

Review of packaging and packaging waste rules

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EU publishes new packaging rules

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

Update

New rules on packaging and packaging waste, including design and waste management, are set by the Packaging and Packaging Waste Regulation [2025/40](#). This new Regulation aims to increase the reuse and recycling of packaging materials. The new rules mean stricter sustainability requirements on all food packaging, which will also apply to suppliers of packaged food to the EU market who are based outside the European Union.

- All packaging must be recyclable. Plastic packaging must contain minimum amounts of recycled plastic, packaging must be minimised, and contaminants must be reduced. Producers of recycled plastic in non-EU countries must produce it in a way that is equivalent to EU standards on collection of plastic and environmental emissions.
- There will be new limits on concentrations of substances of concern, including polyfluorinated alkyl substances (PFAS) in packaging.
- Documentation demonstrating compliance with new requirements must be passed along the supply chain.
- Certain packaging materials will be banned, including single use plastic packaging for quantities of fresh fruit and vegetables <1.5 kg. All sticky labels attached to fruit and vegetables will have to be compostable.

These rules apply from different dates (see Table 3).

What is changing?

Scope

The new Regulation establishes rules for all packaging and packaging waste made of any material. This includes the types of packaging described by Art. 3 of the new Regulation:

- primary production packaging: packaging for unprocessed products

- sales packaging: packaging of goods sold to the final consumer
- grouped packaging: packaging that groups a number of products (for convenience) at the point of sale
- transport packaging: packaging that facilitates the handling and transport of products, including e-commerce packaging, but not including road, rail, ship, or air containers
- disposable tea, coffee, or other beverage bags or single-serve units.

The Regulation also establishes comprehensive rules on waste management at the level of EU Member States, prevention of packaging waste, and promotion of reusable packaging on a global scale.

This AGRINFO report focuses on aspects of the Regulation most relevant to non-EU suppliers.

Key obligations for packaged food from non-EU countries

Under the new Regulation (Art. 18), packaging and packaged food exported from non-EU countries to the EU must:

- comply with the sustainability requirements set out in Arts. 5–12
- have undergone a conformity assessment
- be correctly labelled
- be accompanied by the correct documentation
- be correctly identified.

The Regulation (Art. 25) also forbids the use of plastic packaging (for example, nets, bags, trays, containers) for quantities of fresh fruit and vegetables below 1.5 kg.

Sustainability requirements

Under the new rules, all prepackaged food imported into the EU will have to fulfil the sustainability requirements set out in Arts. 5–11, including the following.

Substances of concern (Art. 5):

- The presence of substances of concern in packaging must be minimised. The sum of concentration levels of lead, cadmium, mercury, and hexavalent chromium must not exceed 100 mg/kg (currently a requirement under Directive 94/62/EC).
- From 12 August 2026, food contact packaging must not contain concentrations of PFAS higher than the levels shown in Table 1.

Recyclable packaging (Art. 6):

- From 1 January 2030, packaging must be recyclable so as to be used again as a raw material.

- Packaging will be graded according to its recyclability performances: Grade A 95% recyclability; Grade B 80%; Grade C 70% (Annex II of the new Regulation, Table 3).
 - From 1 January 2030, packaging with less than 70% recyclability cannot be put on the market.
 - From 1 January 2038, packaging will have to meet Grade A or B to be placed on the market.
 - By 2028, the European Commission will adopt detailed rules on recycling criteria and recyclability performance grades for each type of packaging material, and on how to how to perform recyclability performance assessment.

Minimum recycled content (Art. 7):

By 2030, plastic packaging must contain at least the minimum percentage of recycled plastic per unit of packaging, as shown in Table 2. More ambitious targets are set for 2040. The percentage targets do not apply to food packaging if the amount of recycled content would pose a threat to human health. The Commission will indicate a methodology to calculate the amount of recycled content, and will set further rules on this. The plastic waste used in non-EU countries to make recycled plastic must be collected in a way that is equivalent to the standards for separate collection set out in the Single Use Plastics Directive ([2019/904](#)) and Waste Directive ([2008/98/EC](#)). Emissions into air, water, and land from installations that recycle plastics in non-EU countries must meet performance levels equivalent to those established in the Industrial Emissions Directive ([2010/75/EU](#)). From 31 December 2026, the Commission will develop a methodology for assessing and auditing the equivalence of recycling practices in non-EU countries.

