

EU PACKAGING & PACKAGING WASTE REGULATION

PPWR

Compliance FAQ

The questions Irish manufacturers, importers and brand owners are actually asking since 12 August 2026 — answered against Regulation (EU) 2025/40, the Commission's guidance, and the Irish position.

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PPWR — Frequently Asked Questions

This guide collects the PPWR questions we are asked most often by Irish manufacturers, importers and brand owners, and answers each one against the official text. It is written for the person who has to produce the documentation, not for the person who has to summarise the policy.

The Regulation has applied since 12 August 2026. The obligation that took effect first is a documentation obligation rather than a materials one — which is why organisations planning for 2030 are frequently non-compliant today.

What this guide covers

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Sources

Answers are grounded in the following, and nothing else.

TAG	SOURCE
REG	Regulation (EU) 2025/40 on packaging and packaging waste — OJ L, 22.1.2025
GUID	Commission Notice — Guidance Document, C(2026) 3702 final, 5 June 2026
FAQ	European Commission DG ENV — PPWR Frequently Asked Questions, 2nd edition, August 2026

IE

Repak PPWR Hub and member guidance; S.I. No. 541 of 2025 (designation of competent authorities)

Important. The Commission Notice and the FAQ are interpretive and are not legally binding; binding interpretation of EU law rests with the Court of Justice of the European Union, and the text of the Regulation prevails over both. Secondary legislation and harmonised standards continue to develop after this edition's date — verify time-sensitive points against the current official text before relying on them. This guide is provided for information only. It is regulatory and technical in nature and does not constitute legal advice.

1 Scope — what counts, and who it reaches

Whether the Regulation touches you at all, and how much of what you ship is in scope.

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
1.1 We only sell in Ireland. Does PPWR apply to us?	Yes. Regulation (EU) 2025/40 applies directly in every Member State, Ireland included, and has done since 12 August 2026. Ireland is the EU market. Selling only domestically changes how many producer registrations you need. It does not change whether the packaging obligations apply.	REG Art. 1, 2	<i>Domestic-only is not a carve-out. It only narrows your EPR footprint.</i>
1.2 We buy our boxes from an Irish packaging supplier. Isn't this their obligation?	Partly, and not the part that matters to you. Your supplier carries obligations for what they place on the market, and they must give you the information you need to demonstrate conformity. But if your name, brand or trademark is on the packaging, you are the manufacturer for PPWR purposes and you draw up and sign the declaration. Your supplier's documentation is an input to your file, not a replacement for it.	REG Art. 3(1), 15	<i>The single most common misreading we encounter. Branding decides it, not who printed the box.</i>
1.3 Are labels, adhesive tape and shrink wrap really packaging?	Yes. Components that perform a packaging function form part of the packaging unit, and Repak's own classification guidance now lists labels and stickers, sealing tape, single-serve capsules and filled sandwich bags as packaging. This is where portfolios grow. Companies that describe themselves as having four packaging types routinely find thirty once components are counted properly.	REG Art. 3(1) (1); Annex I	<i>Count components before you scope anything. It changes the size of the job.</i>
1.4 Does it cover business-to-business and transport packaging, or only consumer packs?	All of it. Sales, grouped and transport packaging are all in scope, and the Regulation applies to B2B supply as much as B2C. Transport packaging is exempt from the harmonised sorting label when that arrives. It is not exempt from the conformity assessment, technical documentation and declaration duties that already apply.	REG Art. 3(1) (5)–(7)	<i>Pallets, collars, strapping and stretch film each need their own assessment.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
1.5 We move components between our own sites. Is that in scope?	It depends on whether the packaging is placed on the market. Movement entirely within your own operations, in your own transport, with no commercial transfer, is generally not placing on the market. Hand it to a third-party carrier, or transfer it to another legal entity in the group, and the position changes. The trigger is the commercial transfer, not the distance travelled.	REG Art. 3(1) (13), (15)	<i>Group structures are where this gets missed. Separate legal entities are separate operators.</i>
1.6 Our goods leave the EU. Do we still have to comply?	If the packaging is placed on the EU market at any point, yes. Goods that only transit the EU towards a non-EU destination, without being released for free circulation and without being placed on the market, fall outside. Importing packaged product into the EU and later exporting it onward does not undo the placing on the market that happened in between.	REG Art. 3(1) (10)	<i>Distance selling is the awkward case — placing on the market can precede release for free circulation.</i>
1.7 What happened to the old packaging rules?	Directive 94/62/EC was generally repealed on 12 August 2026, with a small number of provisions continuing beyond that date. PPWR replaced it with directly applicable rules, which removes the national variation that used to exist between Member States. One practical consequence catches people: EN 13428 no longer confers a presumption of conformity. If your minimisation evidence rests on that standard, you have a gap that predates any review you have carried out.	REG Art. 10, 67	<i>Check what your existing packaging file actually cites before assuming it still works.</i>

