

Seminar on EU's Packaging and Packaging Waste Regulation (PPWR)

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Guidance notes

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CIRCULAR project is jointly implemented by Expertise France, the Food and Agriculture Organization of the United Nations (FAO) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH. The project promotes circular economy practices in Sri Lanka's food sector, with a strong focus on reducing food loss, food waste and single-use plastics.

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1. Introduction and context

Sri Lanka's economy relies heavily on its exports to the EU, with food products forming a significant share of that trade. Europe is Sri Lanka's largest export destination; a status reinforced by preferential market access under the GSP+ scheme. Sri Lanka's major exports to Europe include apparel, tea, frozen fish, liquid coconut milk, and growing spice trade built around cinnamon, pepper, cloves, and nutmeg. Nearly all these categories reach the consumers within EU processed and packed in industrial, retail-ready packaging material.

Against this backdrop, EU's upcoming Packaging and Packaging Waste regulation becomes directly relevant to Sri Lanka exporters.

The European Union's Packaging and Packaging Waste Regulation (PPWR) is a key legislative initiative under the European Union's circular economy agenda, aimed at reducing packaging waste, which will have direct implications for Sri Lankan exporters. As a binding regulation, it will apply to all products placed on the EU market, including imports. This means that Sri Lankan exporters, including those in the food, beverage, FMCG, and other product sectors, as well as local plastic packaging manufacturers supplying these value chains, will need to ensure that their packaging meets EU requirements on recyclability, reduced material use, and sustainability standards. Non-compliance could result in restricted market access.

The regulation entered into force in February 2025 and will come into application from 12 August 2026. From then on, all packaging in the EU must meet sustainability criteria, in particular, limitation of substances of concerns, design for recycling criteria, incorporation of recycled content, labelling, packaging minimisation from the date of application and continuing until 2040.

To help Sri Lankan businesses prepare for these impending changes, a two-day seminar was held in Colombo on July 13 and 14 under the EU-funded CIRCULAR – Circular Economy in the Food Sector Project.

More than 100 representatives of Sri Lankan businesses participated in the seminar, which provided guidance on the regulatory and technical requirements of the PPWR and steps companies can take toward compliance.

The CIRCULAR Economy in the Food Sector Project, funded by the European Union and implemented by Expertise France, Food and Agriculture **Organization of the United Nations (FAO)** and **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH** works directly with the stakeholders across the food supply chain supporting building circular economy practices through awareness raising and sustainable finance partnerships. This positions the CIRCULAR project to support the Sri Lankan food and agri export sector respond strongly to PPWR through technical assistance, through European experts for packaging redesign, material substitution, and capacity building for compliance demands. This note focuses on the technical packaging requirements introduced by the PPWR: what must change in the physical pack, what evidence a business should be able to produce, and which actions should be started first. The guidance is generic across the main Sri Lankan food-export

categories discussed in the seminar and covers the packaging segments used for those products.

This note is organised around four practical questions: what the PPWR requires, which Sri Lankan packaging formats are most exposed, what evidence exporters should collect, and what actions should be started first. Readers who need immediate priorities should begin with Sections 4, 7 and 9.

2. Legal, regulatory and compliance frameworks

2.1. Architectural and Legal Nature of Regulation (EU) 2025/40

The European Parliament and Council Regulation (EU) 2025/40 on Packaging and Packaging Waste (PPWR) represents a structural paradigm shift in European Union environmental and market regulation. Replacing the former Packaging Directive 94/62/EC, the PPWR entered into force on 11 February 2025 and applies generally across all Member States from 12 August 2026.

Crucially for economic operators, the choice of a Regulation rather than a Directive means that the legal instrument does not require transposition into national law; its provisions apply uniformly, directly, and bindingly across all 27 EU Member States.

However, PPWR may provide in certain aspects some leeway for Member States which are in capacity to adapt the European Regulation aligned with their national strategy. For instance, it is the case for compostable packaging (article 9) where Member States are allowed to also require domestic compostability for packaging mandatory industrially compostable by the Regulation.

The PPWR encompasses all packaging formats—primary, secondary, grouped, service, transport, and e-commerce—placed on the EU market, irrespective of whether the goods are produced within the Union or imported from third countries.

The PPWR is further specified by secondary legislation drafted by the European Commission through two legislative mechanisms:

- **Delegated acts:** Used to supplement or amend non-essential elements of the Regulation, such as defining specific Design-for-Recycling (D4R) criteria or modifying performance grades.
- **Implementing acts:** Used to establish uniform conditions and methodologies for application, including reporting formats, verification standards, and calculation formulas.

