

PACKAGING AND PACKAGING WASTE REGULATION IMPLEMENTATION:

A roadmap for national & local governments
to slash record levels of packaging waste



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EXECUTIVE SUMMARY

Waste is one of the biggest environmental crises of our time, and a symptom of our linear economy. Packaging, which is typically single-use, is a major contributor to this waste crisis.

The revised Packaging and Packaging Waste Regulation (PPWR), which entered into force on 11 February 2025, after two years of intense negotiations between EU institutions, aims to address this issue and reduce packaging waste generated in the EU.

Despite some shortcomings, exemptions and loopholes, the Regulation establishes a number of key requirements, notably on waste prevention, reuse and recyclability. It also provides many tools

that governments at the national, regional and local levels can leverage to reduce packaging waste.

This guide highlights the opportunities provided by the PPWR for national and local governments to implement the provisions of the Regulation with a high level of ambition, to slash record levels of packaging waste across the EU. It provides general remarks, including on the articulations of the PPWR with other existing EU legislation such as the Single-Use Plastics Directive (SUPD), as well as detailed analysis and recommendations per key topic.

1

General

From a legal perspective, the PPWR offers many opportunities for ambitious action to tackle the packaging waste crisis. Even though it is an EU regulation:

- **Member States can adopt additional measures** related to packaging that are suited to their specific national context **with the aim of achieving the Regulation's targets, such as targets on the prevention of packaging waste**, as long as these don't constitute unjustified and disproportionate barriers to the single market;
- Member States can also **maintain** current national sustainability requirements **in addition** to those laid down in the PPWR, as long as they don't

conflict with the PPWR or do not restrict placing on the market of packaging that complies with the regulation. For example, Member States can maintain existing bans on single-use plastics for fruit and veggie wraps and on beverage and food containers consumed within the establishment of the HORECA sector until 1 January 2030.

- **The PPWR and SUPD are complementary and must be interpreted harmoniously.** The basic premise is that the SUPD, being a *lex specialis*, prevails over the PPWR, unless provided otherwise in the PPWR. For example, packaging bans under PPWR prevail over the SUPD, when it comes to single-use plastic beverage and food containers.

2

Packaging waste reduction, including through reuse

To significantly **reduce packaging waste** and meet waste prevention targets laid out in the PPWR, national and local decision-makers should further tackle unnecessary packaging by introducing additional measures to support reuse and widely enable refill.

Additional recommended measures Member States could implement include:

- **Enhancing Extended Producer Responsibility (EPR):**
 - Including **litter clean-up costs in the EPR fees** for all single-use packaging types;
 - Earmarking a percentage (e.g. at least 10%) of the EPR fees to be dedicated to supporting waste prevention activities, including reuse packaging systems;
- **Adopting fiscal and other economic incentives:**
 - Establishing fiscal measures designed to disincentive the consumption of single-use takeaway packaging, whether environmental taxes or levies on economic operators, consumer-facing levies, or negative modulation of EPR fees;
 - Ring-fencing the funds generated through fiscal measures to support reuse and waste prevention measures;

The incentives can be adopted at the national or local/regional level depending on each Member State's rules. For example:

- a) The city of Tübingen (Germany), established a **levy** at the local level on vendors providing single-use packaging for food and beverages; and on single-use cutlery (all materials). €0.5 for each packaging item to a maximum of €1 .50 per meal. On top of that, reusable packaging is subsidised by the city.
 - b) Belgium established a **packaging tax** at the federal level putting a fee 7 times higher on single-use beverage packaging compared to reusables.
- **Promoting tap water:** Mandating restaurants, canteens, bars, cafés, and catering services to serve tap water for free or for a low service fee, in a reusable or refillable format.
 - **Making reuse the default option:** Setting a mandate that the default packaging option for serving takeaway food and beverages should be reusable packaging to support the HORECA sector to achieve the 10% target by 2030;
 - **Promoting reuse in public events and supporting local prevention and reuse actions:** Establishing that at public events, such as festivals, as well as in public institutions, such as stadiums, schools, and universities only reusable packaging and cutlery should be allowed to serve food and beverages;
 - **Tackling material substitution (single-use plastic to paper):** Extending the market restriction established in Article 25, Annex V (3) of the PPWR of single-use plastic packaging for foods and beverages consumed within the HORECA sector to also apply to single-use packaging items made fully or partially from plastics in accordance with the definition of single-use plastics set under Art. 3 (2) of the SUPD;



- **Setting stronger reuse targets:**
 - Setting higher reuse targets for the three sectors included in the PPWR (grouped packaging, transport packaging - including e-commerce, and beverage packaging);
 - Setting broader reuse targets within the three sectors included in the PPWR (such as including wine and all types of milk in the beverage packaging sector);
 - Setting targets for additional packaging sectors, such as binding reuse targets for the takeaway sector. The proposal made by the European Commission in the draft regulation can serve as a guideline.
- **Targeting retailers:**
 - Making mandatory the target for retailers with a space larger than 400 m² to dedicate at least 10% of their space to packaging-free areas (i.e. refill stations) for both food and non-food products;
 - Extending the refill and reuse obligations (placed on the HORECA sector) to the retailers selling takeaway ready-prepared food. This is possible as the obligations in the legislation apply to food for immediate consumption (rather than specifying the type of establishment).

3

Substances of concern and microplastics

From a legal perspective, the PPWR mandates manufacturers to **minimise the presence and concentration of hazardous chemicals ('substances of concern') in any material/component of any packaging.** The regulation also introduces **restrictions on the use of any PFAS in food packaging.**

The PPWR offers many opportunities for ambitious action to tackle problematic chemicals in all kinds of packaging and therefore, national decision-makers and competent authorities should:

- **Invest resources into timely identification of substances negatively affecting the reuse and recycling** of materials in the packaging in which it is present and supply such information to the Commission and the European Chemicals Agency.
- In parallel, when investigating the substances of concern that negatively affect the reuse and recycling of materials in the packaging in which they are present, conduct analyses into the identification and tracking of **substances that pose risks to human health and the environment.**
- **Prevent the marketing of "new"/"innovative" materials that have not undergone rigorous testing** or may contain harmful chemicals in contact-sensitive applications.
- Put forward national bans on most hazardous chemicals in packaging.
- Support the generation of the relevant hazard and risk assessments or other relevant data.
- Support the identification of substances of concern by using standardised, open, digital technologies that must include at least the name and concentration of the substance of concern present in each material in a packaging unit.
- Support a comprehensive and timely (by early 2027 at the latest) revision of the Food Contact Material Framework Regulation (EU 1935/2004) that would effectively secure the protection of consumers from exposure to hazardous substances from food packaging.
- Support the establishment of reliable analytical tools and standards to identify and quantify emitted microplastics, to start to address their potential risks and adverse impacts.

