



Draft Summary of key changes in PPWR FAQ

II. Definitions

4) Difference between sales, grouped and transport packaging

Key takeaway:

- **Sales packaging** sold directly to end users with the product.
- **Grouped packaging** bundles multiple sales units.
- **Transport packaging** facilitates logistics and transport.
- E-commerce packaging is a specific subset of transport packaging.

5) Who is the manufacturer of transport packaging?

Key takeaway:

- Manufacturer is determined when packaging reaches its final form. The use of multiple packaging items (tape, wrap, boxes, pallets etc.) together does not mean that each item is not already in its final form. There can be packaging from multiple manufacturers in one shipment of packaged products, and each manufacturer must provide the necessary technical documentation and information to demonstrate conformity with the applicable requirements for the EU declaration of conformity when they place the packaging on the market.
- For branded packaging, the brand owner is generally manufacturer.
- For unbranded packaging, the physical manufacturer is usually manufacturer.

Example: A cardboard box has reached its final form even if it is flat and requires folding. If the box has a name or trademark on it, the company carrying the name will be the 'manufacturer'. For unbranded, the company that physically manufactures the boxes will be 'manufacturer'.

6) Who is the manufacturer of branded packaging?

Key takeaway:

- The company whose name or trademark is on the packaging is generally considered the manufacturer.

7) Who is the manufacturer when company name and trademark belong to different entities

Key takeaway:

- Responsibility lies with the party that determines packaging design characteristics.
- Must be assessed case-by-case based on contractual arrangements.

9) Who is the producer of transport packaging?

Key takeaway:

- The producer of transport packaging must be identified when it is empty
- Clarifies producer responsibility in domestic and cross-border transport packaging scenarios.
- Producer depends on who first makes the packaging available in the relevant Member State.

10) Producer where sales packaging also serves transport purposes

Key takeaway:

- Even if the packaging also performs a transport function, the packaging is still sales packaging for the purposes of establishing who the producer is.
- Packaging remains sales packaging if supplied to the end user, even if it also performs a transport function.
- Producer is generally the economic operator first placing the packaged product on the market.

13) Packaging used to ship product parts between manufacturing sites

Key takeaway:

- Internal packaging not subject to a commercial transaction may not be considered placed on the market.
- Purchased transport packaging used between facilities is generally subject to PPWR.

III. Substances of Concern

8) How can manufacturers prove compliance with SoC minimisation (Article 5(1))?

Key takeaway:

- Manufacturers should use Annex C of EN 13428:2004 as a practical methodology for demonstrating minimisation efforts.

9) Is EN 13428:2004 still applicable?

Update:

- It no longer gives full presumption of conformity for the strengthened SoC requirements under PPWR.
- It may still be used until updated standards become available.

10) Demonstrating compliance with heavy metals limit values

Key takeaway:

- Existing approach from PPWD continues.
- Recommended methodology: CEN report CR 13695-1/2000.

V. Recycled Content in Plastic Packaging

5) Which recycled content requirement applies?

Update:

- Clarifies decision process based on:
 1. Contact-sensitive vs non-contact-sensitive packaging
 2. Polymer type (PET or other)
- Includes practical examples and applicable targets.

X. Obligations of Manufacturers

4) What are the obligations of importers or distributors who supply packaging materials?

- suppliers of packaging are not responsible for drawing up a declaration of conformity, but

- they are required to provide the manufacturer of the packaging 'with all the information and documentation necessary for the manufacturer to demonstrate the conformity of the packaging

5) Treatment of packaging already produced or in stock before 12 August 2026

Key takeaway:

- Existing stock does not need to be destroyed, reworked or relabelled.
- To meet the requirements under Article 15(5) and 15(6), which establishes that packaging must bear a unique identification as well as the manufacturer's name and address, it is possible to provide the required information by means of an accompanying document.

6) If the supplier of already produced packaging no longer exists, or if a supplier is unwilling to provide the necessary information, how can the manufacturer of the packaging show compliance?

Key takeaway:

- Where the necessary information for packaging that is manufactured before 12 August 2026 is missing or insufficient, the manufacturer must make best efforts to obtain information or perform own assessments.

7) When can accompanying documents be used instead of markings?

Key takeaway:

- Allowed where size or nature of packaging does not allow for the affixing of a unique identifier and the name and address of the manufacturer, as established under articles 15(5) and (6) of the PPWR, the information can be provided in a document accompanying the packaging.
- In addition, packaging that has not been placed on the market by 12 August 2026, but that has already been produced or sits in stock, may also use an accompanying document to meet these requirements before being placed on the market.

8) Does every packaging unit need individual traceability?

Key takeaway:

- No.
- Batch, type or equivalent identification is generally sufficient.
- Traceability does not require marking every individual component. For example, for a yoghurt cup consisting of a plastic cup, lid and sleeve or label, it should be sufficient if the required information is displayed on only one component of the sales packaging.

9) Can manufacturers delegate responsibilities?

Key takeaway:

- Some tasks may be delegated (e.g. conformity assessment).
- Legal responsibility always remains with the manufacturer.

10) Manufacturers and importers are required to keep records of the '*conceptual design, manufacturing drawings and materials of components*' of their packaging. Is it sufficient if the suppliers retain this design information, and make it available to authorities upon request?

Key takeaway:

- Manufacturers and importers must retain technical documentation.
- Reliance solely on suppliers is insufficient.

11) What should importers be aware of?

Key takeaway:

- Importers must verify third-country manufacturer compliance, declarations and documentation before placing packaging on the EU market.

12) Does packaging in transit through the EU need PPWR compliance?

Key takeaway:

- No, if not released for free circulation or otherwise placed on the EU market.

13) Can food law information satisfy Article 15(5) and (6)?

Key takeaway:

- Sometimes, but only if the information also fulfils PPWR traceability and identification requirements.

14) Manufacturer of custom-made transport packaging without a trademark

Key takeaway:

- The company defining specifications and placing the order is considered the manufacturer.

XV. Assessment of Conformity

5) Assessment for packaging units versus components

Update:

- Conformity assessment is performed for the entire packaging unit (e.g. bottle + closure + label).
- One declaration is normally sufficient for the complete unit.

14) In what language must the Declaration of Conformity be drafted?

Key takeaway:

- It must be drafted or translated into the language(s) required by the Member State where the packaging is placed or made available on the market.

XVI. Enforcement

1) Will non-compliant products be banned immediately from 12 August 2026?

Key takeaway:

- No. Authorities should first require corrective action.
- Market withdrawal or bans should occur only if non-compliance persists.

XVIII. Extended Producer Responsibility

6) Can Member States request information beyond PPWR requirements?

Key takeaway:

- Yes, where necessary and proportionate for EPR monitoring and enforcement purposes.