2.2. Interplay with other legislations

The PPWR operates within a broader legal ecosystem and intersects directly with several key pieces of European legislation:

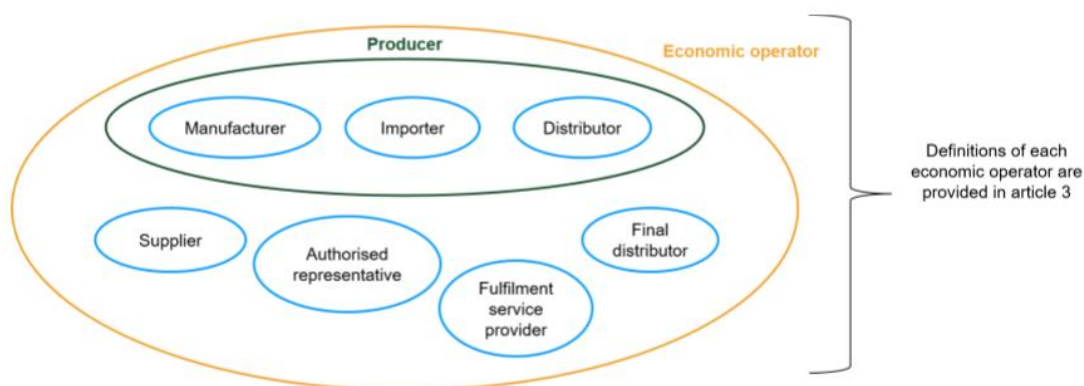
- **Ecodesign for Sustainable Products Regulation (ESPR - Regulation (EU) [2024/1781](#))**: Entered into force on 18 July 2024. While ESPR does not regulate packaging as an independent product group, ESPR delegated acts may introduce specific packaging minimisation or durability requirements for target product categories. Additionally, the ESPR Digital Product Passport (DPP) data carrier or CE markings may be colocated on packaging surfaces.
- **Single-Use Plastics Directive (SUPD - Directive (EU) [2019/904](#))**: Operates alongside PPWR as *lex specialis*. Under Article 67, PPWR directly amends certain SUPD provisions. Where overlapping rules exist, economic operators must strictly comply with the most restrictive standard (e.g., Annex V bans or recycled content minimums).
- **EU Deforestation Regulation (EUDR - Regulation (EU) [2023/1115](#))**: Packaging materials classified under HS Code 4415 or 4819 fall under strict EUDR due diligence obligations only if imported or placed on the market as standalone commercial goods. Wood or paper packaging used exclusively to "support, protect, or carry" another primary product placed on the EU market is explicitly exempted from EUDR due diligence.

2.3. Supply chain accountability and specific economic operator obligations

PPWR introduces explicit, legally binding responsibilities on stakeholders of the value chain:

- **Packaging suppliers (Article 16)**: Suppliers are legally mandated to provide manufacturers with all necessary technical documentation and data required to demonstrate conformity under Articles 5 to 11.
- **Manufacturers (Article 15)**: Manufacturers bear primary responsibility for carrying out formal conformity assessment procedures, drafting technical documentation (Annex VII), and drawing up an EU Declaration of Conformity (DoC). They must ensure full product traceability by displaying a type, batch, or serial number alongside their registered name and contact details.
- **Importers (Article 18)**: EU importers serve as primary compliance gateways. Prior to placing imported packaged goods on the market, importers must verify that the foreign manufacturer has completed valid conformity assessments and technical documentation. Importers must add their own contact details to the packaging and retain copies of the DoC and technical files for 5 years (for single-use packaging) or 10 years (for reusable packaging) from the date when the packaging is placed on the market.

- **Importer-as-Manufacturer** (Article 21): Importers or distributors who place packaging on the market under their own brand name or trademark, modify existing packaging, assume all full legal liabilities of a manufacturer under Article 15.



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2.4. Member States flexibilities and TRIS notification procedure

Member States retain designated regulatory flexibilities. For example, Member States may introduce home-composting requirements, establish higher national reuse targets, or mandate higher material collection and recycling targets (as seen in draft legislation in Germany).

Penalties for non-compliance are defined at national level and can be severe. For instance, French draft legislation sets financial sanctions of up to 1% of global turnover for non-compliant economic operators.

