enforce compliance for this regulation.

 Is it also applicable to refurbished electronics? Yes, but for the packaging

only as it is newly introduced to the Spanish market. I am already

compliant with my EPR obligations. Do I have to let eBay know? No, we do not need to be informed of your compliance status at the moment.

GUIDE.DETAILED_INFORMATION ES Domestic B2C sellers

In the event you are not sure if this applies to you or are uncertain about your obligations This is for guidance purposes only and does not constitute specialized advice We recommend that you contact an expert or advisor specialized in the matter who can guide you in fulfilling your obligations

Registering with the Producer of Products Registry

 As of March 29 2023, ES domestic B2C sellers must be registered with the Producer of Products Registry (containers section), which is managed by the Ministry for Ecological and Demographical Transition (MITECO) NOTE: Sellers will be required to provide a certificate certifying they belong to a SCRAP (see below for more information) Following the above, sellers will be assigned a registration number with the following format: ENV/2023/000034242 This registration number should appear on all invoices, receipts and any other documentation provided to buyers in Spain

Making economic contributions to the collection and processing of waste containers

 Seller can fulfill this obligation through one of two ways: Individually through an individual system of expanded product liability (SIRAP) Joining a collective system of expanded product liability (SCRAP), this being the most typical option In the case of paper and cardboard containers, SCRAP exists in Spain and is eco-friendly.

Reporting to the authorities on packaging put into circulation in the market

 Your registration in the Producer of Products Registry must include certain information - contained in the Royal Decree - corresponding to the containers that have been introduced to the market each year starting from 2021 Provide information regarding the procedure established in the Registry.

 Information corresponding to the years 2021 and 2022 must be provided for the purpose of which the Royal Decree establishes certain measures to be fulfilled: Between May 1st and July 31st 2023, the information corresponding to 2021 can be reported From August to October 31, 2023, the information corresponding to 2022 will be available. Product Manufacturers who introduce less than 15 tons of containers per year will be able to comply with the reporting obligation in a simplified manner </h2>