2 Roles — who carries which obligation

Manufacturer, producer, importer, distributor. One company often holds several at once.

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
2.1 We put our brand on a standard off-the-shelf box. Does that make us the manufacturer?	Yes. The manufacturer is the operator placing packaging on the market under its own name or trademark, regardless of who physically produced it. Choosing a catalogue item rather than a bespoke one does not change that if you brand it. For packaging carrying no name or trademark at all, the decisive question is who ordered it and set the design specification — not who ran the press.	REG Art. 3(1)(13), 15	<i>There is only one manufacturer per packaging unit in the EU supply chain.</i>
2.2 What is the difference between the manufacturer and the producer?	They are different roles doing different jobs, and they are frequently different companies. The manufacturer handles product-compliance duties: conformity assessment, technical documentation, the declaration, marking and retention. The producer is whoever first makes packaging available in a given Member State and carries extended producer responsibility there — registration, reporting and fees, which in Ireland run through Repak. Conflating the two is the most expensive mistake available here, because a company can discharge its Repak obligations perfectly and still have no declaration for a single packaging type.	REG Art. 3(1)(13), (15); 15, 44	<i>Repak membership and a signed DoC are unrelated obligations. Holding one proves nothing about the other.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
2.3 We import packaged goods from outside the EU. What do we need to hold?	As an EU-established importer you verify that the third-country manufacturer carried out the conformity assessment and drew up the declaration, you keep a copy, you ensure the required marking is present, and you add your own name, trademark and contact details. You must be able to produce the documentation on a reasoned request within ten days. That obligation applies to plain, unbranded imported material too — the absence of branding does not remove it.	REG Art. 18	<i>Verification is an active duty. Holding an unread PDF is not verification.</i>
2.4 We only distribute. What do we actually have to do?	Verify before you supply: that the required marking is present, and that the manufacturer or importer upstream has met their obligations. Distributors carry a due-care duty rather than a documentation-building one. Be aware of how easily that changes. Put the goods under your own brand, or modify the packaging in a way that affects conformity, and full manufacturer obligations transfer to you.	REG Art. 19, 21	<i>Own-label is the line. Cross it and the whole file becomes yours.</i>
2.5 We unpack goods and repack them. Does that change our position?	Yes, in two directions at once. Repacking into your own packaging makes you the manufacturer of that packaging, with the full conformity, documentation, declaration and marking duties attached from the moment you place it on the market. It can also make you the producer of that transport packaging for EPR purposes. Reusing a supplier's inbound carton to ship your own product outward is placing that packaging on the market.	REG Art. 3(1)(13), (15); 21	<i>Reusing inbound cartons for outbound shipping is far more common than it is documented.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
2.6 We are a micro-enterprise. Are we exempt?	There is an exemption from the conformity assessment, technical documentation and declaration obligations for micro-enterprises, but it is narrower than it first appears and we would not advise relying on it without checking it against the text for your specific case. It is conditional — it turns on the packaging being manufactured or developed by a supplier established in the same Member State, in which case that supplier takes the producer role. And it does not reach extended producer responsibility at all: registration and reporting obligations are unaffected.	REG Art. 38; Commission Recommendation 2003/361/EC	<i>Under 10 staff and under €2m turnover is the threshold. Meeting it is not the end of the test.</i>
2.7 Can we appoint someone else to do this for us?	Some of it. The conformity assessment can be carried out on your behalf, and a declaration can be drawn up by an authorised representative under a written mandate. The technical documentation is not delegable in the same way, and legal responsibility does not transfer by contract. Whoever prepares the paperwork, the operator whose name is on the packaging answers for it.	REG Art. 15, 17	<i>Ninety8 Compliance prepares the file and the declaration. Your authorised signatory signs it.</i>