To preserve the integrity of the EU Single Market, Member States proposing national legislation that goes beyond the baseline PPWR must submit draft text via the Technical Regulations Information System (TRIS) procedure.

This process enables the Commission and other Member States to review national rules and prevent unharmonised, illegal single market barriers.

3. What the regulation requires of the packaging

The PPWR reshapes packaging along several requirements. The requirements with the nearest deadlines and the greatest impact on Sri Lankan food exporters are recyclability, recycled content, restricted substances and compostable formats. Minimisation and labelling apply more broadly but are generally lighter to act on.

The sustainability requirements set out in Articles 5 to 12 serve as a clear, harmonised framework for accessing the European Single Market. These provisions establish transparent criteria that every economic operator must satisfy to legally introduce packaged goods into the EU. Failure to satisfy these sustainability criteria will pose immediate legal and

commercial risks, as compliance functions directly as an unconditional market access threshold across the EU.

Summary of key measures - Sustainability criteria & other specific obligations

Main measures	Scope	Key deadlines
Art. 5: Substances of concerns	- Minimisation of substances of concern. - Banning food-contact packaging containing PFAS exceeding strict thresholds: ≤ 25 ppb for any PFAS as measured with targeted PFAS analysis ≤ 250 ppb for the sum of PFAS measured as the sum of targeted PFAS analysis - Total PFAS (incl. polymeric): ≤ 50 mg/kg - Heavy metal sum (Lead, Cadmium, Mercury, Hexavalent Chromium): shall not exceed 100 mg/kg.	12 August 2026 (Applies to all food-contact materials without distinction between intentional and unintentional presence)
Art. 6: Recyclability	All packaging must be recyclable Evaluated under Design-for-Recycling (D4R) performance grades (Grades A, B, or C). Exemptions: medical device packaging, infant formula containers, dangerous goods packaging, and sales packaging made of cork, wood, textile, ceramics, or wax.	12 Aug 2026: Basic recyclability standard (PPWD reference) 1 Jan 2030: Banning of below C-grade recyclability 1 Jan 2035: Must be "recycled at scale" $< 30\%$ wood, 55% other materials 1 Jan 2038: Grade C banned (only A & B allowed)
Art. 7: Minimum recycled content	Mandatory minimum post-consumer recycled plastic incorporation calculated per manufacturing plant and per year. Exemptions: compostable packaging, medical device packaging, baby food infant formula containers, dangerous	1 Jan 2030 targets: 30% PET contact-sensitive, 10% non-PET contact-sensitive, 30% SUP bottles, 35% other plastic 1 Jan 2040 targets: 50% contact-sensitive PET, 25% contact sensitive,

	goods packaging, plastic part representing <5% of the total packaging weight, etc.	65% SUP bottles & other plastic packaging
Art. 8: Mandatory compostability	Specific formats must be industrially compostable conforming to EN 13432 standard: • Tea bags • Filter coffee pods/capsules Fruit and vegetable price look-up stickers	12 February 2028 (Non-mandated packaging cannot claim compostability unless permitted by Member States)
Art. 10 & 24: Minimisation & Empty space	Weight and volume reduced to minimum necessary functionality. Prohibition of double walls, false bottoms, or deceptive designs. Maximum 50% empty space ratio for grouped, transport, and e-commerce packaging.	1 January 2028: • Mandatory limitation of empty space for sales packaging (art 24) 1 January 2030: • Mandatory design minimisation (art 10) • Obligation to limit excessive packaging with mandatory 50% maximum empty space threshold (art 24)
Art. 25 & Annex V: Restricted formats	Total ban on single-use plastic formats including • collation shrink wraps, • unprocessed plastic packaging fresh fruit and vegetables less than 1,5 kg, • Specific HORECA single-use plastic packaging including individual portion condiments, jams, sauces, coffee cream, sugar and seasonings and single-use plastic packaging for food and drink filled and consumed on the premises, • Single-use packaging for accommodation mini-toiletries, Very lightweight plastic carrier bags	1 January 2030
Art. 12 & 15: Harmonised labelling	• Information on the identification of packaging and manufacturer contact details • Compulsory on-pack harmonised pictograms for material composition and consumer sorting instructions.	• 12 Aug 2026: Information on packaging identification and manufacturer • 12 Aug 2028: On-pack sorting pictograms

