



# Packaging and Packaging Waste Regulation Proposal

30 November 2022

## DISCLAIMER

- ❑ This document aims to provide a top-level overview of what the European Commission's proposal for a Packaging and Packaging Waste Regulation (PPWR) contains.
- ❑ It contains extracts of the Commission's proposal but is not an exhaustive list of the proposed provisions.
- ❑ The language displayed in this presentation is sometimes taken directly from the proposal, and sometimes adapted to make the provisions more easily readable and facilitate understanding.

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SHAPING A SUSTAINABLE  
FUTURE FOR PACKAGING

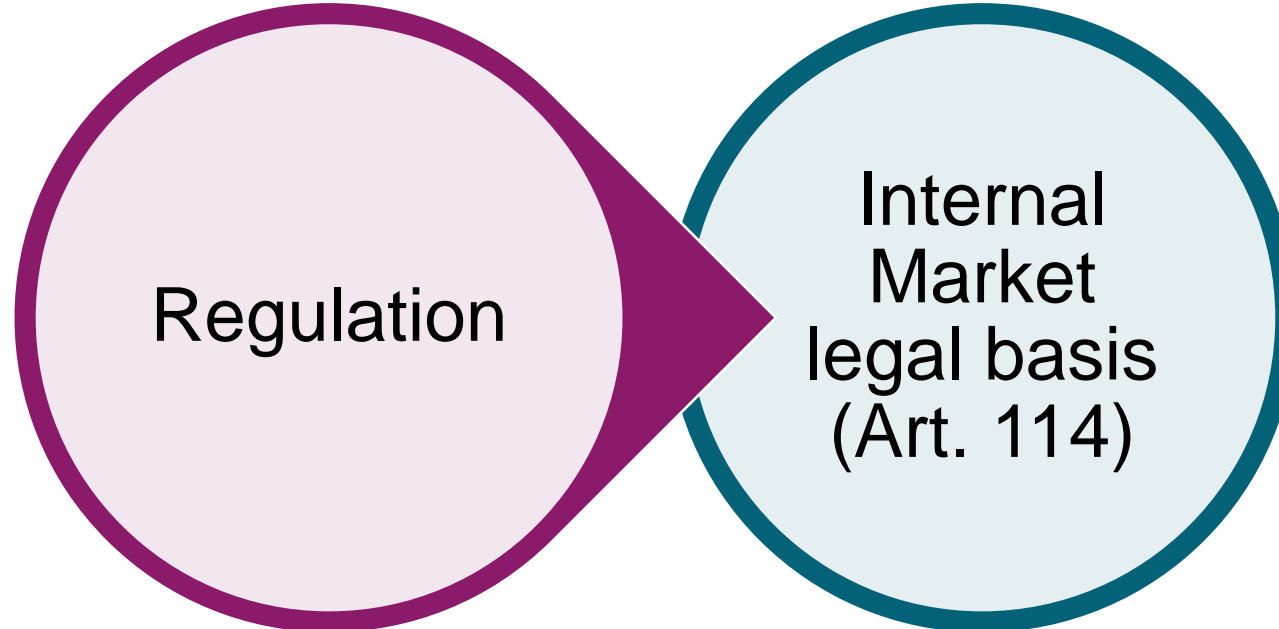
# Overview of key provisions from the proposed PPWR

Proposal published on 30 November 2022

## COMMISSION PROPOSAL – PACKAGING AND PACKAGING WASTE REGULATION

- ❑ The Commission's proposal, its annexes and the impact assessment are available here:
  - [https://environment.ec.europa.eu/publications/proposal-packaging-and-packaging-waste\\_en](https://environment.ec.europa.eu/publications/proposal-packaging-and-packaging-waste_en)
  
- ❑ The Commission's Questions & Answers document on the PPWR proposal is available here:
  - [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_22\\_7157](https://ec.europa.eu/commission/presscorner/detail/en/qanda_22_7157)

## LEGAL INSTRUMENT AND LEGAL BASIS



# SUBJECT MATTER & SCOPE OF THE PROPOSED REGULATION (ARTICLES 1 & 2)

## Subject matter

The Regulation:

- ❑ **Establishes requirements for the entire life cycle of packaging** as regards environmental sustainability and labelling, to allow its placing on the market, as well as for the extended producer responsibility, collection, treatment and recycling of packaging waste.
- ❑ **Contributes to the efficient functioning of the internal market by harmonising national measures on packaging and packaging waste** in order to avoid obstacles to trade, distortion and restriction of competition within the Union, while preventing or reducing the adverse impacts of packaging and packaging waste on the environment and human health, on the basis of a high level of environmental protection.
- ❑ **Contributes to the transition to a circular economy**, by laying down measures in line with the hierarchy of waste in accordance with Article 4 of Directive 2008/98/EC.

