

EU rules on recycled plastic used in food packaging: updates and clarifications

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[Draft](#) Commission Regulation amending Regulation (EU) 2022/1616 as regards the management of the Union register, compliance documentation, test methods, and documents to be presented upon release for free circulation

[Draft Annex](#)

What is changing and why?

The European Commission proposes to update the European Union (EU) rules on recycled plastic used in food packaging (Regulation [2022/1616](#)). These rules have applied since 2022, and also affect non-EU exporters selling food products in the EU.

The main goal of the proposal is to improve clarity, strengthen traceability, and make controls easier for authorities and businesses.

Registration of recycling installations

The proposal requires recycling installations, including those outside the EU, to update their registration status more regularly in the [EU Register of Recycling facilities](#). It also introduces new registration status, especially for plastic decontamination installations.

Declarations of compliance

The proposal introduces new declarations of compliance across the supply chain to help trace recycled plastic from the original waste material to the final packaging. More businesses handling recycled plastic would need to provide documents showing that materials meet EU rules.

Regulation [2022/1616](#) currently requires two different compliance declarations:

- Declaration A (template in Annex III, Part A) issued by plastic recyclers, who are responsible for the plastic decontamination process to make it fit for use with food (proposed new Art. 29(2))
- Declaration B (template in Annex III, Part B) issued by plastic converters, who are (partly) transforming decontaminated recycled plastic (proposed new Art. 29(3)).

The proposed rules require two new declarations of compliance from other operators:

- Declaration P (template in Annex III, Part P) issued by operators at all pre-processing stages that produce recycled plastic input; the recycled plastic batches should be labelled with a batch number to facilitate their identification (proposed new Arts. 7(1) and 29(1))
- Declaration C (template in Annex III, Part C) – a simplified declaration without new batch numbers – issued by operators that either have received a Declaration A or B from their supplier, or have processed recycled plastic in such a way that they had to issue a Declaration A or B themselves (proposed new Art. 29(4)).

Batch numbers

Under the proposal, where the composition of recycled plastic is not further modified, the declaration of compliance does not have to include the recycled plastic batch numbers. The declarations of compliance received from plastic recyclers and converters are sufficient.

Recycled plastic products imported to the EU

Under the proposal, EU customs authorities may require declarations of compliance when imported recycled plastic products enter the EU. New customs codes are proposed for recycled plastics used in kitchenware and tableware, and for polyethylene terephthalate (PET) – including if part of multi-layer materials (but not required for packed food, or appliances and food processing equipment, even if packed in or manufactured from PET).

Reprocessing of offcuts and scraps

The proposal would also clearly allow the reuse of plastic offcuts and scraps under existing EU food contact material rules (Regulation [10/2011](#)).

New electronic registration system

The European Commission plans a new electronic registration system to help businesses and competent authorities accessing this information to update information more easily.

New pre-processed plastic input specifications

New technical specifications are proposed for pre-processed plastic inputs to improve quality and consistency.

Actions

Competent authorities of countries that are members of the World Trade Organization can submit comments on the EU's proposal by emailing the:

- EU SPS Enquiry Point until 14 June 2026

- EU TBT Enquiry Point until 15 June 2026

Timeline

The Regulation is expected to be published in the third quarter of 2026.

Products already compliant with Regulation 2022/1616 and accompanied by Declarations A or B may continue to be placed on the EU market for 3 months after the new rules start to apply.

Products that will require the new Declarations C or P may be placed on the EU market without those declarations for 6 months after the new rules start to apply.

Any recycled plastic materials and articles made from products placed on the market during these transition periods may continue to be sold until stocks are exhausted. (For example, “food materials” include plastic wrap, and “food articles” include plastic kitchenware.)

For more information see the [full record](#) on the AGRINFO website – where you can also view the latest [AGRINFO Update](#) newsletters and [search](#) the database.

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