	• Compulsory reusable label together with QR code detailing collection points. • Compulsory information on substances of concerns Voluntary harmonised labels: recycled content, DRS and compostability	• 12 Feb 2029: Reusable packaging labels & QR codes • 1 Jan 2033: On-pack digital disclosure of substances of concern
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3.1. Recyclability (Article 6)

From 1 January 2030, packaging placed on the EU market must be recyclable. This means it must be designed for recycling and must meet a minimum recyclability grade. The grade is based on the share of the packaging that can be recycled by weight:

- **Grade A (>=95%):** meets the highest design-for-recycling requirements.
- **Grade B (>=80%):** recyclable with minor limitations.
- **Grade C (>=70%):** recyclable but with limitations; the lowest passing grade.

Packaging below Grade C is treated as non-recyclable and cannot be placed on the market from 2030. From 1 January 2038, Grade C is also withdrawn, leaving only Grades A and B. Note that there is no “Grade D” – below C is simply non-recyclable.

Two dates are often confused. The 2030 requirement is a design test (is the pack designed for recycling and does it meet the grade threshold?). A second, stricter test – that the pack is recyclable “at scale”, meaning it is actually being collected and recycled across the EU at a threshold level – applies from 2035. A format can pass the 2030 design test and still need attention for 2035.

The detailed design-for-recycling criteria and the grading methodology are being set through delegated acts due by 1 January 2028, informed by the CEN design-for-recycling standards. Until then, recyclability can be assessed on an indicative basis using recognised protocols such as RecyClass (recyclclass.eu). The eco-modulation of EPR fees by grade is addressed in the EPR section of the combined note.

3.2. Recycled content (Article 7)

Plastic packaging must contain a minimum share of recycled material. This obligation applies to plastics only – there is no recycled-content target for glass, metal, or paper and board under the PPWR. Only post-consumer recyclate (PCR) counts toward the targets; post-industrial or factory-offcut material does not. The targets apply from 1 January 2030 and rise in 2040:

Plastic packaging type	2030	2040
Contact-sensitive PET (excl. beverage bottles)	30%	50%
Contact-sensitive other plastics (excl. beverage bottles)	10%	25%
Single-use plastic beverage bottles	30%	65%
Other plastic packaging	35%	65%

The methodology for calculating and verifying recycled content is due by 31 December 2026. Recycled content is measured as an annual average per plant, per packaging type, and certified chemically-recycled content may be counted using mass-balance accounting under recognised chain-of-custody schemes such as ISCC PLUS and REDCert. For food-contact packaging, the target is waived where including recyclate would breach food-safety rules under Regulation (EC) 1935/2004, but the waiver is not automatic and must be documented.

3.3. Substances of concern – PFAS and heavy metals (Article 5)

PFAS (per- and polyfluoroalkyl substances, the “forever chemicals” used for grease and water resistance) are restricted in food-contact packaging from 12 August 2026 – the nearest deadline of all. Packaging is non-compliant if it exceeds any one of the three limits:

- **<=25 ppb**: any individual PFAS (excluding polymeric), by targeted analysis;
- **<=250 ppb**: the sum of targeted PFAS (excluding polymeric);
- **<=50 mg/kg**: total fluorine, including polymeric PFAS

In practice, screen for total fluorine first: a result below 50 mg/kg is a useful indication that the pack is unlikely to exceed the PPWR PFAS limits, while a result above that level should trigger targeted testing for individual and summed PFAS. A supplier's verbal assurance is not sufficient; evidence should be a written declaration supported, where needed, by an accredited-laboratory Certificate of Analysis. Separately, the combined concentration of lead, cadmium, mercury and hexavalent chromium must not exceed 100 mg/kg; this limit is carried over unchanged from Directive 94/62/EC and applies to all packaging.

3.4. Compostable formats (Article 9, Annex III)

A small set of formats must be industrially compostable by 12 February 2028: permeable tea and coffee bags, filter-coffee pods with their filter material, and price-lookup (PLU) stickers on fresh produce. For Ceylon tea this is a direct and unavoidable obligation. “Industrially compostable” is a precise term: the material must meet EN 13432 and be certified through a recognised mark such as TÜV Austria OK compost or the Seedling scheme under DIN CERTCO. It does not mean home-compostable, and it does not mean merely biodegradable. Certification should be checked at component level: the mesh or filter, thread, tag and adhesive all need suitable evidence, because one non-compostable component can make the whole item non-compliant.