## Scope

- ❑ **Applies to all packaging**, regardless of the material used, and to all packaging waste, whether such waste is used in or originates from industry, other manufacturing, retail or distribution, offices, services or households.

## DEFINITIONS (ARTICLE 3)

❑ **Total of 64 definitions** introduced in the draft

❑ **Key definitions include (non-exhaustive):**

- “(1) **‘packaging’** means items of any materials that are intended to be used for the containment, protection, handling, delivery or presentation of products and that can be differentiated into packaging formats based on their function, material and design, including:
  - a. items that are necessary to contain, support or preserve the product throughout its lifetime without being an integral part of the product which is intended to be used, consumed or disposed of together with the product;
  - b. components of, and ancillary elements to, an item referred to in point (a) that are integrated into the item;
  - c. ancillary elements to an item referred to in point (a) that are hung directly on, or attached to, the product and that performs a packaging function without being an integral part of the product which is intended to be used, consumed or disposed of together with the product;
  - d. items designed and intended to be filled at the point of sale, provided that they perform a packaging function;
  - e. disposable items sold, filled or designed and intended to be filled at the point of sale, provided that they perform a packaging function;
  - f. tea or coffee bags necessary to contain a tea or coffee product and intended to be used and disposed of together with the product;
  - g. coffee or tea system single-serve unit necessary to contain a coffee or tea product and intended to be used and disposed of together with the product;



## DEFINITIONS (ARTICLE 3)

### □ Key definitions include (non-exhaustive):

- (8) **‘economic operator’** means manufacturers, suppliers of packaging, importers, distributors, final distributors, and fulfilment service providers;
- (19) **‘composite packaging’** means a unit of packaging made of two or more different materials, excluding materials used for labels, closures and sealing, which cannot be separated manually and therefore form a single integral unit;
- (28) **‘refill’** means an operation by which an end user fills its own container, which fulfils the packaging function, with a product or several products offered by the final distributor in the context of a commercial transaction;
- (30) **‘HORECA sector’** means Accommodation and Food Service Activities according to NACE Rev. 2 – Statistical classification of economic activities;
- (31) **‘design for recycling’** means design of packaging, including individual components of packaging, in order to ensure its recyclability with state-of-the-art collection, sorting and recycling processes;
- (32) **‘recycled at scale’** means collected, sorted and recycled through installed state-of-the-art infrastructure and processes, covering at least 75 % of the Union population, including packaging waste exported from the Union that meets the requirements of Article 47(5);
- (40) **‘contact sensitive packaging’** means packaging that is intended to be used in any packaging applications in the scope of Regulations: (EC) No 1831/2003, (EC) No 1935/2004, (EC) No 767/2009, (EC) No 2009/1223, (EU) 2017/745, (EU) 2017/746, (EU) 2019/4, (EU) 2019/6, Directive 2001/83/EC, or Directive 2008/68/EC;”

## FREE MOVEMENT (ARTICLE 4)

- ❑ “1. Packaging shall only be placed on the market if it complies with this Regulation.
- ❑ 2. **Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the sustainability requirements** set out in Articles 5 to 10 of this Regulation.
- ❑ 3. **Member States shall not prohibit, restrict or impede the placing on the market of packaging that complies with the labelling and information requirements** set out in Article 11 of this Regulation.
- ❑ 4. **In case Member States choose to maintain or introduce national sustainability requirements or information requirements** additional to those laid down in this Regulation, **those requirements shall not conflict with those laid down in this Regulation and the Member States shall not prohibit, restrict or impede the placing on the market of packaging** that complies with the requirements under this Regulation for reasons of non-compliance with those national requirements.
- ❑ 5. **In addition to the labelling requirements** laid down in Article 11, **Member States may provide for further labelling requirements**, for **the purpose of identifying the extended producer responsibility scheme or a deposit and return system** other than those referred to in Article 44(1).”

# RECYCLABLE PACKAGING (Article 6)

## RECYCLABLE PACKAGING

- ❑ All packaging shall be recyclable (no implementation date specified: from the entry into force of the Regulation)

### Packaging shall be considered recyclable where it complies with the following:

- it is designed for recycling; > **packaging to comply with design for recycling criteria from 1 January 2030\***
- it is effectively and efficiently separately collected in accordance with 43(1) and (2);
- it is sorted into defined waste streams without affecting the recyclability of other waste streams;
- it can be recycled so that the resulting secondary raw materials are of sufficient quality to substitute the primary raw materials;
- it can be recycled at scale. > **packaging to comply with “recyclability at scale” requirements from 1 January 2035\***

### Packaging shall not be considered recyclable if:

- **From 1 January 2030, it corresponds to performance grade E** under the design for recycling criteria established in the delegated act to which the packaging belongs.