4

Separate collection and Deposit Return Systems

The PPWR mandates a separate collection level of 90% for plastic bottles and metal cans. No other system than Deposit Return Systems is capable of delivering this level. Therefore to **fully seize the opportunities provided by DRS**, national decision-makers should:

- Introduce DRS as soon as possible to ensure that the essential requirements are met by the deadline of the 1st of January 2029.
- **Broaden the scope of the system:**
 - Include also **other types of packaging** to maximise the investments made in the system (e.g. carton drinks, single-use glass) and eliminate exemptions based on content (all types of milk, alcohol-based drinks);
 - **“Mixed DRS”**: Mandate the inclusion of reusable packaging in the system.
- **Provide (fiscal) incentives** to support the shift from single-use to reusable packaging within the system (e.g. levy on single-use packaging).
- **Coordinate with neighbouring Member States** to ensure interoperability of the national systems, as aspired in the PPWR.
- Provide a **clear legal basis** for the introduction of a DRS, taking into account the essential requirements set under Annex X. This annex includes a take-back obligation, prefers a single system operator, ensures the accessibility of the system to economic operators, and sets minimum requirements for the deposit level amount, functioning, awareness raising, single operator budget, reporting requirements, and labelling.
- **Legally requiring DRS system operators** to fund reduction and prevention actions such as contributing to setting up reuse systems (art. 51(3)), including by setting a minimum share of the budget (e.g. at least 10%).

5

Packaging recycling

Although requirements specific to **packaging recycling and recycled content** are to be further defined and completed in implementing legislation before the end of 2026, national authorities can already establish further measures to support the recyclability of packaging, including:

- National ‘competent’ authorities, the Commission, and all consulted stakeholders should set recyclability criteria that ensure recyclate is produced that is both safe from a health perspective and economical (i.e. creates secondary raw material demand).
- ‘National competent authorities’ should closely verify the definition of ‘innovative packaging’ so that it concerns real novelty developments in packaging material composition.
- Member States should mandate the use of an independent third-party audit for any recycled content claims to ensure transparency and consumer trust in claims.
- Producer Responsibility Organisations (PROs) should enhance their EPR schemes to support efficient and local recycling schemes by introducing:
 - sustainability criteria of recycling technologies and the environmental cost of recycled content;
 - geographic criteria to enhance proximity between the waste generated and where it is recycled.
- Coordinate with other Member States the checks and controls on imports of recyclates from outside the EU to ensure that the latter meet the same requirements as the ones produced in the EU.

INTRODUCTION

The 2022 European Commission's proposal for a revised Packaging and Packaging Waste Regulation (PPWR) outlined a set of measures to reduce packaging waste and generally raise the bar on requirements for packaging put on the EU market.

As a result of interinstitutional negotiations, the proposed text was amended: while co-legislators further developed some aspects such as the provisions on chemicals, other parts saw the introduction of certain derogations or exemptions that significantly undermine the Regulation's original goal of reducing packaging waste.

The new Regulation entered into force on 11 February 2025 and will apply from 12 August 2026. **This guide collects the opportunities provided by the agreed text for national and local governments to maintain a high level of ambition** and reduce the average 187 kg of packaging waste per capita in the EU, while protecting consumers from exposure to toxic chemicals.



1

SCOPE OF THE REGULATION



1.1

Space for Member States' unilateral action

Member States have some room for maneuver to address the ever-growing amounts of packaging waste at the national level. As outlined below, on certain occasions the PPWR itself encourages Member States to set further measures in addition to what is in the newly revised Regulation.

Packaging is one of the most concerning and growing causes of pollution in the EU - a whopping 187 kg of packaging waste is produced per person annually in the EU. The sourcing of materials for packaging, particularly single-use packaging, as well as its production and end-of-life management, has considerable impacts upstream and downstream of its value chain. It is especially tragic that these impacts are caused by items that have an average lifetime of 20 minutes before being thrown away. Considering single-use products represent normally an average around 60% of the cost associated with cleaning up litter on land, it can be estimated that the cost for municipalities and ultimately taxpayers reaches at least 7.8 billion Euro annually. This figure is even higher if marine litter clean-up costs are included in the calculation but, unfortunately, no comprehensive data is available to provide an exact figure.

Nevertheless, national authorities or governments are sometimes reluctant to regulate packaging in their geographies, as this can create barriers to trade. When Member states have different requirements for the types of packaging allowed within their borders it can prevent goods from circulating freely, jeopardising the single market - which is one of the pillars of the EU. **However, the PPWR establishes a context that, on certain occasions, allows and encourages Member States to adopt measures in addition to what is in the regulation.**

According to Article 114(5) TFEU, once the EU has adopted harmonising measures such as under the PPWR, the discretion of Member States to go beyond the measures adopted by the EU is restricted. However if a Member State "**deems it necessary to introduce national provisions based on new scientific evidence relating to the protection of the environment** or the working environment on grounds of a problem specific to that Member State arising after the adoption of the harmonisation measure, it shall notify the Commission of the envisaged provisions as well as the grounds for introducing them."

In addition, according to Article 114 TFEU, after the adoption of harmonising measures Member States can maintain measures they had adopted previously on the basis of Article 36 TFEU (e.g. for the protection of the environment) but they have to notify the Commission.

The Commission shall, within six months of the notification by the Member State, approve or reject the national measures after having verified whether or not they are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they constitute an obstacle to the functioning of the internal market.

In the absence of a decision by the Commission within 6 months, the measures shall be deemed to have been approved, unless the Commission notifies the Member State they need more time to decide, which can extend the decision period up to a year in total.