3.5. Minimisation and format restrictions (Article 10)

A general duty to minimise packaging applies from 12 August 2026. From 1 January 2030, grouped, transport and e-commerce packaging must not exceed a 50% empty-space ratio, and certain single-use formats are restricted. For food exporters this mainly means avoiding oversized secondary and transport packaging and eliminating unnecessary layers.

3.6. Labelling and data carriers (Articles 12 and 13)

From 12 August 2028, packaging must carry harmonised EU labelling – a common set of material and sorting pictograms – replacing the patchwork of national marks, together with a digital data carrier (typically a QR code) linking to compliance information. This PPWR data

carrier is a distinct instrument from the Digital Product Passport introduced under the separate Ecodesign for Sustainable Products Regulation; the two share the same QR architecture but are different legal requirements. The practical implication is to plan artwork changes into the design cycle ahead of 2028 and to build one structured data set that can serve both.

4. What this means by packaging segment

The table below summarises the outlook for each packaging segment used across the main Sri Lankan food-export categories. Recyclability grades are indicative pending the delegated acts and should be treated as a basis for prioritisation, not a final verdict on any individual pack.

Segment (typical use)	Main PPWR pressure	Risk	Priority technical action
Flexible plastics / multi-layer laminates – spice pouches, sachets, stand-up pouches, tea and snack wrappers, retort pouches	Recyclability (likely Grade C or below); recycled content; PFAS on coated variants	High	Redesign toward mono-material PP or PE with a compatible barrier coating; start with highest-volume SKUs; re-qualify for shelf life
Rigid PET – sauces, chutneys, clear coconut oil	Recycled content (30% PCR from 2030); label/sleeve compatibility	Medium	Secure food-grade rPET; keep bottles clear (not dark-pigmented); use wash-off adhesives and non-bleeding inks; separable closures
HDPE – coconut oil, flavoured oils	Recycled content (10% other-plastics from 2030); closure separability	Low–Medium	Confirm Grade A; source PCR; ensure closures do not degrade recycle quality
Glass – sauces, syrups, condiments, preserved foods, dry spices	PFAS on the metal-lid sealing compound	Low	Grade A and no PCR target for glass; verify the lid sealing compound is PFAS-free; labels are low-impact on glass
Metal – aluminium cans and foils, tinplate lids (seafood, some spices)	PFAS on can linings and lid compounds; separability of laminated foil	Low	Grade A and no PCR target for metal; obtain PFAS-free confirmation for linings and compounds; check laminated-foil separability
Paper and board – cartons, boxes, bags, outer shippers	PFAS on grease-resistant coatings; plastic liners	Low–Medium	Grade A if PFAS-free; confirm coatings are PFAS-free and remove plastic liners; keep the fibre stream clean
Tea bags – nylon/PP mesh, pyramid and silk formats	Compostability (mandatory from Feb 2028); PFAS on paper outer/wrapper	Critical	Switch to EN 13432-certified compostable material at component level (e.g. PLA or

			plant-fibre mesh); confirm every component
Filter coffee pods	Compostability of filter material (Feb 2028)	Medium	Switch to EN 13432 certified compostable filter; verify certification
Produce (PLU) stickers	Compostability (Feb 2028)	Low	EN 13432 certified compostable stickers

5. What this means by food product type

The same requirements land differently depending on the product. The following maps the main export categories to the segments above and to their most pressing obligation.

- **Ceylon tea:** tea bags carry the critical compostability deadline (Feb 2028) at component level; cartons and wrappers must be recyclable and PFAS-free.
- **Cinnamon and spices:** laminated pouches and sachets for chilli, pepper, curry mixes, cinnamon and cloves are the highest-risk recyclability case; oily-spice pouches also carry PFAS exposure; glass jars are the low-risk alternative.
- **Coconut products:** oil, desiccated coconut, milk powder, cream and king-coconut water span PET and HDPE bottles, cartons, pouches and cans – recycled-content and recyclability are the main levers.
- **Seafood:** canned fish and crustaceans raise PFAS on can linings and the recyclability of any laminated foil; rigid trays and films must meet the recyclability grade.
- **Processed and ready-to-eat foods:** sauces, chutneys, ready meals, confectionery, bakery and gherkins use glass, PET and retort pouches; retort laminates are high-risk for recyclability, glass and PET the safer formats.
- **Fruit and vegetables:** produce stickers carry the compostability obligation; films and trays must meet the recyclability grade.

