



PPWR FACTSHEET

The New EU Packaging Regulation
at a Glance

What is the PPWR?

The **Packaging and Packaging Waste Regulation** (EU) 2025/40 (PPWR) replaces the former EU Directive 94/62/EC and applies directly in all Member States of the European Union as an EU Regulation – without the need for national transposition. It affects all undertakings along the value chain that manufacture, import, fill, distribute or place packaging on the market.



When does the PPWR apply?

Date	What happens
12. August 2026	General date of application; including substance restrictions (PFAS for food-contact packaging), conformity assessment and EU declaration of conformity
12. August 2028	Harmonised labelling (material composition)
12. August 2029	QR code obligation for reusable packaging
12. August 2030	Recyclability (minimum Grade C), minimum recycled content (10–35%), empty space requirements
12. August 2038	Recyclability minimum Grade B ($\geq 80\%$)
12. August 2040	Increased recycled content targets (25–65%)

What is new?

The PPWR introduces, for the first time, EU-wide binding sustainability requirements for packaging: substance restrictions (heavy metals, PFAS), mandatory recyclability according to performance grades, minimum recycled content for plastic packaging, empty space and packaging minimisation requirements, harmonised labelling with QR codes, and a formal conformity assessment procedure with an EU declaration of conformity — comparable to the CE marking system for products.

Who is affected?

The PPWR defines clear roles with distinct obligations: “Manufacturers” (producers/fillers/private-label holders) bear full conformity responsibility. “Importers” must verify and document conformity. “Distributors” have due diligence obligations. The “producer” within the meaning of EPR (i.e. the economic operator who first makes packaging available on the market) must register and bear end-of-life costs. Any party selling under its own brand (own-brand/private labels) is automatically deemed a manufacturer — with all associated obligations.

What do you need to consider?

Conformity: Every packaging unit requires technical documentation and an EU declaration of conformity before being placed on the market. These must be retained for 5 years (single-use) or 10 years (reusable) and presented to authorities within 10 days upon request.

EPR registration: Registration in the national producer register is required in each Member State where you first make packaging available on the market. If you do not have an establishment in the relevant Member State, you must appoint an authorised representative for EPR purposes.

Supply chain contracts: For own-brand products and third-country sourcing, the data needed for conformity assessment are frequently unavailable. Supply agreements must include data delivery obligations, audit rights and liability provisions.

Labelling: From 2028/2029, new labelling requirements apply (material composition, disposal instructions, QR code). Packaging designs must be adapted well in advance.

How should you prepare?

1. Role clarification: Determine whether you are a manufacturer, importer, distributor or producer — multiple roles often apply simultaneously, or a role may be attributed by operation of law.

2. Product and packaging handling: Identify which process step in your supply chain has which impact on your responsibilities under the PPWR.

3. Packaging audit: Map all packaging types, materials and suppliers; identify gaps regarding substance data and recyclability.

4. Contract adaptation and legal precautions: Supplement your supply agreements with PPWR-compliant data delivery obligations, cooperation duties and liability clauses.

5. Establish compliant processes: Set up internal responsibilities for conformity assessment, documentation and communication with competent authorities.

6. EPR structure: Clarify registration obligations and appoint authorised representatives for each target market.

What happens in case of non-compliance?

Non-compliance may result in severe consequences: these may include **prohibitions on making products available on the market, product recalls, administrative fines** (in Germany up to EUR 200,000) and **claims by competitors** under unfair competition law. Particularly damaging is **delisting on platforms** such as Amazon or Zalando, as these operators increasingly require EPR registration evidence.

Conclusion: Action required now

The PPWR has far-reaching implications for product development, procurement, contract management and compliance. The deadlines are ambitious, the requirements are complex — and the sanctions are significant. Any economic operator placing packaging on the EU market should promptly review its exposure, role allocation and legal and contractual position.

Questions about your specific situation?

Contact us — we support you in a pragmatic and solution-oriented manner with legal classification, contract drafting and regulatory-compliant implementation of the PPWR.

Your Contact Person

Dr. Christoph Schork, LL.M.

Attorney at Law, Partner
Magnusstraße 13
50672 Cologne
T +49 221 2052-547
c.schork@heuking.de

