Valpak
by Reconomy

Packaging and Packaging Waste Regulation

Legislative background

The PPWR was published on the 30 November 2022, and is intended to be a replacement to the existing Packaging Waste Directive of 1996; it aims (among other things) to set mandatory targets for all packaging on recyclability, packaging minimisation, refill and reuse, harmful substance removal, and improve the information available to consumer through uniform labelling requirements.

Crucially, the fact that the proposal is a regulation rather than a directive has significant implications for its implementation. While directives are addressed to states and allows them to choose how to achieve the set targets through national transposition, a regulation is binding in its entirety, meaning it is applicable in all member states without national transposition measures and becomes enforceable as law immediately.

On the 4 March 2024, the European Parliament and Council reached a provisional agreement on the targets and provisions that will be set by the Regulation. Below are the latest agreed upon targets.



Main PPWR requirements for packaging

- All packaging must be recyclable by design and recyclable at scale
- EPR will be eco-modulated (lower fees based on recyclability)
- New packaging minimisation requirements
- Plastic packaging must use a minimum percentage of post-consumer recycled (PCR) content
- Single-use plastic packaging bans and PFA restrictions
- New approach to compostability
- Sets reuse targets

All packaging must be recyclable by design and recyclable at scale



Who is obligated?

Within the Regulation, a producer is any manufacturer, importer, or distributor that makes packaging available for the first time within the territory of a Member State regardless of the selling technique used. This must be on a professional basis under their own name or trademark. This definition incorporates foreign producers selling via distance means who are required to appoint an authorised representative In the country where their products are being offered for sale.

Recyclability requirements

From 2030: Packaging must be designed to be recyclable and should have an adequate recyclability performance (grade A-C). Any packaging below C will be prohibited.

From 2035: Packaging must be recycled at scale, with a 55% recycling rate by 2035 for all packaging categories, including flexibles. However, wood packaging will be exempt from this, as it is only required to reach a 30% recycled at scale rate.

From 2038: Only recyclability grades A-B will be allowed on the market.

Recyclability Performance Grade	2030 Only Design for Recycling	2035 Design for Recycling + Recycled at Scale	2038 Design for Recycling + Recycled at Scale
A	≥ 95%	≥ 95%	≥ 95%
B	≥ 80%	≥ 80%	≥ 80%
C	≥ 70%	≥ 70%	≥ 70%
Banned from the EU market	Technically non-recyclable	Technically non-recyclable (recycling rate <55%)	Technically non-recyclable (recycling rate <55%)

*Exact requirements and methodology for determining packaging recyclability grades will be established in delegated acts post-PPWR coming into effect (these will be based on existing industry standards)

For integrated components, these must follow the design for recycling guidelines for the main packaging body. This is unless the component is separated during consumer disposal, transportation or sorting of waste.
There are already solutions today for manufacturing recycle-ready PE and PP packaging, using mono-PE and mono-PP material for things like food, coffee, dry and wet pet food, and home and personal care products.



Packaging that is designed to be recycled will have lower EPR fee

Packaging that contains PCR content could have lower EPR fees

EPR fees will correspond to recyclability grades (higher grade = lower EPR fee)

Packaging that contains PCR content could have lower EPR fees

2025 **2030**



From 2030, EPR fees will be modulated based on recyclability grades, and possibly on the basis of PCR content (likely as countries such as Spain have already eco-modulated fees according to this).
The PPWR does not establish actual fees, the fees will set per EU country.

Minimum PCR content requirements

The agreement also sets minimum percentages of PCR content in any plastic part of packaging.

	2030	2040
Contact sensitive packaging made from plastic materials (excluding PET bottles)	≥ 10%	≥ 25%
Non-contact sensitive packaging	≥ 35%	≥ 65%
SUP beverage bottles	≥ 30%	≥ 65%
Contact-sensitive packaging made from PET (excluding single-use PET bottles)	≥ 30%	≥ 50%

*PCR materials should come from waste collected and recycled in the EU or a third country installation which has an environmental performance similar to EU standards.



Exemptions:

- Any plastic that accounts for less than 5% of the packaging unit by weight
- Compostable plastic packaging
- Pharma packaging
- Plastic packaging for medical devices, baby food, infant food
- Packaging used for the transport of dangerous good

Reuse, reduce and refill targets

The Regulation sets binding reuse targets for 2030.