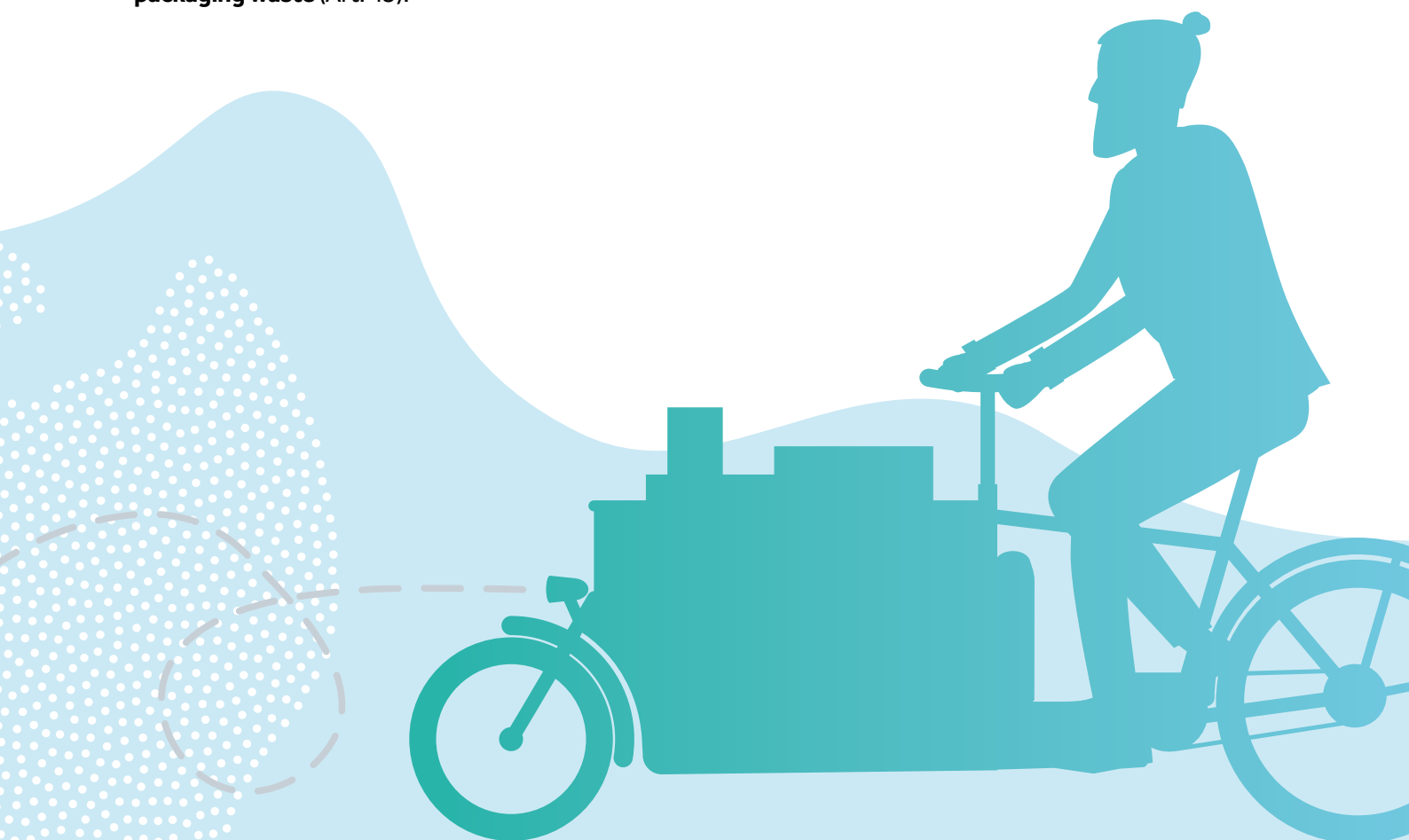
While Article 4(2) of the PPWR establishes that Member States shall not prohibit, restrict, or impede the placing on the market of packaging that complies with the sustainability, labelling, and information requirements set out in the regulation; Art 4(3) allows Member States to choose to maintain or introduce national sustainability or information requirements **additional** to those laid down in the PPWR until 1 January 2030. Member States cannot, however, restrict PPWR-compliant packaging for reasons of non-compliance with those national requirements.

In Article 25 (2) of the PPWR, Member States can derogate from Art. 4(2) and maintain restrictions adopted before 1 January 2025 on the placing on the market of packaging in the formats and for the uses listed in its Annex V but made from materials not listed in Annex V.

In addition to being allowed to introduce additional sustainability and information requirements on packaging, the **PPWR also leaves room for Member States to adopt measures** related to packaging that are suited to the specific context of each Member State **with the aim of achieving targets in the Regulation, such as targets on prevention of packaging waste** (Art. 43).

It should be noted that there are also areas that are not regulated under the PPWR. Therefore, harmonisation is not absolute. On those occasions, the Member States may adopt **more stringent protective measures** under Article 193 TFEU, provided that they do not constitute unjustified and disproportionate measures with equivalent effect to quantitative restrictions on imports or goods in transit.

There are situations where it is clear that a measure by a Member State would have little to no impact on the single market. **For example, if a Member State or local government imposed obligations mandating reusable containers for food delivery by restaurants within a specific radius, this would have no impact on the single market. Member States should feel confident adopting such measures.** However, other measures such as imposing additional costs to producers of some types of transport packaging could have a broader impact on the single market and the measures would need a case-by-case analysis to determine if it is justified and proportionate, instead of being arbitrary discrimination or a disguised restriction on trade between Member States.



1.2

Interaction with the Single-Use Plastics Directive (SUPD)

The PPWR and the SUPD overlap when it comes to the object of their regulation. This means that a harmonious interpretation of both laws should prevail and, in case of conflict, one should have primacy on the other.

The PPWR establishes general rules that apply to all packaging. However, certain single-use plastic products covered by the SUPD such as plastic carrier bags, beverage cups, food and beverage containers, including bottles, are considered to be packaging, therefore falling under the scope of both regulations. The SUPD is a *lex specialis* in relation to the PPWR.

Therefore, in the event of a conflict between the SUPD and the PPWR, the default rule is that the SUPD should prevail within the scope of its application. However, as the PPWR has been published at a later date (*lex posterior*), in situations where it explicitly derogates from the SUPD, the PPWR should prevail. A few examples are listed below:

- An example of when the PPWR derogates explicitly from the SUPD is found in Articles 7 and 67(2) of the PPWR, on recycled content requirements for plastic bottles. In this case, the SUPD requirements will stay in place until the PPWR recycled content targets apply.
- Recital 13 of the PPWR states that the definition of composite packaging in the PPWR should not exempt single-use packaging partially made of plastics, regardless of the threshold level, from the requirements of the SUPD.
- Article 3(24) of the PPWR establishes that the definition of composite packaging is “without prejudice” to the SUPD. This means that for the obligations under the SUPD, composite items that fall under the definition of plastic under the SUPD are still considered plastic.

