

Packaging Regulation (PPWR) - New Packaging Obligations And Requirements

On 16 December 2024, the Council adopted the Packaging and Packaging Waste Regulation, also referred to as the PPWR ('**Regulation**'). The existing Packaging and Waste Directive (94/62/EC), which contains provisions on the prevention and management of packaging waste, has not been effective. This time, the new provisions are being introduced in the form of a Regulation, which is expected to increase their effectiveness, due to their direct applicability.

The most important obligations introduced by the Regulation are:

- an obligation to ensure a minimum proportion of recycled content in packaging,
- an obligation to design recyclable packaging,
- an obligation to minimise the content of hazardous substances (in particular to limit packaging containing PFAS),
- an obligation to minimise the weight and volume of packaging,
- new labelling requirements.

Packaging made from recycled materials

Under the new legislation, **each plastic part of the packaging will have to contain a regulatory minimum percentage of recycled material** recovered from post-consumer plastic waste. The required percentage content is:

- 30% for packaging for contact with sensitive products made with polyethylene terephthalate (PET) as the main component,
- 10% in the case of packaging for contact with sensitive products made of plastic materials other than polyethylene terephthalate,
- 30% for single-use plastic beverage bottles,
- 35% for plastic packaging other than those referred to above.

From 1 January 2040, the minimum content of recycled materials will be even higher.

Recyclable packaging

From 1 January 2030, all packaging placed on the EU market will have to be recyclable, meaning that all packaging placed on the market will have to meet so-called 'design for recycling criteria'. These criteria will be detailed in implementing legislation.

The recyclability of packaging will be expressed in terms of recycling efficiency classes A, B or C as described in Table 3 in Annex II of the Regulation. Initially, packaging achieving class A, B or C will be allowed, but in subsequent years only packaging with class A and B will be permitted.

Safe packaging - requirements for substances in packaging

Packaging will have to be manufactured in a way that minimises the presence and concentration of potentially hazardous substances. The Regulation provides for a **ban on the placing on the market of packaging intended for food contact if it contains per- and polyfluoroalkyl substances (PFAS)** in concentrations equal to or exceeding the limit values indicated in the Regulation. This ban will apply for 18 months after the entry into force of the Regulation.

Minimising packaging

By 1 January 2030, the manufacturer (or importer) must ensure that packaging placed on the market is designed in such a way that its weight and volume are limited to the minimum necessary to ensure its functionality. Packaging should also meet the performance criteria set out in Annex IV of the Regulation (e.g. packaging functionality, hygiene and safety, legal requirements, product protection).

Uniform labelling of packaging

According to the Regulation, packaging will have to bear a **harmonised label** with information on its material composition to make it easier for consumers to sort out. The label will have to include pictograms and be easy to understand. The above obligation will not apply to transport packaging and packaging covered by a deposit system.

Penalties

At the moment, the sanctions for non-compliance with the requirements of the Regulation are unknown. According to the Regulation, the introduction of proportionate and effective penalties lies within the competence of member states.

When will the Regulation come into force?

The approval of the Regulation by the Council has concluded the EU legislative procedure. The regulation will soon be published in the Official Journal of the EU and will enter into force 20 days after publication. However, **the provisions will only be applicable 18 months after coming into force, most likely from 2026.** However, the Regulation also provides for individual start dates for some of the obligations indicated above (mostly from 1 January 2030).

Contact us!



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