Transport packaging reuse targets	Additional packaging reuse targets
40% reuse target in 2030 (includes e-commerce packaging). To rise to 70% in 2040*	At least 10% for economic operators using secondary packaging in the form of boxes to create a stock keeping unit
Operators who own multiple sites in the EU should use only reusable packaging between their sites	At least 10% for final distributors of alcoholic and non-alcoholic beverages
Operators using transport or sales packaging to deliver products in the same EU member state may only use reusable transport packaging	There are no reuse targets for: wine, aromatised wine products, wine-like products made from other fruits or vegetables, highly perishable beverages (e.g., dairy-based drinks)

*Target exempts cardboard boxes, flexible formats in contact with food, packaging used for the transportation of dangerous goods, and large-scale machinery

These targets are to be met within a system for reuse.

Member States may also grant a five-year derogation period from these requirements if the following conditions are met:

- The Member State reaches 5 percentage points above the targets for recycling of packaging waste per material to be achieved by 2025 and is expected to reach 5 percentage points above the 2030 target according to the report published by the Commission 3 years before that date
- The exempting Member State is on track to fulfil the respective waste reduction targets set out in Article 38 (shown below) and can demonstrate to have reached at least 3% waste prevention by 2038 compared to the 2018 baseline
  - 5% by 2030
  - 10% by 2035
  - 15% by 2040
- The economic operators have adopted a corporate waste prevention and recycling plan that contributes to achieving the waste prevention and recycling objectives outlined above and in article 46 of the Regulation. Final distributors of takeaway drinks and food in the food service sector will be required to offer consumers the option of bringing their own container. They will also be required to strive to offer 10% of products in a reusable packaging format by 2030.

Packaging bans

The following types of SUPs packaging will be banned as of 2030.

- SUP secondary packaging that encourages consumers to purchase multiple items (collation films, shrink wrap, etc)
- SUP packaging filled and consumed in situ in the HORECA sectors (disposable food and drink containers, bags, boxes, trays)
- SUP for unprocessed pre-packaged fruits and vegetables under 1.5kg (plastic nets, bags, trays, containers)
- SUP packaging in hotels/accommodations intended for individual booking (small shampoo bottles, lotion bottles, sachets around small soap bars etc.)
- SUP packaging for condiments, creamers, sugar consumed in situ in the HORECA sector

In addition, food packaging containing certain levels of PFAs (polyfluoroalkyl substances) cannot be placed on the EU market. However, the Regulation does not specify whether this ban applies only to PFAs that have been intentionally added, or to all PFA-containing food packaging.

We can expect further detail on this around mid-2026

Compostable plastic

The Regulation prioritises recyclability over compostability, meaning only a number of packaging shall be industrially compostable. These include:

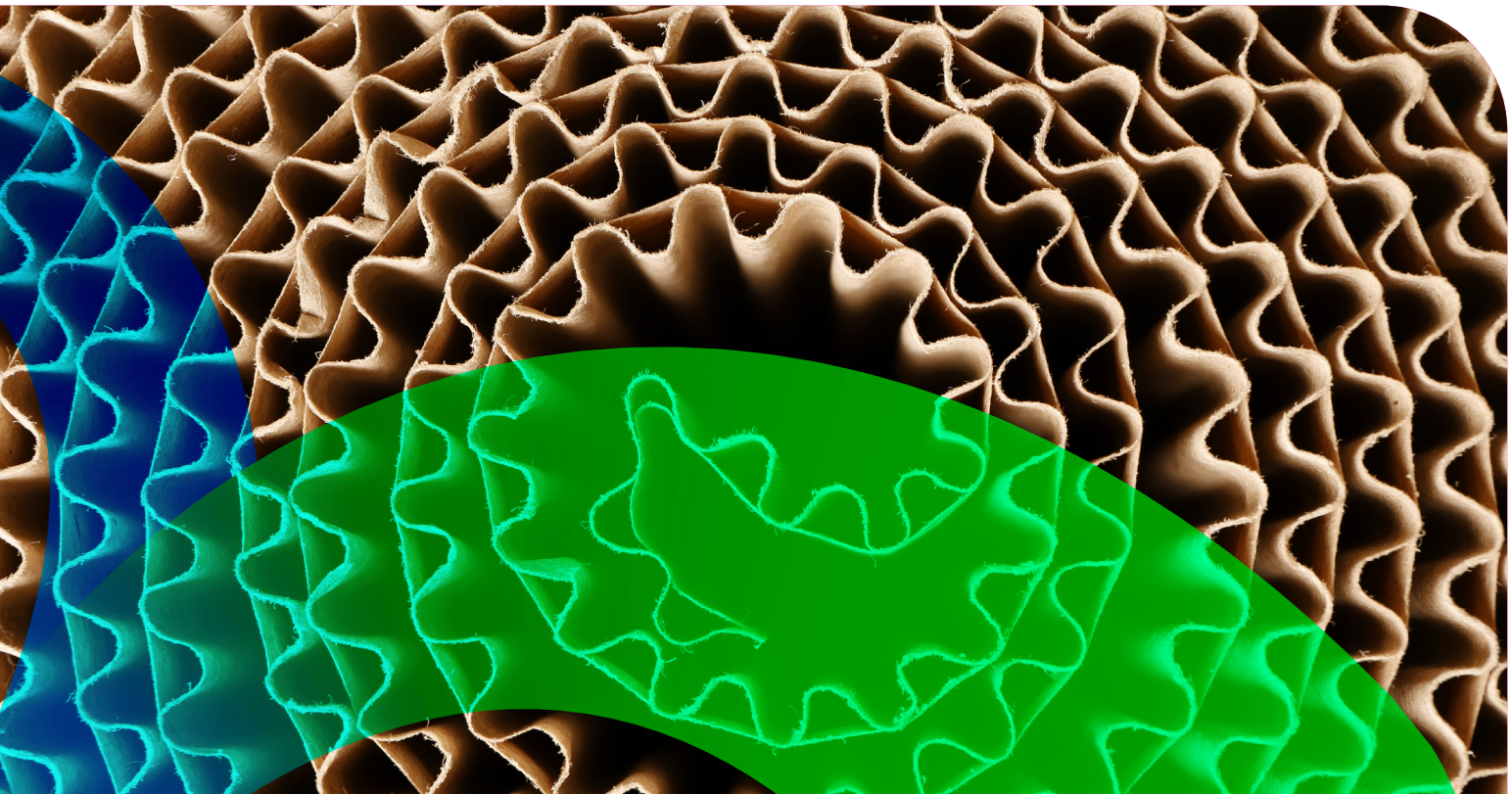
- Sticky labels attached to fruit and vegetables
- Permeable tea/coffee/beverage bags and coffee capsules which are soft after use

Deposit return systems (DRS)

By 2029, Member States should ensure the separate collection of at least 90% per year by weight of the following types of packaging:

- SUP beverage bottles with a capacity of up to 3L
- Single-use metal beverage containers with a capacity of up to 3L

This does not apply to wine, aromatised wine products, spirits, and milk or milk-based products.



Labelling

Mandatory labels	Optional labels	Rules on environmental claims
Harmonised pictograms for sorting different types of packaging	Sorting labels for separate components of packaging	Must specify if a claim is about the entire packaging or just a certain component
Harmonised labels for compostability – statements like “Do not throw away in nature”	Recycled content labelling	Brands may only make claims for qualities that exceed minimum PPWR requirements (e.g., 20% PCR when min. requirement is 10%)
National and EU DRS labels	Bio-based plastic content labelling	-
Harmonised reuse labels	-	-



What is next?

Q4 2024: PPWR enters into force.

2025: Eco-modulated EPR fees based on recycle-ready design to be introduced.

2026: Limits to PFAs in food packaging introduced
EU releases methodology to harmonise labels for sorting and compostable packaging Identification. EU to also issue clarification on packaging bans.

Sustainability criteria for plastic packaging recycling technologies to be implemented. EU methodology to calculate PCR content and third-country equivalence for PCR imports from third countries.

Mid 2026-2027: EU register of producers to monitor EPR compliance.

2027-2028: New EU pictograms to facilitate consumer sorting and identify compostable plastic.

EU to issue design for recycling legislation.

PCR targets to be evaluated and adjusted if necessary.

2028-2029: EU to release methodologies to establish recyclability at scale for packaging categories.

2029: Deadline to comply with PCR method.

2029-early 2030: Potential for additional EU legislation on bio-plastic content.

2030: Only recyclability grades A, B, and C allowed; EPR eco-modulation to be based on these three recyclability grades.

Only packaging with minimum PCR % allowed (see PCR section above for quantities).

Reuse targets and packaging bans to begin applying, only minimised packaging allowed.

EU may review the threshold for packaging to be considered recycled at scale (if required). EU Commission to also assess recycled content for materials beyond only plastic.

2035: Only recyclability grades A, B, and C and recycled at scale allowed.

2038: Only recyclability grades A and B allowed. EPR fees to mirror and adapt to these two grades.



For more information please contact us.

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