



TIE Briefing – Packaging and Packaging Waste Regulation

On 22 January 2025, the [Packaging and Packaging Waste Regulation \(PPWR\)](#) was published in the Official Journal of the EU (OJEU). The Regulation will apply as of 12 August 2026 except for Article 67.5 (amendment to the Single Use Plastics Directive) that will be applicable as of 12 February 2029.

The European Commission should publish a Q&A document on the PPWR based on the Commission's Webinar held on 16 December 2024. Recording and slides of the webinar are available here: [Webinar on new Packaging and Packaging Waste Regulation \(PPWR\) - European Commission](#)

Below you will find the main aspects that impact the toy industry. TIE comments are in **red**.

**General comment: If the timeline for a given obligation is linked to the adoption of secondary legislation/standards, the Regulation foresees a delayed date of application of that obligation.*

Scope of the Regulation (articles 2 and 3, Annex I)

- The Regulation applies to all packaging, regardless of the material used, and to all packaging waste, apart from production residues.
- Packaging is defined as “an item, irrespective of the materials from which it is made, that is intended to be used by an economic operator for the containment, protection, handling, delivery or presentation of products to another economic operator or to an end user” [..]
- Annex I is a non-exhausting list of products included in/excluded from the scope of the definition of packaging.
 - Recital 13 excludes paints, inks, varnishes, lacquers and adhesives that have been applied directly on a product from the definition of packaging. Labels, instead, are part of packaging, regardless of whether they are hung on or affixed to a product
 - If a given material is less than 5 % of the total mass of the packaging unit, such a packaging unit should not be considered to be composite packaging.
 - **To assess: Should the box of a board game be considered as packaging or not? At present, Member States do not have a harmonised approach to the issue.**

Labelling and Marking (articles 4 and 12)

- From 12 August 2028, packaging other than transport packaging and packaging part of a deposit and return system (DRS) shall be marked with a label based on pictograms containing information on material composition to facilitate consumer sorting.
 - Operators may additionally place a QR code or other type of digital data carrier on the packaging that contains further information on sorting.
- From 12 August 2029, reusable packaging shall bear a label informing users that the packaging is reusable, other information shall be made available on an QR code/other digital solution.
 - Information shall be made available in the language(s) understood in the given Member State.
- Information on material composition and reusability of packaging, as well as the QR code/digital carrier shall be physically engraved on the packaging. If not possible, they can be moved to the grouped packaging or, as last resort, digitally provided.



- A three-year adaptation period starting on the date of entry into force of the new physical marking requirements applies for packaging manufactured before entry into force.
- By 12 August 2026, the Commission shall adopt implementing acts to establish a harmonised label and specifications for the labelling requirements and formats, including when provided through digital means.
- By 1 January 2030, the identification of substances of concern shall be provided in a digital format.
- By 12 February 2027, packaging included in an extended producer responsibility scheme may be identified throughout the territory of the Member States in which that scheme or system applies only by a symbol in a QR code/other digital solution.
- Packaging covered by a deposit and return system other than system in place for single-use plastic bottles and metal cans may be identified by a symbol (physical marking) throughout the territory in which that scheme or system applies. Member States shall not prohibit the affixing of labels related to deposit and return system in place in other Member State.
- In case Member States choose to maintain or introduce national sustainability and information requirements, the latter shall not conflict with those laid down in this Regulation.
- Member States shall not prohibit, restrict, or impede the placing on the market of packaging that complies with the EU requirements for reasons of non-compliance with national requirements.
- For packaged product is covered by Union acts requiring a digital data carrier (including the digital product passport), manufacturers should use the same carrier for the information requirements of the PPWR.

Although Member States can still introduce national measures on labelling and marking, the new measures will have a good impact because:

- ✓ The rules on labelling and marking have increased harmonisation at EU level and should prevent some of the barriers that the industry is currently facing in certain Member States (ex: FR and ES).
- ✓ Digital labelling can reduce the amount of mandatory information to be provided physically.
- ✓ A Member State cannot refuse packaging because it includes symbols of another MS.

Packaging reduction and minimisation (articles 10,24 and 34)

- By 1 January 2030, manufacturers and importers shall ensure that the weight and volume of packaging are minimised, except for protected packaging designs, provided that such protection was already in force by 12 February 2025.
 - By 12 February 2027 the Commission shall require a harmonised standard to assess compliance.
- By 1 January 2030, a maximum empty space ratio of 50% is imposed on grouped, transport and e-commerce packaging.
 - By 12 February 2028, the Commission shall adopt implementing acts to establish the methodology for the calculation of the empty space ratio.
 - By 12 February 2032, the Commission shall review the standard empty space ratio and assess the possibility of establishing specific empty space ratios for certain packaging, including for toys.
- By 12 February 2028, operators filling sales packaging shall ensure that empty space is reduced to the minimum necessary for ensuring the packaging functionality.



