

Public Law  
Germany

September 2019

## Germany's upcoming ban on plastic bags

### What has happened?

Notwithstanding the fact that the Federal Ministry of Environment and the German retail industry agreed, three years ago, on voluntary measures to reduce the use of plastic bags, the Ministry has now announced its plan to introduce a legal ban on plastic bags. To this end, the wording of a draft bill is currently being coordinated within the German Federal Government. Should this draft bill eventually be adopted, the legal ban on plastic bags could enter into force in the first half of 2020.

### What it means for you

According to a press release by the Federal Ministry of the Environment, the most relevant aspects of the planned ban on plastic bags are as follows:

- The proposed ban will cover single-use plastic bags with a wall thickness of less than 50 micrometers ( $\mu\text{m}$ ). This also includes so-called "*bioplastic*" bags, i.e. recycled or ecologically produced plastic bags. In the Ministry's opinion, bioplastics are as harmful to the environment as conventional plastic bags.
- Very lightweight single-use plastic bags with a wall thickness of less than 15 micrometers ( $\mu\text{m}$ ) (called "*Hemdchentüten*" in German) will be exempted from the ban. In the Ministry's view, there are hardly environmentally friendly alternatives to such bags, which are necessary for hygienic reasons or which are intended as sales packaging/initial packaging for food.
- Re-usable bags will not be in scope.
- Offering single-use plastic bags with a wall thickness of less than 50 micrometers in violation of the proposed law will be punishable with a fine of up to EUR 100,000.
- Once the bill has been enacted, there will be a six-month transition period in order to allow the retail industry to sell off their current stock of single-use plastic bags.

Economic operators making, importing or handing out single-use plastic bags to customers must monitor the further developments and carefully analyze the text of the new law, once the draft bill has been published and or introduced into the German legislative process.

Our Expertise  
Public Law



---

For further information, please contact:



**Prof. Dr. Ulrich Ellinghaus LL.M.**  
ulrich.ellinghaus@bakermckenzie.com



**Dr. Andreas Neumann LL.M.**  
andreas.neumann@bakermckenzie.com

---

**Baker & McKenzie - Partnerschaft von Rechtsanwälten und Steuerberatern mbB**

**Berlin**

Friedrichstrasse 88/Unter den Linden  
10117 Berlin  
Tel.: +49 30 2 20 02 81 0  
Fax: +49 30 2 20 02 81 199

**Dusseldorf**

Neuer Zollhof 2  
40221 Dusseldorf  
Tel.: +49 211 3 11 16 0  
Fax: +49 211 3 11 16 199

**Frankfurt am Main**

Bethmannstrasse 50-54  
60311 Frankfurt/Main  
Tel.: +49 69 2 99 08 0  
Fax: +49 69 2 99 08 108

**Munich**

Theatinerstrasse 23  
80333 Munich  
Tel.: +49 89 5 52 38 0  
Fax: +49 89 5 52 38 199

[www.bakermckenzie.com](http://www.bakermckenzie.com)

Get Connected:



This client newsletter is prepared for information purposes only. The information contained therein should not be relied on as legal advice and should, therefore, not be regarded as a substitute for detailed legal advice in the individual case. The advice of a qualified lawyer should always be sought in such cases. In the publishing of this Newsletter, we do not accept any liability in individual cases.

Baker & McKenzie - Partnerschaft von Rechtsanwälten und Steuerberatern mbB is a professional partnership under German law with its registered office in Frankfurt/Main, registered with the Local Court of Frankfurt/Main at PR No. 1602. It is associated with Baker & McKenzie International, a Verein organized under the laws of Switzerland. Members of Baker & McKenzie International are Baker McKenzie law firms around the world. In common with terminology used in professional service organizations, reference to a "partner" means a professional who is a partner, or equivalent, in such a law firm. Similarly, reference to an "office" means an office of any such law firm.

© Baker McKenzie