- According to Art 25(2) PPWR, Member States can maintain restrictions adopted before 2025 for materials other than the ones listed under Annex V. Crucially, this article expressly derogates from Article 4(2) of the PPWR and does not include a sunset clause (i.e. does not have an expiration date).
- Article 70(4) PPWR establishes that Member States may maintain national provisions restricting the placing on the market of packaging in the formats and for uses listed in points 2 (single-use plastic packaging for unprocessed fresh fruit and vegetables) and 3 (single-use plastic packaging for foods and beverages filled and consumed within the premises in the HORECA sector) of Annex V until 1 January 2030 even though the ban under the PPWR would have only been applicable from 2030.

How to interpret the possibility for Member States to maintain after 2030 restrictions adopted before 2025 for single-use items that constitute packaging made from composite material that includes plastics? Because of the express derogation in Article 25, combined with the silence in Article 70(4) it could be arguable that these bans could be maintained past 2030.

The interaction between the PPWR and the SUPD is also relevant for establishing the correct interpretation of key definitions such as the definition of single-use plastic packaging. **It should be noted that the definition of single-use plastics under the SUPD applies to the PPWR for the measures that regulate such items, for example, the market restriction measures.** As per the definition of single-use plastics, all items covered in the SUPD will be considered single-use plastic **regardless of the proportion of plastic content in the item.**

1.3

Articulation with REACH

The PPWR only gives limited powers to Member States to act on chemicals. They may, pursuant to Article 5(3), request the Commission to consider restricting substances of concern under Article 6(4). In addition, the safeguard procedure according to Article 60(1) empowers Member States to take action against compliant packaging that constitutes a risk, the effects of which are, however, limited to specific “relevant economic operators”.

In contrast, under Article 129(1) of REACH, Member States having established “justifiable grounds for believing that urgent action is essential to protect human health or the environment” related to a compliant packaging article “may take appropriate provisional measures”. The Member State invoking a national measure “shall immediately” notify the Commission which either authorises or rejects the measure. There is no limit as to the scope of the measure. In case of a restriction, the Member State shall initiate a harmonised restriction at the EU level.



2

MAIN ELEMENTS NATIONAL DECISION-MAKERS CAN BUILD UPON

2.1

Waste prevention

The PPWR explicitly states that waste prevention is the most efficient way to improve resource efficiency and to reduce the environmental impact of waste. In this line, Article 43 puts forward packaging waste reduction targets of:

5% by 2030

10% by 2035

15% by 2040

These targets consider the 2018 levels as baseline.

This level of waste prevention can only be achieved through a combination of measures to reduce the overall packaging waste generation. The measures include, among others, the elimination of excessive/unnecessary packaging, the restriction/ban on the use of certain packaging formats, the re-designing of products so that no packaging or less packaging can be used (e.g. bulk sales), the adoption of reuse and refill targets and the introduction of economic incentives that support the shift from single-use to reusable packaging.

Some of these measures are already binding in the PPWR, such as some reuse targets for a few packaging segments, including beverage and secondary packaging. However, **they are not sufficient to achieve the waste reduction goals envisaged in the Regulation.**

Keeping that in mind, **the PPWR itself encourages Member States to set further measures.**

For instance, Article 51 of the PPWR states that Member States shall take measures to encourage the set-up of systems for the reuse of packaging with sufficient incentives for return and systems for refill in an environmentally sound manner, including:

- the use of **deposit and return systems for reusable packaging** and for other packaging formats;
- the use of **economic incentives**, including requirements to final distributors, to charge the use of single-use packaging and to inform consumers about the cost of such packaging at the point of sale. This measure should be accompanied with the offer of reusable packaging to avoid this simply becoming a tax transferred to consumers;
- requirements on manufacturers or final distributors to make available in **reusable packaging** within a system for reuse or through refill a certain percentage of **other products than those covered by targets** laid down in Article 26 (on the condition that this does not lead to distortions on the internal market or trade barriers for products from other Member States);
- Finally, it establishes that **EPR and DRS must dedicate a minimum share of their budget to financing reduction and prevention actions.**

Therefore, in order to meet the waste prevention targets, **Member States should consider implementing a set of complementary measures**, including promoting reuse and refill, economic/fiscal incentives to support the uptake of reuse (e.g. subsidies, discounts) while discouraging the consumption of single-use packaging (e.g. tax levy), among others. Similar provisions are already in force in some Member States, for instance:

- [Sweden](#) has established EPR clean-up costs.
- [Estonia](#) has banned single-use packaging in public events starting in 2024.
- [Belgium](#) has a packaging tax that is 7 times higher on single-use items vs reusable ones.
- The [household waste PRO in Belgium](#) has to include a share of its annual budget towards prevention and reuse plans.

When it comes to economic incentives, this recent [report](#) showcases best practices of fiscal measures adopted in some Member States to facilitate the taking on of reusable takeaway packaging and explores options of how it could be implemented.

In addition, reuse requirements could and should also be set by public authorities to complement the packaging waste reduction efforts. Public events and gatherings must be organised in a way that minimises waste as much as possible. In addition, public institutions should be able to provide reusable packaging within their premises, as well as in public spaces such as stadiums. Similar provisions are already in force in some Member States, for instance, [Estonia](#), [France](#), and [Luxembourg](#). Coincidentally or not, France, Luxembourg, Estonia (and Germany) are the [4 only Member States](#) that have successfully reduced packaging waste generated between 2018 and 2022.

Thus, we call on national decision-makers to:

- Enhance EPR to support waste prevention and reuse by:
 - **Including litter clean-up costs in the EPR fee** for all packaging formats
 - Setting up a percentage of the **EPR fee that will be dedicated to support waste prevention** activities (in accordance with Article 51)
- Establish **fiscal measures** designed to disincentive the consumption of single-use takeaway packaging, whether environmental taxes/levies on economic operators, consumer-facing levies, or negative modulation of EPR fees;
- **Ring-fencing the funds** generated through fiscal measures to **support reuse and waste prevention** measures;
- Set a mandate that the **default packaging option** for serving takeaway food and beverages should be **reusable packaging**;
- Establish that at **public events**, such as festivals, as well as in public institutions, such as stadiums, schools, and universities only **reusable packaging** and cutlery should be allowed to serve food and beverages.

2.2

Addressing unnecessary packaging

The PPWR, in its Article 25 and Annex V, introduces **market restrictions (bans)** on certain types of single-use packaging, mostly plastic, including plastic grouped packaging, plastic packaging of fruits and vegetables, plastic packaging consumed in the premises of the HORECA sector, plastic condiments portions (condiments, preserves, sauces, sugar, coffee creamer), packaging used in the accommodation sector (i.e. toiletries) as well as very lightweight plastic carrier bags.