- Space filled by paper cuttings, air cushions, bubble wraps, sponge fillers, foam fillers, wood wool, polystyrene, Styrofoam chips or other filling materials shall be considered as empty space.
- Exemptions for reusable packaging and sales packaging used as e-commerce packaging.
- The Commission calls the Member States to implement measures to reduce the use of plastic carrier bags.

Despite the proposals during the legislative procedure, toys do not have (for the moment) a specific empty space ratio. However, recital 9 reminds that packaging minimisation requirements can be defined also by product-specific delegated acts under the Ecodesign for Sustainable Products Regulation (ESPR).

Recyclability of packaging and targets (articles 6 and 52, Annex II)

- All packaging should be recyclable, meaning that:
 - It is designed for material recycling (from 1 January 2030) and
 - It can be collected separately and recycled at scale (from 1 January 2035)
- The assessment shall be conducted:
 - On the whole packaging, in case of packaging with integrated components;
 - On each component, in case of packaging with separated components or integrated components that can be easily separated.
- Recyclability criteria will be defined through delegated acts.
 - By 2025 the Commission may review the criteria.
- Packaging will be assessed according to recyclability performance grade:
 - Grade A: higher or equal than 95%
 - Grade B: higher or equal than 80%
 - Grade C: higher or equal than 70% → to be phased out by 1 January 2038.

Below 70%, packaging is considered as “technically not recyclable”
- 18 months after the entry into force of the delegated acts, Extended Producer Responsibility (EPR) fees shall be modulated accordingly.
- Exemptions are foreseen for certain products. For sales packaging made from lightweight wood, cork, textile, rubber, ceramic, porcelain, or wax, only remodulation of EPR fees apply.
- The Regulation set recyclability targets as follows:

Material	31/12/2025 (%)	31/12/2030 (%)
Overall % by weight	65	70
Plastics	50	55
Wood	25	30
Ferrous metals	70	80
Aluminium	50	60
Glass	70	75
Paper and cardboard	75	85

Member states may postpone the deadline according to the rules set in article 52.

Recycled content in plastic packaging (articles 7-8)



- 'Post-consumer plastic waste' is defined as plastic waste, that has been generated from plastic products that have been supplied for distribution, consumption or use and placed on the market of a Member State or of a third country.
 - Recycled content shall be recovered from post-consumer plastic waste respecting one of the following:
 - It has been both collected and recycled within the EU;
 - it has been collected in a third country in accordance with standards equivalent to the EU one AND recycled in an installation located in a third country to which rules concerning the prevention and reduction of emissions into air, water and land associated to the recycling operations apply, provided that the same rules would be applicable to an analogous installation located in the EU.
- By 31 December 2026, the Commission shall develop delegated acts for sustainability criteria for plastic recycling technologies and implementing acts establishing the methodology for assessing, verifying and certifying third-country installations.
- Targets for recycled content in plastic packaging other than food-contact packaging are set at 35% for 2030 and 65% in 2040. The targets do not apply *i.a.* to compostable packaging and packaging with plastic content less than 5% of the overall weight.
 - The Commission shall assess the need for derogations by 1 January 2028 and, if necessary, adopt delegated acts to amend accordingly.
 - By 12 February 2032, the Commission should assess the implementation of 2030 targets and the feasibility of 2040 one.
 - EPR fees may be modulated accordingly.
 - By 12 February 2028, the Commission shall assess state of technological development of bio-based plastic packaging and lay down sustainability requirement for bio-based content in plastic packaging accordingly.
 - By 31 December 2026, the Commission shall adopt implementing acts establishing the methodology for the calculation and verification of the percentage of plastic recycled content. The act will be applicable as of 1 January 2029.
 - By 12 February 2032 the Commission shall assess the need to introduce recycle content targets for other materials.

Following intense discussions, the EU eventually allows recycled content from non-EU countries. Not only will companies have more access to recycled content, but also compliance for production outside the EU will be easier.

Reusability of packaging and targets (articles 11, 29-31)

- Article 11 lists all the criteria to consider packaging as reusable.
- For transport packaging:
 - The Regulation sets binding reuse targets for 2030 (40%) and indicative targets for 2040 (70%).
 - By 1 January 2034 the Commission shall assess the implementation of the 2030 targets and the feasibility of 2040 one.
 - From 1 January 2030, for transport packaging within the same Member state or between different sites where the same economic actor operates, packaging shall be 100% reusable.
 - In scope: pallets, foldable-plastic boxes, boxes, trays, plastic crates, intermediate bulk containers, pails, drums and canisters of all sizes and

materials, including flexible formats or pallet wrappings or straps for stabilisation and protection of products put on pallets during transport.