6. The evidence you must be able to produce

The PPWR uses self-declared conformity: there is no upfront certificate or notified body for the core conformity step (internal production control, Article 38). The trade-off is that the entire burden of proof rests with the responsible operator, on demand, for years after sale. The two documents that matter are the technical file and the Declaration of Conformity; the legal responsibility for signing and holding them, and the roles that determine who is responsible, are set out in the legal section of the companion guidance.

The technical file (Annex VII)

The technical file is the evidence base behind every claim. It must contain, at least:

- a general description of the packaging and its intended use;
- design and construction drawings, and plans of components, parts and layers;

- a qualitative assessment of recyclability, minimisation and, where applicable, reusability (Articles 6, 10 and 11);
- the results of the recycled-content calculations (Article 7);
- test reports and evidence concerning substances of concern, including PFAS and heavy metals (Article 5);
- a list of the harmonised standards applied; and
- a copy of the EU Declaration of Conformity.

Keep one technical file per packaging type and version, and re-issue it whenever a change could affect conformity – a new material grade, coating, supplier or structure. The file and declaration are retained for five years for single-use packaging and ten years for reusable packaging, and must be made available to authorities within ten days of a reasoned request.

At minimum, exporters should ask each packaging supplier for: a material and layer specification; confirmation of food-contact suitability; PFAS and heavy-metal declarations with test reports where relevant; recycled-content evidence and chain-of-custody documents for plastic packaging; recyclability assessment evidence for the relevant format; compostability certificates for tea bags, coffee filter materials and produce stickers where applicable; and change-notification commitments for any material, coating, adhesive or supplier change.

Certifying the claims that get challenged

Certain claims are far more credible – and increasingly expected by EU buyers – when certified to a recognised scheme: recyclability via RecyClass; recycled content via ISCC PLUS or REDcert with chain-of-custody evidence; compostability via EN 13432 (TÜV OK compost, DIN CERTCO Seedling); and substances via accredited-laboratory test reports. The practical reality for an exporter is that the first “audit” is usually the EU customer, who is exposed if they place non-compliant packaging – so clean, well-organised evidence is a commercial advantage, not only a compliance duty.

In practice, Sri Lankan exporters may encounter PPWR requirements first through EU buyer questionnaires, updated packaging specifications or requests for declarations before an authority ever asks for the technical file. Treat these buyer requests as early warning signals: they usually reflect the importer’s own duty to avoid placing non-compliant packaging on the EU market.

7. A phased technical action plan

Immediate (now – 2026)

- Inventory every packaging SKU and note its material, format and the markets it sells into.
- Request written PFAS declarations from converters for all food-contact formats, with total-fluorine testing where there is any doubt – the August 2026 deadline is the nearest.
- Begin collecting supplier declarations and material data, and draft a technical-file structure per SKU.

- Identify hero SKUs in laminated formats and open the redesign and recycle conversations – these have the longest lead times.

Short term (2026 – 2028)

- Redesign high-risk laminates toward mono-material PP or PE and re-qualify for shelf life.
- Secure food-grade recycled-content supply and chain-of-custody certification ahead of the 2030 targets.
- For tea, coffee pods and produce stickers, move to EN 13432-certified compostable materials at component level before February 2028.
- Build one structured, per-SKU compliance data set and prepare for the harmonised label and data carrier due August 2028.

Medium term (2028 – 2030 and beyond)

- Complete technical files and Declarations of Conformity across the portfolio.
- Confirm recyclability grades against the finalised design-for-recycling criteria and meet the recycled-content targets from 2030.
- Maintain the evidence system as a living record, re-assessing on every material or supplier change and against the 2035 “recyclable at scale” test.

8. Extended producer responsibility obligations you need to comply with

Under Article 45, the PPWR harmonises some Extended Producer Responsibility (EPR) rules with regards to packaging registration across the Union.

By August 2026, the European Commission will define key requirements for the definition of National Producer Register by Member States whereby each producer, or through extended producer responsibility organisation operating on its behalf, will need to register before placing packaging on the Member state market. It is a precondition for legal market access. By late 2027, Member States must establish this digital register which will mark the obligation for producers to register digitally.

Producers are already required to report their tonnages of packaging placed on the market and pay related EPR fees. The Regulation does not change this obligation. Only the registration procedures will change starting in late 2027 or early 2028.