\* To be adopted via delegated acts

## DEROGATIONS

### Innovative packaging

- **From 1 January 2030, innovative packaging (see definition in Article 3(37)) may be placed on the market for a maximum period of 5 years after the end of the calendar year when it has been placed on the market.**
- Where use of this derogation is made, innovative packaging shall be accompanied by technical documentation, demonstrating its innovative nature showing compliance with the definition of innovative packaging.

### Other types of packaging

- **Until 31 December 2034**, the Article shall not apply to the following:
  - a. **immediate packaging** as defined in Article 1, point (23), of Directive 2001/83/EC and in Article 4, point 25, of Regulation (EU) 2019/6;
  - b. **contact sensitive plastic packaging of medical devices** covered by Regulation (EU) 2017/745;
  - c. **contact sensitive plastic packaging of in vitro diagnostics medical devices** covered by Regulation (EU) 2017/746.

## DELEGATED ACTS TO BE ESTABLISHED

- ❑ European Commission empowered to adopt delegated acts (no deadline) to:
  - **Establish design for recycling criteria and recycling performance grades** based on the criteria and parameters listed in Table 2 of Annex II for packaging categories listed in Table 1 of that Annex.
  - **Establish rules concerning the modulation of financial contributions to be paid by producers to comply with their extended producer responsibility obligations, based on the packaging recycling performance grade, and for plastic packaging, the percentage of recycled content.**
  - **Amend Table 1 of Annex II in order to adapt it to scientific and technical development in material and product design, collection, sorting and recycling infrastructure.**

## RECYCLED AT SCALE

- ❑ For each packaging type listed in Table 1 of Annex II, Commission to establish **methodology to assess if packaging is recyclable at scale**.
  
- ❑ **Methodology to be based at least on the following elements:**
  - a. amounts of packaging placed on the market in the Union as a whole and in each Member State;
  - b. amounts of separately collected packaging waste, per packaging material listed in Table 1 of Annex II, in the Union as whole and in each Member State;
  - c. recycling rates of packaging waste per packaging type listed in Table 1 of Annex II, in the Union as a whole and in each Member State or, when such data on recycling rates for packaging waste per packaging type cannot be made available, assumptions made based on average loss rates as referred to in Article 47(3);
  - d. installed infrastructure capacities for sorting and recycling in the Union as a whole for each packaging type listed in Table 1 of Annex II.

# RECYCLING TARGETS (Article 46)



## RECYCLING TARGETS

- Targets set at the level of Member States**
- Level of the targets unchanged** compared with current requirements of the Packaging and Packaging Waste Directive
- Member States may adopt provisions which go beyond the minimum requirements** set out in the Article
- Member States may postpone the deadlines of the 2025 recycling targets per packaging material** by up to 5 years, under certain conditions. (see Article 46(2))
- By 8 years after the date of entry into force of the Regulation, Commission to review the targets with a view to increasing them or setting further targets**, and to submit a report to the European Parliament and Council, accompanied, if the Commission finds it appropriate, by a legislative proposal.

## RECYCLING TARGETS

- ❑ **Member States shall take the necessary measures to attain the following recycling targets covering the whole of their territory:**

### By 31 December 2025

- A minimum of 65 % by weight of all packaging waste generated;
- the following minimum percentages by weight of the following specific materials contained in packaging waste generated:
  - i. 50 % of plastic;
  - ii. 25 % of wood;
  - iii. 70 % of ferrous metals;
  - iv. 50 % of aluminium;
  - v. 70 % of glass;
  - vi. 75 % of paper and cardboard;

### By 31 December 2030

- A minimum of 70 % by weight of all packaging waste generated;
- the following minimum percentages by weight of the following specific materials contained in packaging waste generated:
  - i. 55 % of plastic;
  - ii. 30 % of wood;
  - iii. 80 % of ferrous metals;
  - iv. 60 % of aluminium;
  - v. 75 % of glass;
  - vi. 85 % of paper and cardboard.