3 Substances of concern

What applied on 12 August 2026, and what evidence actually discharges it.

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
3.1 What substance limits took effect on 12 August 2026?	Lead, cadmium, mercury and hexavalent chromium are limited to 100 mg/kg as a combined sum, and that limit applies to all packaging. Packaging intended for food contact is additionally subject to limits on per- and polyfluoroalkyl substances. Both applied on the general application date with no transition period and no stock-exhaustion allowance. Underneath the numbers sits a general duty to minimise the presence and concentration of substances of concern in packaging, which is not limited to the substances that carry a figure.	REG Art. 5	<i>The minimisation duty is broader than the limits. It is the part most often overlooked.</i>
3.2 Our packaging is not food-contact. Does Article 5 still apply?	Yes. The PFAS limits are specific to food-contact applications, but the heavy-metals sum limit applies to all packaging, including paper and board, and the general minimisation duty applies across every material and component. A company with no food contact, no PFAS exposure and no obvious heavy-metals risk still has an evidence obligation — and still needs a technical file and a declaration.	REG Art. 5(4), (5)	<i>Low risk is not the same as no obligation. It usually means a shorter file, not no file.</i>
3.3 Our supplier says the material is compliant. Is that enough?	Usually not. A statement that material is compliant, with no substance named and no concentration given, does not evidence anything and will not survive a request. What supports a file is a declaration that identifies the substances in question and states actual concentrations against the applicable limits, covering every component and material in the packaging unit. Suppliers of packaging materials and components are obliged to give you the information you need — it is a legal duty on them, not a commercial favour.	REG Art. 16; Annex VII	<i>If a supplier stalls, that is your first lever. Cite the obligation.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
3.4 Do we have to test?	Not necessarily. Supplier declarations and existing test data can support the file where they state actual concentrations and cover the materials involved. Testing is the fallback for where the supply chain cannot evidence the position. Food-contact PFAS is where that fallback is most often reached, and it is worth noting that no harmonised EU test method is yet in place for verifying PFAS in food-contact packaging. That leaves the conformity decision resting on supplier evidence and documented reasoning, which makes the quality of that reasoning matter a great deal.	REG Art. 5(5); Annex VII	<i>Where you cannot test to a harmonised method, document how you concluded. That is the defence.</i>
3.5 What if recycled content pushes us over the heavy-metals limit?	There is a derogation for glass packaging where an exceedance arises from the use of recycled content and no heavy metals were intentionally introduced during manufacture. It has to be evidenced rather than asserted. The file needs to show where the material came from and why the exceedance is attributable to recycled input rather than to the process.	REG Art. 5(4)	<i>The derogation is narrow and specific. Do not read it across to other materials.</i>

4 Declaration of conformity and the technical file

The obligation that landed first, and the one most organisations have not met.