Nevertheless, although the bans address mostly one type of material (plastic), it is imperative for achieving the waste reduction targets of 5% by 2030, 10% by 2035, and 15% by 2040, that Member States **avoid the substitution of one type of single-use packaging for another at all cost** (e.g., single-use plastic for a single-use paper). This substitution will not reduce the overall amount of packaging waste generated in the market but will cause other environmental impacts.

Environmental impacts associated with paper packaging

Single-use paper packaging has severe impacts on the environment, such as the deforestation of pristine forests, the logging of hundred-year-old trees with devastating impacts on biodiversity, ecosystems as well as indigenous peoples. The demand for pulp and fiber leads to the creation of monocultures of high-growth trees, such as eucalyptus, with the increased risk of fire, pests, and disease.

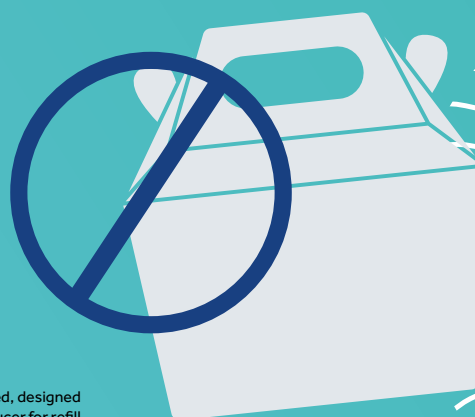
Since 1961, global wood harvesting has doubled, reaching around 4 billion m³ in 2020, an amount well above what the world's forests can sustainably supply. One of the main drivers of the rising demand for wood is the fast-growing consumption of paper, which has seen the share of paper packaging and cardboard in total output increase from 25% in 1961 to 62% in 2020.

This shift towards paper packaging is why today paper and cardboard are the main types of packaging waste in the EU, making up 40% of total packaging waste. It is also why material substitution from plastic to paper should not be promoted, as it not only fails to contribute to the waste reduction targets but also creates trade-offs between environmental impacts.

Even though the PPWR does not allow the restriction of further material groups (Article 25 (2)), it should be possible for Member States to restrict packaging items made of plasticised paper since the definition of single-use plastics under the SUPD (Article 3 (2)), applies to the market restriction measures under the PPWR. The definition considers any product "single-use plastic", that is made wholly or partly from plastic, regardless of the proportion of plastic content in these items.

Thus, we call on national decision-makers to:

- Extend the **reuse targets for e-commerce to include paper and cardboard;**
- Extend the **market restriction** established in Article 25, Annex V, point 3 related to single-use plastic packaging for foods and beverages filled and consumed within the premises in the HORECA sector **to apply to all single-use packaging items made fully or partially from plastics** in accordance with the definition set under Art. 3 (2) of the SUPD¹, thus covering composite materials and plasticised paper and paper with plastic additives.



¹ 'single-use plastic product' means a product that is made wholly or partly from plastic and that is not conceived, designed or placed on the market to accomplish, within its life span, multiple trips or rotations by being returned to a producer for refill or re-used for the same purpose for which it was conceived

2.3

Reuse

Article 29 of the PPWR introduces reuse targets, which apply directly to economic operators, for three packaging sectors:

Transport & sales packaging
(including e-commerce):
40% by 2030 and 70% by 2040

Transport packaging between
sites of same or partner enterprises:
100% by 2030

Grouped packaging:
10% by 2030 and 25% by 2040

Beverage packaging
(alcoholic and non-alcoholic):
10% by 2030 and 40% by 2040

The 2030 targets are binding and the 2040 targets are recommended.

For the HORECA sector, the PPWR introduces an obligation to offer takeaway food and drinks in packaging within a system for reuse (Article 33) so that consumers have the option of choosing reuse when buying their goods. The reusable option should be implemented at the latest in February 2028 and it should be provided at no higher costs and in no less favourable conditions than the single-use alternative. The PPWR indicates that establishments should aim to achieve 10% of their products sold in reusable packaging by 2030.

It is important to note that this obligation applies to any establishment offering food and beverage for immediate consumption, and not strictly only to HORECA-type establishments. Therefore, the retail sector selling ready-prepared food for takeaway (e.g. salad bars) should also be subject to this obligation. Member states should then ensure that the reuse obligation is applied to all businesses offering immediate consumption, even if this is not the main activity of the business.

The PPWR states that Member States may set higher reuse targets including for other types of packaging formats in order to achieve the Regulation's waste prevention targets.

Most Member States will need to set more ambitious reuse targets to meet the prevention targets. That means that the reuse targets for the beverage, transport, and grouped packaging can and should be increased, especially given the expertise and development of the sector over time when it comes to reuse systems. In the beverage sector, for example, Germany achieves a reuse rate of nearly 43 percent.

When it comes to setting reuse targets for other packaging sectors as explicitly allowed by the PPWR, the takeaway packaging sector has great potential. In Germany, for example, reusable packaging in the takeaway sector is widespread, with the largest providers of systems for reuse together operating around 40,000 distribution points for reusable packaging across the country.

Beyond achieving waste reduction targets, Member States should seize the opportunity to set higher reuse targets to address packaging waste from the start and support the transition to waste-free business models, including reuse systems and refill models.

In addition to setting more ambitious reuse measures, Member States are also encouraged to establish economic incentives to support the development of reuse systems. This has been the case in Denmark. The Danish government has allocated 800,000 EUR per year (approximately 5 million DKK annually from 2025 to 2027) to support partnerships developing reuse systems for takeaway packaging, including deposit and return schemes. The Aarhus "[REUSEABLE](#)" project serves as a model.

Therefore, we call on national decision-makers to:

- Set **higher reuse targets** for the three sectors included in the PPWR;
- Make the **2040 targets binding**;
- Set targets for **additional beverage segments** like wine and all types of milk, and also to set **binding reuse targets for the takeaway sector**. The proposal made by the European Commission in the draft regulation can serve as a guideline.
- **Extend the reuse obligation for Horeca under Article 33 to retailers** selling take-away ready-prepared food for immediate consumption.

2.4

Refill

Articles 28 and 32 of the PPWR bring the obligations related to refill. It establishes that by **17 February 2027, the HORECA sector must accept consumers bringing their own containers to be filled for beverage and food takeaway**. These establishments should ensure this can be done at no higher costs and in no less favourable conditions than the food and beverages they sell in single-use packaging.

HORECA establishments should also inform consumers at the point of sale, through clearly visible and readable information, boards, or signs, about the possibility of buying the food and beverages in a refillable container brought by the consumer.