# RECYCLED CONTENT (Article 7)

## MINIMUM RECYCLED CONTENT IN PLASTIC PACKAGING – TARGETS 2030

	<p><b><u>From 1 January 2030, the plastic part in packaging shall contain the following minimum % of recycled content recovered from post-consumer plastic waste, per unit of packaging</u></b></p>
a. contact sensitive packaging made from polyethylene terephthalate (PET) as the major component;	30%
b. contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles;	10%
c. single use plastic beverage bottles;	30%
d. packaging other than those referred to in points (a), (b) and (c).	35%

## MINIMUM RECYCLED CONTENT IN PLASTIC PACKAGING – TARGETS 2040

	<b><u>From 1 January 2040</u></b> , the plastic part in packaging shall contain the following minimum percentage of recycled content recovered <u>from post-consumer plastic waste, per unit of packaging</u>
a. contact sensitive plastic packaging, except single use plastic beverage bottles;	50%
b. single use plastic beverage bottles;	65%
c. plastic packaging other than those referred to in points (a) and (b).	65%

## MINIMUM RECYCLED CONTENT IN PLASTIC PACKAGING – TARGETS 2040

### Full exemption from the recycled content targets for:

- a) immediate packaging as defined in Article 1, point (23), of [Directive 2001/83/EC](#) and in Article 4, point (25), of [Regulation \(EU\) 2019/6](#);
- b) contact sensitive plastic packaging of medical devices covered by Regulation [\(EU\) 2017/745](#);
- c) contact sensitive plastic packaging of in vitro diagnostics medical devices covered by Regulation [\(EU\) 2017/746](#);
- d) outer packaging as defined in Article 1, point(24), of Directive [2001/83/EC](#) and in Article 4, point (26), of Regulation (EU) 2019/6 in cases where such packaging is necessary to comply with specific requirements to preserve the quality of the medicinal product.

## RECYCLED CONTENT – IMPLEMENTATION OF THE REQUIREMENTS

### By 31 December 2026

EC to adopt **IAs establishing the methodology for the calculation and verification of the % of recycled content** recovered from post-consumer plastic waste, per unit of plastic packaging, and the format for the technical documentation referred to in Annex VII

### As of 1 January 2029

The **calculation and verification of the percentage of recycled content** contained in packaging subject to the recycled content targets shall **comply with the rules laid down in the IA**

### By 1 January 2030

**Financial contributions** paid by producers to comply with their EPR obligations to be **modulated based on the percentage of recycled content used in the packaging**

**8 after the date of entry into force of the Regulation:** EC to review the situation regarding the use of recycled packaging materials in packaging other than plastics and, on this basis, assess the appropriateness of establishing measures, or setting targets, for increasing the use of recycled content in such other packaging, and where necessary present a legislative proposal.

## RECYCLED CONTENT – « REVIEW » CLAUSES

### By 1 January 2028

- Commission to assess the need for derogations from the minimum percentage laid down in paragraph 1 (b) to (d)\* for specific plastic packaging, or for the revision of the derogation established under paragraph 3 (derogations) for specific plastic packaging.

### Where justified by the lack of availability or excessive prices of specific recycled plastics

- that may have adverse effects on human or animal health, security of food supply or the environment,
- making compliance with the minimum percentages of recycled content excessively difficult
- the Commission shall be empowered to adopt a delegated act in accordance with Article 58 to amend paragraphs 1 and 2 by adjusting the minimum percentages accordingly.

\* See Article 7(1): (b) contact sensitive packaging made from plastic materials other than PET, except single use plastic beverage bottles; (c) single use plastic beverage bottles; (d) packaging other than those referred to in points (a), (b) and (c)



# COMPOSTABLE PACKAGING (Article 8)

## COMPOSTABLE PACKAGING

- ❑ **By 24 months** from the entry into force of the Regulation, packaging referred to in Article 3(1), points (f) and (g)\*, sticky labels attached to fruit and vegetables and very lightweight plastic carrier bags shall be compostable in industrially controlled conditions in bio-waste treatment facilities.
  
- ❑ **By 24 months** from the entry into force of the Regulation, the packaging mentioned above, including packaging made of biodegradable plastic polymers, shall allow material recycling without affecting the recyclability of other waste streams.
  
- ❑ The Commission shall be empowered to adopt delegated acts to expand the list by adding other types of packaging to the types of packaging covered already when it is justified by technological and regulatory developments impacting the disposal of compostable packaging.

\* f. *“tea or coffee bags necessary to contain a tea or coffee product and intended to be used and disposed of together with the product;”*

g. *“coffee or tea system single-serve unit necessary to contain a coffee or tea product and intended to be used and disposed of together with the product;”*

# MINIMISATION / EXCESSIVE PACKAGING (Articles 9 & 21)

## PACKAGING MINIMISATION & EXCESSIVE PACKAGING

### Minimum weight and volume

- Packaging shall be designed so that its weight and volume is reduced to the minimum necessary for ensuring its functionality taking account of the material that the packaging is made of.