EPR fees paid by producers to PROs will be subject to eco-modulation:

- **Compulsory modulation on recyclability:** modulated based on recyclability performance grades (Grades A to C).
- **Voluntary modulation on recycled content incorporation** (defined by Member State) Fee Discounts: award for incorporating higher percentages of certified post-consumer recycled plastic content.

Who is the producer?

The definition of producers seeks to identify the economic operator who is responsible for EPR obligation, whether it is manufacturer, importer or distributor, in the Member State in which the packaged product is made available for consumption and thereby is expected to become waste.

The manufacturer will not always be the producer insofar the identification of the producer will depend on the (1) type of packaging made available on the market, (2) whether the packaging is manufactured in the same Member state where it is placed on the market and (3) whether the packaging product is sold to the end user or is further distributed.

For **sales packaging**, the manufacturer will usually be the brand owner. The producer will be the economic operator who fills the packaging and makes it available for the first time on the territory of the Member State - the location where it is available for consumption and is expected to become waste.

Authorised representatives and EPR reporting

The regulation requires companies to appoint authorised representatives for extended producer responsibility in each Member State where the producer makes packaging or packaged products available for the first time, other than the Member State where the producer is established (see article 45§3).

However, the regulation does not require third country producers, directly placing packaging on the market, to appoint authorised representatives. It is up to the Member State to decide whether such appointment by written mandate is mandatory for packaging or packaging product made available for the first time on their territory. Therefore, it is essential to refer to the domestic law to verify this measure.

✗	Q: Is the manufacturer of the complete empty packaging or the packaged products located in the Member state where the packaging becomes waste?
✓	The producer is the manufacturer. - For transport, service and primary production packaging, it is the manufacturer of the complete empty packaging. - For sales and grouped packaging, it is the manufacturer of the packaged product.
✓	The distributor, importer or the unpacker is the producer
✗	Q: Is there another company located in the Member State where the packaging becomes waste, that makes it available for the first time?
✓	The distance seller is the producer. Online platforms must check EPR compliance
✗	Q: Is a delivery made directly to the end user of the product?

European Commission's guidance document for Regulation 2025/40

9. Key dates

Date	Requirement
11 Feb 2025	PPWR enters into force
12 Aug 2026	General application; PFAS restriction in food-contact packaging; minimisation duty; Declaration of Conformity required
31 Dec 2026	Commission to adopt the recycled-content calculation and verification methodology
1 Jan 2028	Design-for-recycling delegated acts and grading methodology due
12 Feb 2028	Compostability mandatory for tea/coffee bags, filter pods and produce stickers (EN 13432)
12 Aug 2028	Harmonised EU labelling and digital data carrier apply
1 Jan 2030	Recyclability grades enforced (below Grade C banned); recycled-content targets apply; 50% empty-space limit
2035	"Recyclable at scale" test applies
1 Jan 2038	Grade C withdrawn – only Grades A and B remain
2040	Higher recycled-content and reuse targets

10. Non-compliance and financial risks

Under Article 62 of PPWR, compliance is a strict regulatory requirement for market entry. Failure to comply with PPWR Sustainability Requirements (such as recyclability grades, post-consumer recycled content, or heavy metal/PFAS restrictions, compostability and labelling requirements) directly threatens your ability to trade within the European Union.

When a national market surveillance authority detects non-compliant packaging it officially notifies the economic operator (importer or distributor). The operator is given a deadline to take corrective action and bring the packaging into full compliance. If the operator fails to rectify the issue, the authority enforces mandatory market restrictions:

- **Prohibit the packaging from being made available on the market.**
- **Ensure that the packaging is recalled or withdrawn from the market.**

Under Article 68 of PPWR, Member States are legally required to establish national penalty regimes for PPWR violations. Financial penalties are imposed when operators fail to comply with corrective notices issued under Article 62, or for direct breaches of core obligations.

11. Sources and where to get help

The primary source is the consolidated text of [Regulation \(EU\) 2025/40](#) on EUR-Lex, together with the delegated and implementing acts as they are published.

You should also refer to the [Guidance](#) that provides legal interpretation of the Regulation by the European Commission, together with the [Q&A document](#).

Recyclability design guidance is available through [RecyClass](#); recycled-content chain-of-custody through ISCC PLUS and REDcert; and compostability through the EN 13432 certification schemes. Because much of the detailed methodology is still being finalised, any figure or grade in this note should be confirmed against the current text before it is relied upon for a final decision.