
Further Development of Producer Responsibility under the Electrical and Electronic Equipment Act (ElektroG) in Germany

English summary

The study was written by cyclos GmbH and the Öko-Institut and was commissioned by Environmental Action Germany (Deutsche Umwelthilfe e.V.). It was completed in September 2025.

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Study Conclusion and Policy Recommendations

The current situation regarding the implementation of European requirements for the collection of waste electrical and electronic equipment (WEEE) in Germany shows that, in particular, the collection target of 65% has been systematically and significantly missed since its introduction in 2019. Ultimately, this means that the volume of waste equipment that is separately collected and properly treated falls significantly below the targets set by the European Union, and that the Federal Republic of Germany loses considerable quantities of potentially recoverable raw materials every year. An EU infringement procedure against Germany was initiated on that matter in July 2024. Given increasing volumes of newly sold equipment in Germany, alongside stagnating and more recently even declining collection volumes, the gap between target and reality is widening, leading to increasing losses of raw materials.

Although some of the raw materials contained in waste equipment are recovered from alternative disposal routes (e.g. scrap metal recycling or residual waste), both the range of materials recovered and the recovery yields are significantly lower than through regular collection channels and, in particular, precious metals, specialty metals and plastics are permanently lost. Furthermore, where treatment is not properly managed, hazardous components and substances are less effectively separated and treated, resulting in environmental impacts.

The issue of insufficient collection volumes has already been recognised at the political level and has been addressed, among other measures, in amendments to the Electrical and Electronic Equipment Act (ElektroG) in 2021 and 2022, including new requirements for take-back structures of distributors. The 2024

draft amendment continued in this direction, once again demonstrating that the main strategy for increasing collection volumes has so far focused primarily on expanding and densifying return options for private households. While there are reasons to assume that more accessible return options can positively influence citizens' disposal behaviour, it must not be overlooked that the ElektroG and its implementation have evolved historically, resulting in structures that now appear outdated in terms of division of responsibilities, administrative processes, transparency, and target achievement. In particular, the shared responsibilities for collection without a clear allocation of accountability for achieving targets, as well as the complexity and fragmentation of documentation and reporting obligations, are seen as key barriers to effective and practical implementation.

These issues are largely rooted in the system of shared product responsibility embedded in the ElektroG. Historically, this system emerged, among other reasons, because at the time of its introduction in 2005, a large number of legacy equipment ("historical WEEE") had to be addressed, for which producers or distributors could not be held legally responsible in the developed disposal system. In addition, there was a political objective to integrate existing municipal collection structures and citizens' disposal obligations into a unified system. Further growing, the ElektroG today assigns numerous detailed responsibilities and obligations to various actors (municipalities, distributors, producers), while the responsibility for achieving the EU collection target remains with the Federal Republic of Germany. As a result, systematic underperformance in meeting collection targets does not lead to direct consequences for any of the actors involved. Since proper disposal of some WEEE categories is associated with net costs, this system can even have the unintended effect of cherry picking and reducing incentives for actors to actively promote and improve collection systems.

From this perspective, the current strategy of introducing ever more and increasingly detailed requirements for collection appears questionable, as it does not address the core issue of insufficient allocation of responsibility for achieving collection targets. The study therefore suggests a more fundamental review of the ElektroG and proposes, in particular, considering a transition to a full extended producer responsibility (EPR) system. In broad terms, this would involve assigning full responsibility for achieving collection and recovery targets to producers only, combined with a monitoring system at the level of target achievement (collection volumes and quality, reuse and recycling rates). While failures to meet targets would need to be consistently sanctioned, many detailed operational requirements—e.g. on type of collection—could be reduced. Producers would be given flexibility, within a defined framework, to develop their own take-back structures and adapt them for cost-effective target achievement. At the same time, key elements of the current system, particularly municipal collection and retailer take-back, should be retained, in order to avoid major disruptions to established household disposal practices. In this context, it is envisaged that producers would remunerate public waste management authorities or retailers for collection services through producer responsibility organisations (PROs) yet to be established, based on a defined service catalogue.

Experience from existing systems in Germany for packaging and batteries shows that the approach of EPR is well suited to achieving clearly defined collection and treatment targets. It can therefore be assumed that a consistent transition to such a system for WEEE would enable long-term compliance with EU requirements.

The authors acknowledge that such a fundamental revision of the ElektroG involves many aspects that could only be addressed to a limited extent in this study. The elements outlined here should therefore be understood as initial proposals requiring further in-depth analysis and discussion among stakeholders from industry, trade, municipalities, consumers, policy, and public administration. In any case, it must be assumed that a comprehensive reform of the ElektroG would only unfold its full effects after a transition period. Assuming that a consistent system transition is completed by 2031, modelling results suggest that an additional 1.10 to 1.26 million tonnes of WEEE could be collected annually in compliance with legal requirements. This would allow between 540,000 and 810,000 tonnes of raw materials, with a total value

of €1.50 to €2.08 billion per year, to be retained within the industrial cycle. In addition to the strategic importance for Germany as a business location, this would also reduce greenhouse gas emissions in the range of 1.29 to 1.92 million tonnes of CO₂ equivalent annually. In terms of employment effects, a rough estimate suggests an additional demand for 28,000 to 39,000 workers. The majority of these effects result from the clear allocation of responsibility for achieving collection targets. Additional potential lies in measures to improve the quality of collection and recovery.

Full study (in German) can be downloaded at

https://www.duh.de/fileadmin/user_upload/download/250908_Studie_Cylos_%C3%96koinstitut_Produktverantwortung_im_ElektroG.pdf




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