### Prohibited from the market

- Shall not be placed on the market:
  - Packaging not necessary to comply with any performance criteria (Annex IV) and
  - Packaging with characteristics that are only aimed to increase the perceived volume of the product, including double walls, false bottoms, and unnecessary layers
  - unless the packaging design is subject to geographical indications of origin protected under Union legislation

### Empty space

- Empty space shall be reduced to the minimum necessary for ensuring the packaging functionality
- Is considered empty space:
  - space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, styrofoam chips or other filling materials

### Excessive packaging

- Economic operators who supply products to a final distributor or an end user in grouped packaging, transport packaging or e-commerce packaging, shall ensure that the empty space ratio is maximum 40 %.
  - Are exempted: Economic operators using sales packaging as e-commerce packaging
- Is considered empty space: space filled by filling materials such as paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene or Styrofoam chips.

# PACKAGING RESTRICTIONS (Article 22)

## PACKAGING RESTRICTIONS

- ❑ **Economic operators shall not place on the market packaging in the formats and for the purposes listed in Annex V.**
- ❑ Annex V defines restrictions on the following use of packaging formats:

	Packaging format	Restricted use
1.	Single-use plastic grouped packaging	Plastic packaging used at retail level to group goods sold in cans, tins, pots, tubs, and packets designed as convenience packaging to enable or encourage end users to purchase more than one product. This excludes grouped packaging necessary to facilitate handling in distribution.
2.	Single use plastic packaging, single use composite packaging or other single use packaging for fresh fruit and vegetables	Single use packaging for less than 1.5 kg fresh fruit and vegetables, unless there is a demonstrated need to avoid water loss or turgidity loss, microbiological hazards or physical shocks.
3.	Single use plastic, single use composite packaging or other single use packaging	Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector, which include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption
4.	Single use packaging for condiments, preserves, sauces, coffee creamer, sugar, and seasoning in HORECA Sector	Single use packaging in the HORECA sector, containing individual portions or servings, used for condiments, preserves, sauces, coffee creamer, sugar and seasoning, except such packaging provided together with takeaway ready-prepared food intended for immediate consumption without the need of any further preparation
5.	Single use hotel miniature packaging	For cosmetics, hygiene and toiletry products of less than 50 ml for liquid products or less than 100 g for non-liquid products

## DEROGATIONS AND FURTHER RESTRICTIONS

- ❑ **Derogation from packaging restrictions**: economic operators shall not place on the market packaging in the formats and for the purposes listed in point 3 of Annex V as of 1 January 2030. NB - Point 3 of Annex V:
  - *“Single use packaging for foods and beverages filled and consumed within the premises in the HORECA sector, which include all eating area inside and outside a place of business, covered with tables and stools, standing areas, and eating areas offered to the end users jointly by several economic operators or third party for the purpose of food and drinks consumption”*
  
- ❑ **Possibility for Member States to exempt economic operators** from the **restriction of point 3 of Annex V** if they **comply with the definition of micro-company** in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on the date of entry into force of the Regulation, and where it is not technically feasible not to use packaging or to obtain access to infrastructure that is necessary for the functioning of a reuse system.
  
- ❑ The Commission shall be empowered to adopt delegated acts to amend Annex V in order to adapt it to technical and scientific progress with the objective to reducing packaging waste.

# WASTE PREVENTION (Article 38)



## PREVENTION OF PACKAGING WASTE

- ❑ **Each Member State** to reduce packaging waste generated per capita, as compared to the packaging waste generated per capita in 2018 by:
  - 5 % by 2030;
  - 10 % by 2035;
  - 15 % by 2040.
- ❑ **Member States to implement measures** aiming to **prevent the generation of packaging waste** and to **minimise the environmental impact of packaging**. With this objective, they may:
  - Use economic instruments and other measures to provide incentives for the application of the waste hierarchy,
  - Use appropriate instruments and measures, including incentives through extended producer responsibility schemes and requirements on producers or producer responsibility organisations to adopt waste prevention plans.
- ❑ **By 8 years after the date of entry into force of the Regulation, Commission to review the Member States waste prevention targets** and submit a report to the European Parliament and Council, accompanied, if the Commission finds it appropriate, by a legislative proposal.
- ❑ **Member States may adopt provisions which go beyond the minimum requirements** set out in the Article.

