

Complex rules, clear solutions: Your packaging compliance from a single source:

The new EU Packaging Regulation



The new [Regulation \(EU\) 2025/40](#) ("PPWR" – Packaging and Packaging Waste Regulation) sets new standards. The PPWR not only replaces [Directive 94/62/EG](#) ("Packaging Directive"), but also its German national implementation by the Packaging Act ("VerpackG"). While the PPWR has been in force since February 11, 2025, the obligations are gradually being tightened.

The first PPWR obligations will apply from August 12, 2026; further obligations following in 2027. For this reason, it is particularly important for affected economic operators to act in time in order to remain competitive in the future. Compliance is not an option but a prerequisite for market access ("no compliance, no market").

Are you affected?

The PPWR covers all packaging, regardless of the materials used, and affects all economic operators, i.e.:

- Manufacturer
- Supplier
- Importer
- Distributor and Final Distributor
- Authorised representative
- Fulfillment service provider

What are the consequences of non-compliance?

- Market access restrictions
- Withdrawal from the market and recall of packaging
- National sanctions (up to EUR 200,000 per infringement, cf. Section 66 (3) of the German federal government's draft bill on the Packaging Act Implementation Act of February 13, 2026)
- Civil law claims by business partners due to defective delivery

Which packaging is affected?

Packaging used for the protection, handling, delivery, or presentation of products is affected, e.g.:

- Sales packaging
- Transport packaging
- Grouped packaging

How can we support you?

- Gap-analysis by reviewing existing contracts and packaging for PPWR compliance
- Training for employees on PPWR obligations
- Adapting existing contracts by clearly allocating obligations and liability provisions in the event of non-compliance
- Implementation of legally compliant processes and documentation structures to fulfill documentation obligations
- Support in communicating with authorities

What requirements will apply from August 12, 2026 and beyond (phased in; see next page), and who will be affected?

<p>Manufacturer</p>	<ul style="list-style-type: none"> ■ Responsibility for the entire life cycle of their packaging ■ Carrying out conformity assessments ■ Issuing the EU-Declaration of Conformity ■ Affixing the identification mark (type, batch, or serial number) ■ Affixing the manufacturer identification (name, registered trade name/registered trademark, postal address, and, where available, the electronic means of communication) ■ Preparation and storage of technical documentation and conformity assessment
<p>Importers</p>	<ul style="list-style-type: none"> ■ Ensuring compliance by manufacturers, e.g., that: <ul style="list-style-type: none"> - The Conformity assessment has been carried out - The Technical documentation has been prepared - The required markings have been affixed In addition: <ul style="list-style-type: none"> ■ Affixing their own identification (name, registered trade name/registered trademark, postal address, and, if applicable, the electronic means of communication) ■ Ensuring storage and transport conditions ■ Due diligence in the supply chain ■ "Taking" corrective measures
<p>Distributors</p>	<ul style="list-style-type: none"> ■ Ensuring that packaging complies with the PPWR ■ Ensuring storage and transport conditions
<p>Fulfillment service providers</p>	<ul style="list-style-type: none"> ■ Ensure that handling, storage, and shipping processes do not compromise PPWR regulations
<p>Supplier</p>	<ul style="list-style-type: none"> ■ Making available the documentation required to demonstrate conformity
<p>Producer</p>	<p>EPR obligations</p> <ul style="list-style-type: none"> ■ Registration with the Central Agency Packaging Register (ZSVR) ■ Coverage of cost, including for labeling waste receptacles and collection and discarding of packaging waste ■ Provision of information (including on packaging categories and the mass of packaging provided)

When do the other obligations apply?



Roadmap to packaging compliance:

A. Reviewing the status quo

- Role mapping: Clarify the role(s) in the supply chain or distribution chain (Manufacturer, supplier, importer, distributor, authorized representative, end distributor, fulfillment service provider, manufacturer)
- Packaging inventory: Formats, categories, types, materials, labeling, e-commerce packaging, empty space ratio
- Gap analysis: Material specifications, reuse, new obligations & contractual risks
- Packaging compliance data sheet: Establishment of a central database

B. Identify obligations for each group of economic operator

- Manufacturer: Compliance & conformity assessment, technical documentation, EU-Declaration of Conformity
- Suppliers: Provision of all required documentation & support for the manufacturer
- Importers: Only import compliant packaging; ensure labeling of the packaging & reporting
- Distributors/end distributors: Verification of the producer registration; support take-back/deposit systems
- Authorised representatives: Assume defined manufacturer obligations
- Fulfillment service providers: Verification of submitted compliance information; suspension of service where necessary
- Producer (additional): EU registration, extended producer responsibility (EPR)

C. Implementing obligations in practice

- Compliance processes: Internal production control, technical documentation, testing – no launch without packaging approval
- Design requirements: From 2030, „design for recycling“; minimisation of weight/volume; from 2035 „Recycled at Scale“
- Documentation: Materials, design criteria, recyclability, test reports, EU-Declaration of Conformity, NO CE marking
- Reporting: Annual reports on re-use and recycling targets
- EPR strategy: Manufacturer ID, registration, organizational model, fee modulation

D. Manage contracts in the supply chain

- Clearly allocate responsibilities: conformity information, substance restrictions, recycling quotas, deposit systems
- Monitoring & updates: Regular review, adaptation to new legislation
- Take-back/pool systems: Competition-compliant design & data management

E. Continuous compliance checks

- Regulatory monitoring: Adaptation to new delegated legislation
- Training & communication: Regular training
- Keeping documentation up to date: Preparation for market surveillance & audits
- Early warning systems: Identifying risks early and taking countermeasures

E. Dealing with compliance issues

- Monitoring: Internal monitoring and audits (Product crisis team: Defining and filling positions, vacation cover
- Remedial measures: Corrections, recall, informing authorities
- Documentation: Clear evidence of all steps and measures

Your practice group for commercial and distribution law – strengthening your value chain: from contracts and supply chain to product compliance, all from a single source.



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