- Exemptions: packaging for the transport of dangerous goods and large machineries, flexible food contact packaging and **cardboard boxes**.
- For grouped packaging in the form of boxes, excluding cardboard, outside of sales packaging (ex: stockkeeping or distribution unit) the targets for reuse packaging are at least 10% for 2030 and 25% for 2040.
- Rules of calculations are defined in article 30, while article 31 rules on reporting.
- A general, renewable 5-year derogation is granted to economic operators under certain conditions:
 - the exempting member state exceeds by 5 percentage points the recycling targets to be achieved by 2025 and is expected to exceed by 5 percentage points the 2030 recycling targets;
 - the exempting member state is on track to achieve its waste prevention targets (3% by 2028, compared to 2018);
 - the operators have adopted a corporate waste prevention and recycling plan that contribute to achieving the waste prevention and recycling objectives set out in the PPWR.
- Reuse targets do not apply to micro companies making no more than 1 000 kg of packaging available on the territory of a Member State.

After the adoption of the political agreement in April 2024, the Commission committed to assessing the feasibility of the 100% reuse target for certain operations and adopt delegated acts that will exempt pallet wrappings and straps for stabilization from the scope of such a target, provided that the condition to adopt the delegated act are fulfilled.

Substances of concern (article 5)

- Packaging placed on the market shall be so manufactured that the presence and concentration of substances of concern is minimised.
 - The European Commission shall monitor the presence of substances of concern in packaging and, where appropriate, undertake the follow-up measures defined in the Regulation (Commission-ECHA report by 31 December 2026)
 - Member States may request the Commission to consider restricting the use of substances of concern that potentially negatively affect the re-use and recycling of materials in packaging for reasons other than chemical safety
- The sum of the concentrations of lead, cadmium, mercury and chromium VI resulting from substances present in packaging or packaging components shall not exceed 100 mg/kg.
- Restrictions on PFAS apply only to food-contact packaging.

Environmental claims on packaging (article 14)

- Environmental claims on packaging are allowed as long as:
 - They are made only in relation to packaging properties exceeding the applicable minimum requirements set out in the Regulation;
 - They specify whether they relate to the packaging unit, part of the packaging unit or to all packaging placed on the market by the producer.

Declaration of Conformity (article 39, Annexes VII and VIII)



- For packaging placed on the market after 11 February 2025, manufacturers are responsible for the conformity assessment and draw up:
 - a technical document in line with the conformity assessment defined in Annex VII;
 - an EU Declaration of Conformity, whose model is defined in Annex VIII
- For packaging of products requiring an EU DoC under other legislations, manufacturers can draft a single DoC, provided that the latter respects all relevant Union acts. The DoC shall state the act concerned and their publication references.

Waste prevention and EPR schemes (articles 43-47, 55)

- Each Member State shall reduce the packaging waste generated per capita by at least:
 - 5 % by 2030;
 - 10 % by 2035;
 - 15 % by 2040
- Producers shall register in the register of producers of packaging in each Member State where they make packaging or packaged products available on the territory of the Member State for the first time or where they unpack packaged products without being end users.
- EPR fees established under the Waste Framework Directive shall now cover also additional costs set in the PPWR.
- Producers or the entitled operator shall make information available to end-users regarding the prevention and management of packaging waste as defined in article 55.

Responsibilities of economic operators (articles 15-21)

- Manufacturers shall keep both documents (5 years for single use packaging, 10 years for reusable packaging) and provide information to national authorities upon request.
- Manufacturers shall ensure that packaging bears the type, batch or serial number or other element allowing its identification, and the contact details of the manufacturer.
- Manufacturers can appoint an authorised representative.
- Suppliers shall provide manufacturers with all necessary information to draft documentation.
 - In case of transport packaging, grouped packaging, sales packaging, reusable packaging, primary production packaging and service packaging, if the manufacturer is a micro company, and the packaging provider is based in the same Member State, then the packaging supplier shall be considered as the manufacturer.
- Before placing packaging on the market, importers shall ensure that the necessary documentation is available and include their contact details. Distributors shall also ensure that the relevant producer complies with EPR obligations (he is registered in the register of producers).
- When importers and distributors place packaging under their own trademark, obligations of manufacturers apply to them.



Main dates

Month	Year	What to expect
08	2026	PPWR applies
		IA for harmonised label (requirements and formats)
12	2026	DA for sustainability criteria for plastic recycling technologies
		IA on third-country installations
		IA on calculation of plastic recycled content
02	2027	EPR symbol
		Harmonised standard for packaging minimisation
01	2028	Assessment of recycled content targets
02	2028	IA on empty space ratio
		Minimisation requirement applies (sales packaging)
		Assessment of bio-based plastics in packaging
08	2028	DRS Symbol
01	2029	IA on plastic recycled content applies
02	2029	Article 67.5 applies
08	2029	Reusable packaging symbol
01	2030	Identification of SoC
		50% empty space ration applies
		Minimisation requirements apply (manufacturers)
		Design for material recycling
		First reuse targets apply
02	2032	Assessment of empty space ratio for toys
		Assessment of plastic recycled content targets
		Assessment of recycled content for materials other than plastics
01	2034	Assessment of reusability targets
01	2035	Recyclability at scale
01	2038	Phase out of recyclability grade C

IA= implementing act; DA= delegated act