# REUSABLE PACKAGING

## (Articles 10, 23-28)

## CRITERIA DEFINING REUSABLE PACKAGING (ARTICLE 10)

❑ **Packaging is considered reusable if it fulfils the following conditions:**

- a) “it has been conceived, designed and placed on the market with the objective to be re-used or refilled;
- b) it has been conceived and designed to accomplish as many trips or rotations as possible in normally predictable conditions of use;
- c) it can be emptied or unloaded without damage to the packaging, which prevents its re-use;
- d) it is capable of being emptied, unloaded, refilled or reloaded while ensuring compliance with the applicable safety and hygiene requirements;
- e) it is capable of being reconditioned in accordance with Part B of Annex VI, whilst maintaining its ability to perform its intended function;
- f) it can be emptied, unloaded, refilled or reloaded while maintaining the quality and safety of the packaged product and allowing for the attachment of labelling, and the provision of information on the properties of that product and on the packaging itself, including any relevant instructions and information for ensuring safety, adequate use, traceability and shelf-life of the product;
- g) it can be emptied, unloaded, refilled or reloaded without risk to the health and safety of those responsible for doing so;
- h) it fulfils the requirements specific to recyclable packaging when it becomes waste set out in Article 6.”

## REUSE TARGETS (ARTICLE 26)

See next slides

Responsible for achieving targets	Products subject to targets	Targets	Date of application
<b>Economic operator</b> making available on the market for the first time within the territory of a Member State <b>(Paragraph 1)</b>	<b>Large household appliances</b> listed in Annex II point 2 of Directive 2012/19/EU	<b>90%</b> to be made available in reusable transport packaging within a system for re-use	From 1 Jan. 2030
<b>Final distributor</b> making available on the market within the territory of a Member State <b>(Paragraph 2)</b>	<b>cold and hot beverages</b> filled into a container at the point of sale for take-away <b>in sales packaging</b>	<ul style="list-style-type: none"> <li>- <b>20%</b> of these beverages to be made available in reusable packaging within a system for re-use or by enabling refill;</li> <li>- <b>80%</b> of these beverages to be made available in reusable packaging within a system for re-use or by enabling refill;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
<b>Final distributor</b> that is conducting its <b>business activity in the HORECA sector</b> and that is making available on the market within the territory of a Member State <b>(Paragraph 3)</b>	<b>take-away ready-prepared food</b> intended for immediate consumption without the need of any further preparation, and typically consumed from the receptacle <b>in sales packaging</b>	<ul style="list-style-type: none"> <li>- <b>10%</b> of these goods to be made available in reusable packaging within a system for re-use or by enabling refill;</li> <li>- <b>40%</b> of these goods to be made available in reusable packaging within a system for re-use or by enabling refill;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
<b>Manufacturer and final distributor</b> making available on the market within the territory of a Member State <b>(Paragraphs 4, 5, 6)</b>	<b>alcoholic beverages in sales packaging</b> , in the form of beer, carbonated alcoholic beverages, fermented beverages other than wine, aromatised wine products and fruit wine, products based on spirit drinks, wine or other fermented beverages mixed with beverages, soda, cider or juice	<ul style="list-style-type: none"> <li>- <b>10%</b> of these goods to be made available in reusable packaging within a system for re-use;</li> <li>- <b>25%</b> of these goods to be made available in reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
	<b>alcoholic beverages in sales packaging</b> , in the form of wine	<ul style="list-style-type: none"> <li>- <b>5%</b> of these goods to be made available in reusable packaging within a system for re-use;</li> <li>- <b>15%</b> of these goods to be made available in reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
	<b>non-alcoholic beverages in sales packaging</b> , in the form of water, water with added sugar, water with other sweetening matter, flavoured water, soft drinks, soda lemonade, iced tea and similar beverages which are immediately ready to drink, pure juice, juice or must of fruits or vegetables and smoothies without milk and non-alcoholic beverages containing milk fat	<ul style="list-style-type: none"> <li>- <b>10%</b> of these goods to be made available in reusable packaging within a system for re-use;</li> <li>- <b>25%</b> of these goods to be made available in reusable packaging within a system for re-use.</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>