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
4.1 What is a PPWR declaration, and how is it different from our CE declaration?	They are separate documents supported by separate files. Your CE declaration covers the product against the product legislation applying to it. The PPWR declaration covers the packaging against Regulation (EU) 2025/40. A single packaged product can require both. Holding one has no bearing on the other, and a great many manufacturers with immaculate CE files have no packaging file at all.	REG Art. 39; Annex VIII	<i>Different obligation, different file, different signature.</i>
4.2 How many declarations do we need?	One per distinct packaging type. A single declaration covering a varied portfolio does not meet the requirement. For most SMEs the honest answer is more than they expect, because the count runs on packaging types rather than product lines, and components count.	REG Art. 39	<i>Establish the inventory before estimating effort. Everything scales from it.</i>
4.3 Can we group packaging types together?	Where packaging is genuinely identical in materials and construction, grouping is defensible. Where it differs in any respect bearing on the requirements being declared, it is not. The test is whether you could explain the grouping to a market surveillance officer. If the rationale is that it saves paperwork, it will not hold. Write the rationale into the file at the time you make the decision, not afterwards.	REG Art. 39; Annex VIII	<i>Grouping is a documented judgement, not an administrative convenience.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
4.4 Who signs it, and what are they taking on?	A named person with a stated function, signing on behalf of the manufacturer, under the manufacturer's sole responsibility. Conformity is assessed by internal production control, which means no notified body is involved in the ordinary case and no third party stands behind the assessment. The signatory carries it. That is the reason the signature stays inside your organisation.	REG Art. 38, 39; Annex VII	<i>Internal production control places the assessment and the liability in the same place.</i>
4.5 What has to be in the technical file?	A general description of the packaging and its intended use; design and construction detail at component level, including layers; material composition for every component; the standards or technical specifications applied; the assessments required in relation to recyclability, minimisation and reuse; the recycled content calculation; and the evidence relating to restricted substances. The declaration is only as strong as this file. A signed declaration with nothing behind it is worse than no declaration, because it is a documented assertion you cannot support.	REG Annex VII	<i>Build the file first. The declaration is the last page, not the first.</i>
4.6 Do we file it with anyone?	No. There is no submission, no portal and no approval. You hold the declaration and the file, and you produce them on a reasoned request from a market surveillance authority within ten days. There is no duty to notify authorities proactively in every Member State where your packaging goes. The duty runs the other way — they contact you.	REG Art. 15	<i>Ten days is short if the file does not exist yet. That is the entire practical risk.</i>
4.7 How long do we keep it?	Five years for single-use packaging and ten years for reusable packaging, from the date the packaging was placed on the market. That retention period needs a retrieval process behind it. A file that exists somewhere but cannot be found inside ten days does not discharge the obligation.	REG Art. 15, 38	<i>Retention and retrieval are different problems. Solve both.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
4.8 Our supplier gave us a compliance certificate. Is that our declaration?	No. A declaration identifies a specific packaging type, declares conformity against the specific requirements, carries a unique identification number and is signed under the declaring party's sole responsibility. A general certificate from a supplier meets none of those tests. It may be useful evidence inside your file. It is not the document the Regulation requires you to hold.	REG Art. 39; Annex VIII	<i>If it does not name your packaging and carry your signature, it is not your declaration.</i>

5 Marking, enforcement, and the Irish position

What goes on the pack, who asks about it in Ireland, and what is still to come.

