



TRAVIESO EVANS

MANAGERIAL ALERT

**RULES ON THE EXTENDED LIABILITY OF
PRODUCERS OF TIRES AND ONE-USE
PAPER, CARDBOARD, PLASTIC, AND
GLASS CONTAINERS, PACKAGES, AND
WRAPS**



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RULES ON THE EXTENDED LIABILITY OF PRODUCERS OF TIRES AND ONE-USE PAPER, CARDBOARD, PLASTIC, AND GLASS CONTAINERS, PACKAGES, AND WRAPS

Resolution No. 0191, dated October 27, 2020 and issued by the Ministry of the Popular Power for Ecosocialism (the “Ministry”), was published in Official Gazette No. 42.011 of November 19, 2020 (the “Resolution”). The Resolution issued the rules on the extended liability of producers of tires and one-use paper, cardboard, plastic, and glass containers, packages, and wraps as the obligation of importers, manufacturers, and merchants of consumer products, after they have been used or their life cycle has ended, to appropriately handle said materials from an environmental and sanitary point of view.

To that end, the Registry of Producers (“RePROD”) for producers of tires and one-use containers and packages is created, under the responsibility of the Ministry. The Ministry will establish the requirements for registration with the RePROD.

The RePROD will be granted only once and will generate the assignation of a non-transferable identification code.

Producers of tires and one-use paper, cardboard, plastic, and glass containers, packages, and wraps must draw up and present to the Ministry a Program of Extended Liability (*Programa de Responsabilidad Extendida* - “ProREP”), which must contain the Individual or Collective Liability System for return, collection, storage, and transportation of the goods indicated in the Resolution, during their postconsumer phase. Said Program must be presented every 2 years.

The Ministry will make the relevant environmental assessment in order to grant the registration certificates and the approval of the ProREP filed by the producers in connection with the residues and waste generated by the products that the Resolution indicates.

The cost of the environmental control in charge of the Ministry and derived from the registration with the RePROD, as well as the evaluation and approval of the ProREP, will be borne by the producer.

Said cost will be calculated on the basis of the value of “Petro” and paid to the Ministry’s deconcentrated service called “*Servicios Ambientales para el Ecosocialismo*” (“SAEC”), in its Bolivar equivalent value at the time of payment, as per the categories, units of measurement, and value indicated in article 7 of the Resolution.

Producers must register with the RePROD and submit the ProREP including the materials individual or collective system to the consideration of the Ministry. They must also pay the cost of the environmental control through the SAEC, deliver the used products for their proper handling to the handlers authorized by the Ministry to that end, and perform any other obligation established by the Ministry for such purposes.

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Manufacturers of one-use containers and packages must manufacture them with materials that render easy their return, reuse, biodegradability or effective recycling. Likewise, they must procure manufacture with materials allowing the longest durability and with mechanisms that permit their repair or utilization.

In the cases in which the number of used goods sought to be stored for return exceeds ten metric tons (10 tons), or a volume equivalent to 350 m³, the temporary storage activity must be authorized by the Ministry.

The Resolution will become effective 60 days after publication of the same in the Official Gazette.

In order to access the Resolution, please click [here](#).

Should you have any question or comment or require further information, please contact the partner in charge of your account via email.

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