Responsible for achieving targets	Products subject to targets	Targets	Date of application
Economic operators using transport packaging (Paragraphs 7, 8, 9)	<b>Transport packaging</b> for the conveyance or packaging of products in conditions other than provided for under paragraphs 12 and 13, in the form of <b>pallets, plastic crates, foldable plastic boxes, pails and drums</b>	<ul style="list-style-type: none"> <li>- <b>30%</b> of such packaging used is reusable packaging within a system for re-use;</li> <li>- <b>90%</b> of such packaging used is reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
	<b>Transport packaging for the transport and delivery of non-food items</b> made available on the market <b>for the first time via e-commerce</b>	<ul style="list-style-type: none"> <li>- <b>10%</b> of such packaging used is reusable packaging within a system for re-use;</li> <li>- <b>50%</b> of such packaging used is reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
	<b>Transport packaging</b> in the form of <b>pallet wrappings and straps for stabilization and protection of products put on pallets during transport</b>	<ul style="list-style-type: none"> <li>- <b>10%</b> of such packaging used is reusable packaging within a system for re-use;</li> <li>- <b>30%</b> of such packaging used for transport is reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>
Economic operators using grouped packaging (Paragraph 10)	<b>Grouped packaging</b> in the form of <b>boxes, excluding cardboard, used outside of sales packaging to group a certain number of goods to create a stock-keeping unit</b>	<ul style="list-style-type: none"> <li>- <b>10%</b> of such packaging used is reusable packaging within a system for re-use;</li> <li>- <b>25%</b> of such packaging they used is reusable packaging within a system for re-use;</li> </ul>	<ul style="list-style-type: none"> <li>- From 1 Jan. 2030</li> <li>- From 1 Jan. 2040</li> </ul>

Paragraphs 12 & 13	<p><b>12. Transport packaging used by an economic operator shall be reusable where it is used for transporting products:</b></p> <p>(a) <u>between different sites, on which the operator performs its activity;</u> or</p> <p>(b) <u>between any of the sites on which the operator performs its activity and the sites of any other linked enterprise or partner enterprise,</u> as defined in Article 3 of the Annex to Commission Recommendation 2003/361, as applicable on the date of entry into force of the Regulation.</p> <p>This obligation applies to <b>pallets, boxes, excluding cardboard, trays, plastic crates, intermediate bulk containers, drums and canisters of all sizes and materials, including flexible formats.</b></p> <p><b>13. Economic operators delivering products to another economic operator within the same Member State shall use only reusable transport packaging</b> for the purpose of the transportation of such products.</p> <p>This obligation applies to <b>pallets, boxes, excluding cardboard, intermediate bulk containers, drums and crates of all sizes and materials, including flexible formats.</b></p>
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## REUSE TARGETS – EXEMPTIONS AND REVIEW CLAUSE (ARTICLE 26)

- ❑ **Economic operators exempted from the targets outlined in paragraphs 2 to 6 if, during a calendar year, they:**
  - a. placed not more than 1000 kg of packaging on the market; or
  - b. complied with the definition of micro-company in accordance with rules set out in the Commission Recommendation 2003/361, as applicable on the date of entry into force of the Regulation.
- ❑ **Are also exempted from the obligation to meet the targets in paragraphs 2 to 6:** economic operators if, during a calendar year, they have a sales area of not more than 100 m<sup>2</sup>, including also all storage and dispatch areas.
- ❑ **Commission empowered to adopt delegated acts** in order to establish:
  - a. targets for other products than those covered by paragraphs 1 to 6 and other packaging formats than those in paragraphs 7 to 10, based on the positive experiences with measures taken by Member States,
  - b. exemptions for economic operators additional to those listed in points (a) to (c) of paragraph 14 of the Article,
  - c. exemptions for specific packaging formats covered by the targets laid down in paragraphs 2 to 6 of this Article in case of hygiene, food safety or environmental issues preventing the achievement of those targets.
- ❑ **By 8 years after the date of entry into force of the Regulation,** Commission to review the situation regarding reuse of packaging and to assess the appropriateness of establishing measures, reviewing the targets laid down in this Article, and setting new targets for the reuse and refill of packaging, and where necessary present a legislative proposal.