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
5.1 What has to appear on the packaging now?	Two duties applied on 12 August 2026: identification of the packaging by type, batch or serial number, and the manufacturer's name or registered trademark together with a contact postal address. Both may be carried by a QR code or other data carrier rather than printed directly, and where size or the nature of the packaging does not allow on-pack marking, an accompanying document can carry the information.	REG Art. 15(5), (6)	<i>This is the opposite of the common assumption. Identification landed in 2026, not 2028.</i>
5.2 Is the recycling sorting label required yet?	Not yet. The harmonised material-composition sorting label follows later and depends on implementing acts. Transport packaging is exempt from it when it does arrive. Separately, Repak ceases Green Dot licensor status at the end of 2026, so the mark should come off at your next planned artwork revision rather than in a dedicated redesign.	REG Art. 12	<i>Bundle artwork changes. Doing them one obligation at a time is how packaging budgets disappear.</i>
5.3 What about stock we produced before the deadline?	Packaging lawfully placed on the market before 12 August 2026 may remain there and need not be withdrawn, reworked or relabelled. For stock produced but not yet placed on the market, the required identification information may be given in an accompanying document rather than by destroying or re-labelling the units. The protection attaches to existing units, not to the design — anything produced to that design after the date must comply.	REG Art. 3(1) (10), 15(5), (6)	<i>Existing units are protected. The design is not.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
5.4 Who enforces this in Ireland?	Enforcement runs through national market surveillance under the EU's horizontal market surveillance framework, with the Irish competent authorities designated by statutory instrument. Policy sits with the responsible Government department. Penalties are set nationally and must be effective, proportionate and dissuasive. We would rather you planned around the commercial exposure than around a fine: non-compliant packaging cannot lawfully be placed on the market, and authorities can require withdrawal and prohibit further supply.	REG Art. 15, 58–62; Reg (EU) 2019/1020; S.I. No. 541 of 2025	<i>Market access is the real exposure. The fine is rarely the thing that hurts.</i>
5.5 We are Repak members. Does that cover us?	No, and this is worth being precise about. Repak operates Ireland's approved packaging EPR scheme and discharges your producer responsibility obligations — registration, reporting and fees. They publish substantial PPWR guidance, classification tools and a declaration guide for members. What none of that does is produce your declaration or build your technical file. Repak's own member guidance sets out the actions required — supplier engagement, declarations, technical documentation, risk assessment and periodic testing — and those remain yours to carry out.	REG Art. 44; Repak PPWR Hub	<i>Excellent guidance is not the same as a completed file. The work stays with the operator.</i>
5.6 What actually happens in an inspection?	A reasoned request for the declaration and the technical documentation for identified packaging, answerable within ten days. The Commission's guidance indicates that authorities are expected to lead with awareness-raising, requests for information and requests for corrective action within a reasonable timeline, rather than with sanctions. That is a posture, not a grace period, and it does not help an operator who cannot produce anything at all.	REG Art. 15(10), 62; Reg (EU) 2019/1020	<i>Having a documented remediation plan in progress is materially better than having nothing.</i>

QUESTION	ANSWER	REFERENCE	PRACTITIONER NOTE
5.7 What is still to come?	Harmonised standards for the minimisation methodology are to be requested from February 2027. Implementing acts establishing the empty-space calculation methodology are due by February 2028, and sales packaging empty space must be reduced to the minimum necessary from that point. Harmonised labelling follows from August 2028, subject to implementing acts. From January 2030 the design-for-recycling grades bite with a Class C floor, recycled content targets apply, format restrictions and reuse targets arrive, and the fifty per cent empty-space cap applies to grouped, transport and e-commerce packaging — or three years after the methodology is adopted, whichever is later.	REG Art. 6, 7, 10, 12, 24	<i>The 40% empty-space figure still in circulation comes from an earlier draft. The final cap is 50%.</i>
5.8 Is a delay realistic?	There is no basis in the official sources to expect one. The Regulation is in force, the Commission's guidance treats the application date as firm, and the second-edition FAQ published shortly before that date addresses enforcement after application rather than any postponement. The authorised representative suspension proposed in the December 2025 Environmental Omnibus stalled when the Council dropped the relevant provisions from its negotiating mandate in June 2026. The prudent position is that the obligation applies.	GUID; FAQ 2nd ed.	<i>Plan for the rules as they stand. Nothing in the official record supports waiting.</i>

References

1. **Regulation (EU) 2025/40** of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC. OJ L, 22.1.2025.
2. **European Commission Notice** — Guidance Document for Regulation (EU) 2025/40, C(2026) 3702 final, 5 June 2026.
3. **European Commission, DG Environment** — Packaging and Packaging Waste Regulation: Frequently Asked Questions, 2nd edition, August 2026.
4. **Regulation (EU) 2019/1020** on market surveillance and compliance of products.
5. **S.I. No. 541 of 2025** — European Union (Packaging and Packaging Waste) (Designation of Competent Authorities) Regulations 2025.
6. **Repak** — PPWR Hub, Declaration of Conformity Guide and packaging classification guidance.

Where this usually starts

A PPWR Position Review establishes every role you hold, builds the packaging inventory, assesses each type against the obligations in force and returns a prioritised gap register with an owner and a date against each item. It is fixed-fee and delivered remotely.

Scoping call, thirty minutes, no charge.

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