Member states should ensure that the refill obligation is applied to all businesses carrying out economic activities of the HORECA sector, even if this is not the main activity of the business. Therefore, when a retailer offers take-away ready-prepared food for immediate consumption, and therefore contributes a significant share to single-use packaging waste generation, that needs to be equally addressed.

Article 28 also establishes that **final distributors** (retailers) with a sales area of more than 400 m² shall endeavour to **dedicate 10 % of that sales area to refill stations** for both food and non-food products by **January 2030**.

Nevertheless, the non-binding 10% target for retailers oversees the role of bulk sales and packaging-free goods which should be encouraged through stronger and binding targets. **Therefore, when it comes to the implementation of refill measures, national governments can and should be more ambitious.** There are many food and non-food products (e.g. household cleaning products and cosmetics) that can already be found for sale in various bulk shops across Europe and that can be carried in consumers' own containers. Considering bulk and zero-waste shops have already shown the feasibility and economic viability of refill systems, there is no reason retailers should not promote these systems. There is no reason only 'niche' zero-waste shops should promote such distribution and consumption models.

For instance, Member States should enforce the refill obligation under Article 32 to the retail sector and make the 10% target of Article 28 binding or even increase the target (e.g. 20%) so retailers dedicate a percentage of their space to packaging-free areas (i.e. refill stations) for both food and non-food products. Such obligations are part of the law in [France](#) and [Spain](#).

Therefore, we call on national decision-makers to:

- Make the **10% target of Article 28 binding or even increase the target (e.g.: 20%)** demanding retailers to dedicate a percentage of their space to packaging-free areas (i.e. refill stations) for both food and non-food products.
- Enforce that the **refill obligation** under Article 32 is **applied to all businesses offering HORECA services**, even if that is not their main economic activity, such as retailers selling take-away ready-prepared food for immediate consumption.

...when it comes to the implementation of refill measures, national governments can and should be more ambitious.

2.5

Substances of concern and microplastics

The PPWR generally requires packaging to minimise the presence and concentration of problematic substances ('substances of concern', which are defined in the Ecodesign for Sustainable Products Regulation) in any material/component of any packaging. The regulation also foresees that the adverse impact on the environment due to microplastic emissions should be minimised.

The Regulation acknowledges the concerns around substances of concern in packaging and it requests the Commission and ECHA to prepare a report on the presence of such substances in packaging and packaging components, to determine whether they negatively affect the reuse and recycling of materials or impact chemical safety (i.e. pose risk to human health and the environment).

The PPWR also introduces a ban on the use of any PFAS in food packaging (applicable from 12 August 2026). The use of PFAS in food-contact materials and food packaging, which is a significant use of PFAS in tonnages in the EU, inevitably leads to the exposure of humans which poses an unacceptable risk for our health. Restriction on their use is therefore needed and welcomed.

The thresholds set for contamination by PFAS are varying from 25 ppb to 50 ppm depending on PFAS (including polymeric ones). Compliance with these requirements must be demonstrated in the packaging's technical documentation, but voices by some stakeholders question feasibility of enforcement due to the lack of a harmonised and verifiable test method available that can be used both for recyclers and also authorities. It is therefore crucial that the EU will timely establish strong analytical capacity to enforce this important ban.

As stated in the Chemicals Strategy for Sustainability (CSS), substances of concern should not only be minimised but above all substituted as far as possible, and the most harmful ones should be phased out, in particular in consumer products. Also on the basis of the CSS, the same limit value for hazardous substances is, as a principle, to apply for virgin and recycled material.

Unfortunately, a delay in the revision of two crucial regulations to which the PPWR delegates aspects of chemical safety, i.e. REACH and the Food Contact Materials (FCM) regulation, compromises the PPWR's objective of protecting human health and the environment.

In the case of food packaging, current policies are predominantly focused on plastic packaging. Harmonised EU rules are lacking for most other materials, for example in food packaging made of paper and board, metal, multi-materials and other FCMs. Hazardous substances are also used in these materials.

As an overall objective, we recommend manufacturers avoid the upstream introduction of substances of concern to packaging.

Therefore, we call on national decision-makers and competent authorities to:

- **Invest resources into the timely identification of substances negatively affecting the reuse and recycling** of materials in the packaging in which it is present (by 31 December 2025), and to supply such information to the Commission and ECHA
- Request that the Commission **restrict substance(s) that hinder reuse and recycling in packaging** if a Member state already has information regarding substances.
- **Prevent the marketing of "new", "innovative" materials that have not undergone rigorous testing** or may contain harmful chemicals in contact-sensitive applications. This loophole poses a critical risk to human and environmental health. Member States should monitor and track the announcements of the Commission if other Member States place these products on the market.

- **We also recommend the following actions and activities to further minimise hazardous substances in packaging, in line with the aims of the CSS.** Member states can use the below additional tools and resources to better protect human health and the environment, with the overall aim of phasing out the most hazardous substances from packaging materials.
- **Put forward national bans on most hazardous chemicals in packaging.**
- In parallel, when investigating the substances of concern that negatively affect the reuse and recycling of materials in the packaging in which they are present, conduct analyses into the identification and tracking of **substances that pose risks to human health and the environment.**
- **Support** the generation of the relevant hazard and risk assessments or other relevant data.
- **Support the identification of substances of concern** by using standardised, open, digital technologies that must include at least the name and concentration of the substance of concern present in each material in a packaging unit.
- **Support a comprehensive and timely (by early 2027 at the latest) revision of the Food Contact Material Framework Regulation (EU 1935/2004)** that would effectively secure the protection of consumers from exposure to hazardous substances from food packaging.

Finally, new policies and actions would be necessary to address the complex challenges of microplastic pollution resulting from packaging. Member States should act on the shortage of available data and research, and prioritise the establishment of reliable analytical tools and standards to identify and quantify emitted microplastics, to start addressing their risks and adverse impacts.

