

Non-paper of the Czech Republic, ...

Targeted postponement and clarification of certain obligations under the Packaging and Packaging Waste Regulation

The Packaging and Packaging Waste Regulation (PPWR), adopted in 2025, which is to be applicable already from the 12th of August 2026, introduces a highly ambitious and complex set of new obligations for economic operators in all sectors of the EU economy and for Member States as well. These new complex obligations represent an enormous challenge, particularly for small and medium-sized EU enterprises (SMEs), which represent the backbone of the EU economy. Moreover, effective application of the Regulation depends to a large extent on delegated and implementing acts that have not yet been adopted. As a result, several key obligations remain insufficiently defined, while compliance will require substantial investments and significant adjustments across supply chains, as well as EU-wide aligned implementation. The Impact Assessment produced by the Commission has put implementation costs at EUR 38.7 billion, which will have an impact on packaging production costs and subsequently on consumer prices.

In its current form, the PPWR creates considerable legal and investment uncertainty and risks generating very high compliance costs without sufficient assurance that the measures will deliver the intended environmental benefits. Requiring compliance with key obligations in the absence of the necessary secondary legislation and enforcement tools is neither realistic nor responsible. At present, three specific areas raise particularly acute implementation challenges and therefore justify a limited and targeted adjustment of the timeline.

This non-paper therefore puts forward two closely linked requests:

- **a targeted postponement of the application of the PPWR packaging labelling obligations, recyclability requirements and PFAS compliance testing requirements until at least 31 December 2028; and**
- **a clear commitment by the Commission to clarify, prioritise and accelerate the preparation and adoption of the relevant delegated and implementing acts.**

These two elements are inseparable and are necessary to ensure legal certainty, avoid unnecessary costs and enable harmonised implementation across the Union. The additional time provided by a limited postponement should be used to finalise secondary legislation and clarify the applicable obligations.

1) Labelling obligations

The PPWR foresees multiple changes to packaging labelling between 2026 and 2028, while harmonised EU labelling rules have not yet been adopted. This creates a high risk that manufacturers will be required to relabel packaging several times within a short period, instead of carrying out a single, harmonised transition.

According to the Commission's Impact Assessment, a single EU-wide relabelling exercise would cost approximately EUR 18 billion. Repetition of this process due to delayed secondary legislation would substantially increase compliance costs without delivering additional environmental benefits. Postponing the application of labelling

obligations until all relevant rules are known would allow for a single, coherent transition and prevent unnecessary expenditure, with no adverse environmental impact and only marginal relevance for consumers.

2) Recyclability requirements

The PPWR introduces, in Article 6, new ambitious requirements on the recyclability of packaging. According to the Commission's guidance document, recyclability requirements apply from the 12th of August 2026 by reference to European Norm EN 13430, i.e. in a way similar, but not identical, to the current directive. This gives businesses very little time to adapt their packaging and could lead to a situation where a wide range of products will not be able to be placed on the EU market due to the recyclability obligations.

Even if producers are able to fulfil the obligations of EN 13430, they would be required to change packaging again in 2028 or 2029, when the Commission issues a delegated act on criteria for recyclability, which would involve significant costs.

3) PFAS testing in packaging

The PPWR introduces restrictions on per- and polyfluoroalkyl substances (PFAS) in packaging from August 2026. However, no harmonised EU testing methodologies are currently available, and Union-wide PFAS restrictions under REACH are under preparation according to a different regulatory timeline.

In the absence of harmonised methods, companies risk undertaking testing that may later not be recognised for compliance purposes, resulting in potentially very significant additional costs. Given the scale of the EU packaging market, such costs could amount to several billions of euros (EUR 9–18 billion). Postponing the obligation to demonstrate PFAS compliance until harmonised methodologies and sufficient laboratory capacity are available would prevent unnecessary costs, while fully preserving environmental and health objectives.

4) Secondary legislation

In parallel, the undersigned Member States call on the European Commission to provide a clear and consolidated timetable for the preparation and adoption of all delegated and implementing acts under the PPWR, to prioritise and accelerate those acts essential for legal certainty, enforcement and investment planning, and to ensure early and effective involvement of Member States and stakeholders. Timely clarification and adoption of secondary legislation is a prerequisite for technically feasible, legally robust and uniformly applicable implementation of the PPWR, as well as for achieving its environmental objectives in a cost-effective and credible manner while preserving a level playing field in the internal market.

Conclusion

The new requirements affect not only Member State administrations but also hundreds of thousands of businesses, predominantly micro, small and medium-sized enterprises, for which legal clarity and certainty are indispensable. The absence of essential delegated and implementing acts makes it impossible to apply certain key obligations of the PPWR at the currently envisaged pace without risking serious disruption to the single market.

The undersigned Member States therefore call for a **targeted postponement of the PPWR packaging labelling obligations, recyclability requirements and PFAS compliance testing requirements for packaging from the 12th of August 2026 until at least 31 December 2028, coupled with a clear commitment by the Commission to clarify, prioritise and accelerate the preparation and adoption of the relevant secondary legislation.** This limited adjustment would not undermine the objectives of the PPWR at all, but would instead support their effective, proportionate and credible achievement.

At the same time, an open and fact-based discussion on PPWR implementation needs to be conducted, and the Commission should act accordingly, if necessary.