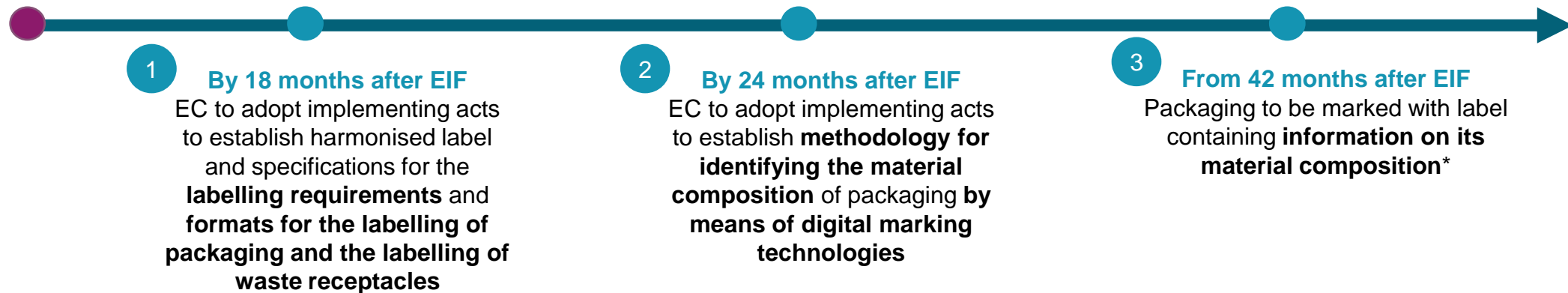
# **LABELLING**

## **(Articles 11 & 12)**



## LABELLING – HARMONISED CONSUMER SORTING INSTRUCTIONS

Date TBC  
Entry into force  
(EIF) of the  
Regulation



**By 1 January 2028**, labels that enable the separate collection of each material specific fraction of packaging waste that is intended to be discarded in separate receptacles shall be **affixed, printed or engraved visibly, legibly and indelibly on all waste receptacles for collection of packaging waste.**

## LABELLING – OTHER REQUIREMENTS

### Reuse

From 48 months after entry into force of Regulation:

- Packaging to bear a label on packaging reusability and a QR code or other type of digital data carrier providing further information on packaging reusability, incl. availability of a system for re-use and of collection points, & that facilitates tracking the packaging and the calculation of trips and rotations.
- Reusable sales packaging to be clearly identified and distinguished from single use packaging at the point of sale.
- EC implementing acts establishing harmonised label and specifications for the labelling requirements and formats for the labelling of packaging to be adopted by 18 months after entry into force of Regulation.

### Recycled content

Where a unit of packaging is marked with a label containing information on the share of recycled content, label to comply with the specifications laid down in the relevant implementing act. This implementing act is to be adopted by the Commission by 18 months after entry into force of the Regulation.

Where a unit of plastic packaging is marked with a label containing information on the share of biobased plastic content, that label shall comply with the specifications laid down in the above-mentioned implementing act.

### EPR / DRS symbols

- Packaging subject to DRS referred to in Article 44(1) shall, in addition to bearing the EU harmonised label on material composition, be marked with a harmonised label established in the relevant implementing act.
- Packaging included in an EPR scheme or covered by DRS other than that referred to in Article 44(1) may be identified by means of a corresponding symbol throughout the territory in which that scheme or system applies. That symbol shall be clear and unambiguous and shall not mislead consumers or users as to the recyclability or reusability of the packaging.

## RESTRICTION ON LABELS THAT MISLEAD CONSUMERS

- ❑ Without prejudice to requirements concerning other harmonised EU labels, **economic operators shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse consumers or other end users with respect to the sustainability requirements for packaging, other packaging characteristics or packaging waste management options, for which harmonised labelling has been laid down in the Regulation.**

# DEPOSIT AND RETURN SYSTEMS (Article 44)

## DEPOSIT AND RETURN SYSTEMS REQUIREMENTS

- ❑ **By 1 January 2028**, Member States shall ensure that all deposit and return systems meet the minimum criteria listed in Annex X. (Minimum requirements for deposit and return systems)
  
- ❑ **By 1 January 2029**, Member States shall take the necessary measures to ensure that deposit and return systems (DRS) are set up for:
  - a. **single use plastic beverage bottles** with the capacity of up to three litres; and
  - b. **single use metal beverage containers** with a capacity of up to three litres.
  
- ❑ **The latter obligation does not apply to packaging for:**
  - a. wine, aromatised wine products, and spirit drinks;
  - b. milk and milk products listed in Part XVI of Annex I to Regulation (EU) No 1308/2013.

## EXEMPTIONS

- ❑ **Member State possibly exempted from DRS requirements under the following conditions:**
  - a. the rate of separate collection of the concerned packaging formats (subject to DRS requirements) is above 90 % by weight of such packaging placed on the market on the territory of that Member State in the calendar years 2026 and 2027.
  - b. at the latest 24 months before 1 January 2029, the Member State notifies the Commission of its request for exemption and submits an implementation plan showing a strategy with concrete actions, including timeline that ensure the achievement of the 90 % separate collection rate by weight of the concerned packaging.
- ❑ **If the separate collection rate of the concerned packaging in a Member State concerned decreases and remains below 90 % by weight of a given packaging format placed on the market for three consecutive calendar years, the Commission shall notify the Member State concerned that the exemption no longer applies.**
- The deposit and return system shall be established by 1 January in the second calendar year following the year in which the Commission notified the Member State concerned that the exemption no longer applies.

# Thank you!

THE EUROPEAN ORGANIZATION  
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