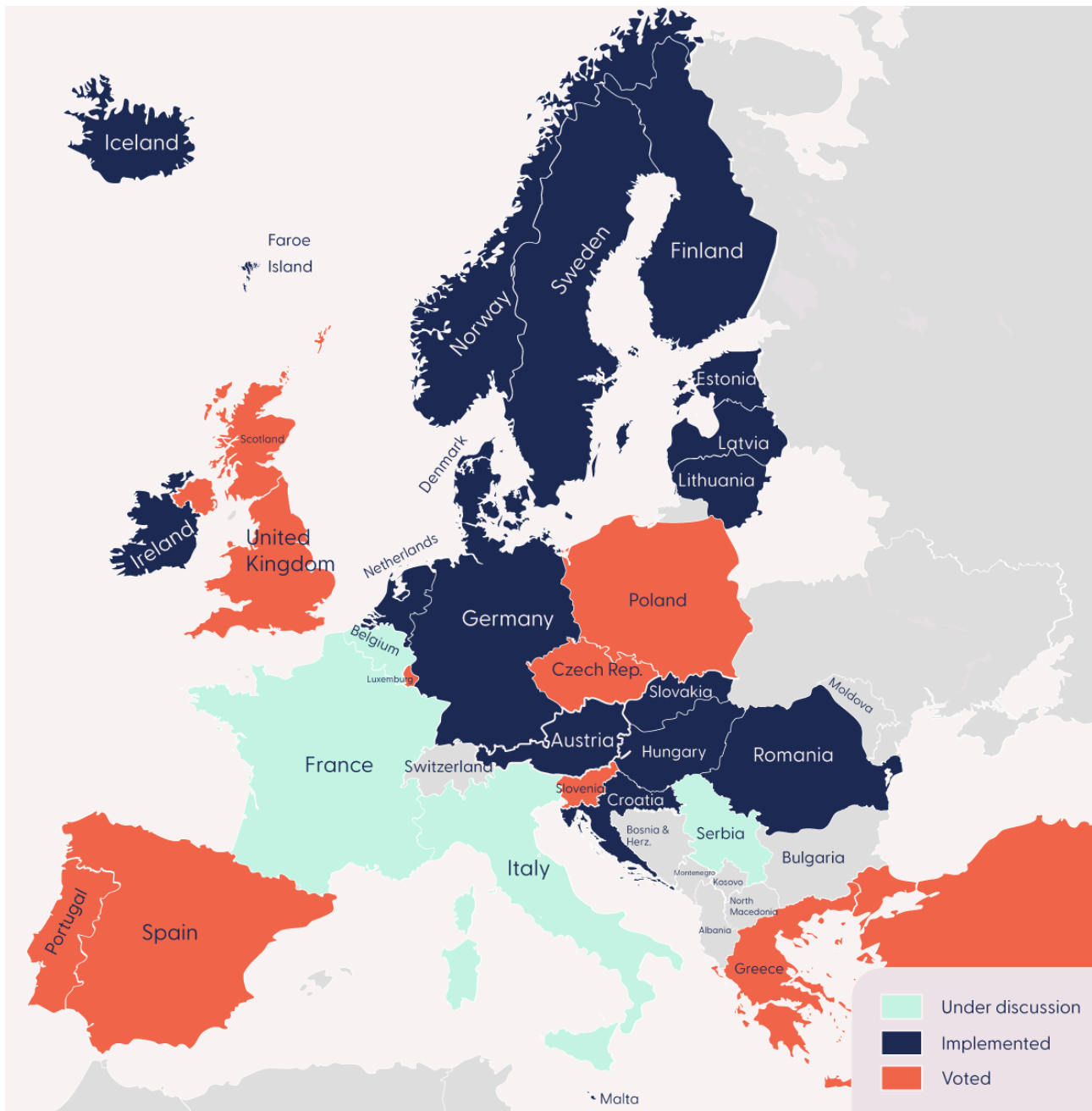


2.6

Deposit Return Systems (DRS)

The PPWR establishes that Deposit Return Systems should be introduced to achieve a 90% separate collection for plastic bottles and cans by 2029 (Art. 50(b)). No other method than DRS is capable of reaching such a high level. In addition, DRS has been proven to mitigate littering, foster the collection of high-quality material for recycling, and support reuse (through the use of 'Mixed DRS'). Article 50(8) and Article 51(2)(a) consecrate DRS as a primary stepping stone towards reuse.

When establishing their DRS, Member States must comply with the general minimum requirements set out in Annex X. These have been selected following best practices in countries where DRS has already been implemented and is showing successful results. However, Member States can go beyond those requirements to reap the maximum benefit possible from DRS.



(Source: State of DRS in Europe, Fair Resource Foundation, 2025)

Currently, 17 European countries have operational DRS for plastic bottles and cans (Austria, Croatia, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Ireland, Latvia, Lithuania, Malta, Norway, Romania, Slovakia, Sweden, The Netherlands, see map above).

DRS across Europe - scope, reuse and interoperability

DRS for recycling on all plastic bottles: Germany is already operating a DRS on dairy, alcohol and wine which goes beyond what is covered in the PPWR. Croatia has also been including dairies since the beginning of its system in 2006.

DRS and reuse: Many countries already have DRSs that enable the collection of reusable packaging (glass bottles, and reusable hard PET for Germany). The System Operator in Latvia (Deposita Punkts) is even responsible for the management of and

transport to certain cleaning facilities, thereby making the reuse system more accessible to smaller producers. Two formats of standardised pool glass bottles are largely available on the Latvian market, thus further lowering the barrier to entry for new producers.

Cross-border compatibility of systems: Denmark and Sweden have bilateral agreements to plan the export and import of national deposit-bearing packaging.

Therefore, we call on national decision-makers to:

- **Introduce the system at the latest in 2027.** This is necessary to:
- Ensure enough time for the separate collection rates to reach the mandatory 90% target in 2029. Even the best-performing systems (Latvia, Slovakia) have taken at least 18 months to bridge the gap to this target.
- Ensure that the minimum requirements are met by the deadline of 1 January 2029. Experience has shown that adjustments are sometimes required after the first introduction to reach the maximum effectiveness of the system;
- **Going beyond the minimum scope set by the PPWR:**
- **Including** other types of packaging to maximize the investments made in the system (e.g. single-use glass, carton drinks).
- **Avoiding exemptions based on content** (dairies, alcohol-based drinks) to avoid consumer confusion and because these exemptions are a missed opportunity for achieving the targets and from a circularity perspective.
- **Making DRS mandatory on reusable beverage packaging** (as prescribed in Art. 50(8) and 51). The collection of reusable packaging needs to be as easily accessible to consumers as it is for single-use packaging. Standardised packaging and reusable glass bottles are a clear low-hanging fruit to be included.

- **Coordinate with neighbouring Member States to ensure compatibility of the national systems.** This ensures equal access and understanding of the system in all countries, thereby maximising collection.
- **Anticipate a clear legal basis for the introduction of a DRS;** As per Annex X, specific attention is required in setting the legal basis:
- **Plan a “take-back” obligation** to ensure that all point selling deposit-bearing packaging will take back the deposit-bearing packaging they sell and reconstitute their deposit to consumers - without the need for consumers to purchase any goods while they return it (X(l); X(m)).
- **Prefer a single System Operator (SO)** to avoid having to plan unnecessary coordination efforts (Annex X(a));
- **Ensure the accessibility of the system to economic actors (X(b)).** This is necessary in terms of fairness for smaller producers, but also of effectiveness of the system as inaccessibility of the system risks increasing the amount of free-riders.
- **Set legal minimum requirements:** a reasonable deposit level (X(d)); functioning (X(e)) and awareness-raising campaign (X(j)) budget for the SO; reporting requirements (X(c); X(i)); labelling requirements to make deposit-bearing packaging easily identifiable.



2.7

Recycling and recycled content

The PPWR requires that all packaging put on the EU market must be recyclable, yet the details relating to this remain to be set in implementing legislation.

The European Commission will be in charge of developing EU-wide criteria on recyclability and related requirements for packaging to be considered recyclable (also called design for recycling criteria). In addition, the Commission will set a method defining the scale of recycling to be achieved in the coming years based on these design criteria. It should be noted that the recyclability requirements mentioned above do not apply to so-called 'innovative packaging'² for 5 years after their introduction on the market.

When developing recyclability requirements, it is important not only to consider the technical feasibility of producing recyclate but also to integrate safety aspects in line with the requirements of Article 5 of the Regulation on substances of concern. The absence of hazardous substances in packaging is widely considered one of the priorities to ensure effective and non-toxic material recycling. In line with chemical laws and safety requirements, the same quality criteria should apply to virgin material and recyclate.

The PPWR also introduces recycled content targets for plastic packaging to lower the demand for virgin plastics. Further details and methodology will be established in the coming years as part of implementing legislation, particularly regarding the definition of recycled content, transparency of claims, and mirroring clauses for recyclate outside the EU. As it stands, the recycled content methodology does not mandate third-party audits for recycled content, meaning that all recycled content claims are for now based on mere industry self-declaration.

Therefore, we call on national decision-makers to:

- Decision-makers should engage in the implementing legislation of the PPWR related to recycling as methodologies regarding recyclability and recycled content are foreseen to be adopted by the end of 2026.
- National 'competent' authorities, the Commission, and all consulted stakeholders should set recyclability criteria to **ensure recyclate is safe and economical**, meaning that it creates demand in a secondary market and leads to a concrete GHG reduction compared to virgin production.
- 'National competent authorities' should closely verify the definition of 'innovative packaging' so that it concerns real novelty developments in packaging material composition. This entails potentially double-checking with other national authorities, verifying patents and existing intellectual property rights, etc.
- **Mandate the use of an independent third-party audit for any recycled content claims** to ensure transparency and trust in claims towards consumers.
- PROs should enhance their EPR schemes to **support efficient and local recycling schemes** by introducing
 - sustainability criteria of recycling technologies and the environmental cost of recycled content;
 - geographic criteria to enhance proximity between the waste produced and where it is recycled.
- Member states should coordinate with other Member States the **checks and controls on imports of recyclates from outside the EU** to ensure that the latter meet the same requirements as the ones produced in the EU.

² Innovative packaging is defined in the PPWR as a form of packaging that is manufactured using new materials, resulting in a significant improvement in the functions of the packaging, such as the containment, protection, handling, or delivery of products, and in overall demonstrable environmental benefits, with the exception of packaging that is the result of modification to existing packaging for the main purpose of improving the presentation of products and marketing;

TIMELINE

DEC 2025

Optional - PFAS ban
Member States can proactively act on the restriction of certain substances of concern

Recycling targets
65% of all packaging placed in the EU market must be recyclable

FEB 2028

Reuse obligation for HORECA (takeaway)
Packaging **empty space** must be reduced to the minimum

2029

Deposit Return Systems (DRS) for plastic bottles and cans

2030

Empty space ratio reduced by 50% for grouped, transport and e-commerce packaging

BANS: Restriction of certain packaging formats

Reuse targets:

- 40% transport packaging
- 10% grouped packaging
- 10% beverage packaging
- 10% non binding reusable packaging at the HORECA (takeaway)
- 10% non binding refill stations for both food and non-food products (RETAIL)

Waste reduction target: 5%

Recycled content targets:

- 30% PET and all plastic beverage bottles
- 10% contact-sensitive
- 35% other plastic

Recycling targets:

- 70% of all packaging placed in the market must be recyclable
- Substances of concern must be identified by means of standardised, open, digital technologies

AUG 2026

PFAS ban
Mandatory report on the presence of substances of concern in packaging and packaging components

FEB 2027

Refill obligation for HORECA
(‘Bring your own container’)

AUG 2028

Harmonised labels enabling the separate collection of materials must be affixed, printed or engraved visibly, legibly and indelibly on all waste receptacles for collection of packaging waste

Q4 2033

Evaluation whether new rules have contributed sufficiently to minimising the presence and concentration of substances of concern

2035

Waste reduction target: 10%

2038

Recyclability: restriction placement of the market of packaging based on recyclability

DRS review: maximisation interoperationality

2040

Reuse targets:

- 70% transport packaging
- 25% grouped packaging
- 40% beverage packaging

Waste reduction target: 15%

Recycled content targets:

- 65% PET
- 25% contact-sensitive
- 65% other plastic

#breakfreefromplastic

The **#breakfreefromplastic** Movement is a global movement envisioning a future free from plastic pollution. Since its launch in 2016, more than 13,000 organizations and individual supporters from across the world have joined the movement to demand massive reductions in single-use plastics and to push for lasting solutions to the plastic pollution crisis.

RETHINK PLASTIC

Rethink Plastic is an alliance of leading European NGOs, with thousands of active groups, supporters and citizens in every EU Member State. We bring together policy and technical expertise from a variety of relevant fields, and work with European policymakers to design and deliver policy solutions for a future that is free from plastic pollution. We are part of the global Break Free From Plastic movement.

Authors:

Chloé Schwizgebel, Fair Resource Foundation
Dorota Napierska, Zero Waste Europe
Larissa Copello, Zero Waste Europe
Lauriane Veillard, Zero Waste Europe
Marco Musso, European Environmental Bureau
Mathias Falkenberg, ECOS
Tatiana Lujan, ClientEarth

Reviewers:

Caroline Will, Rethink Plastic alliance
Ioana Popescu, formerly Rethink Plastic alliance
Justine Maillot, Break Free From Plastic

Design:

Blush Design agency
www.blushcreate.com