Compostable packaging (Art. 9):

From 12 February 2028, tea, coffee, and related beverage bags that are designed for single use, and sticky labels attached to fruit and vegetables, must be compostable in line with standards set by bio-waste treatment facilities. European standardisation organisations will provide the technical specifications for compostable packaging.

Packaging minimisation (Art. 10):

From 1 January 2030, packaging must be reduced to the minimum volume/weight needed to ensure its functionality. Unnecessary layers of packaging must be avoided.

Conformity assessment

Packaging manufacturers must complete an internal control procedure to ensure that all the sustainability requirements are met (Art. 38 and Annex VII). Packaging manufacturers must provide technical documentation to demonstrate conformity with the requirements, including an analysis of the risk of non-conformity, and draw up a declaration of conformity (Art. 39 model declaration in Annex VIII). Suppliers of packaging components have to provide the information and documentation necessary for the manufacturer to prove the conformity of the packaging and the packaging materials (Art. 16). This information must be passed along the supply chain.

Labelling (Art. 12):

From 12 August 2028, the following must be included on packaging:

- a harmonised label based on pictograms providing information on the composition of packaging material to help consumers to sort recyclable materials (information on the destination of each separate component of the packaging can be provided through QR codes); this obligation applies to all types of packaging (including e-commerce packaging), with the exception of transport packaging
- for compostable packaging, a label that indicates if the packaging is not suitable for home composting and should not be discarded in nature
- for plastic packaging with minimum recycled content, a label with information on the proportion of recycled content and, where applicable, a QR code
- for reusable packaging (from 12 February 2029), a label showing its reusability (QR codes can be added to provide more information on reusability and collection points).

Environmental claims added on packaging have to comply with the rules set in Art. 14.

The Commission will adopt further rules on specifications for labelling, including harmonised labels to be used, and methodologies.

Documentation (Art. 15):

Before placing packaging on the market, packaging manufacturers have to:

- assess the conformity of their packaging with EU rules (procedure in Art. 38)
- prepare an EU declaration of conformity (Art. 39 and Annex VIII)
- prepare technical documentation (Annex VII) with the following information:
 - general description of the packaging and intended use
 - design and manufacturing drawings and materials of components
 - descriptions and explanations necessary to understand the drawings, schemes, and operation of the packaging
 - list of relevant technical standards applied

- description of how assessments have been carried out for packaging recyclability, minimisation, and reusability
- test reports
- indicate on the packaging (or on a QR code) the manufacturer's (registered) name or trademark and postal address.

Packaging manufacturers must keep the technical documentation and declaration of conformity for a minimum of 5 years (single use) and 10 years (reusable) from the date when the packaging was placed on the EU market. This documentation must be passed along the supply chain and can be requested by EU Member State control authorities.

Identification (Art. 18):

Manufacturers must clearly indicate on the packaging (or via a QR code or other data carrier) their name, registered trade name or trade mark, postal address, and (where available) electronic contact address.

Restricted packaging formats (Art. 25):

Some uses of packaging will not be permitted from 2030 (Annex V). This includes a ban on single use plastic packaging for quantities of fresh fruit and vegetables <1.5 kg, such as nets, bags, trays, and containers.

The Commission will provide guidelines about the types of packaging not allowed (listed in Annex V) and a non-exhaustive list of exceptions for packaging of specific fruit and vegetables <1.5 kg.

Extended producer responsibility (Art. 45):

Non-EU producers of packaging that is imported into the EU have to appoint an authorised representative that will carry extended producer responsibility in the EU Member State where the packaging or packaged products is made available for the first time in the EU. Some EU Member States can request non-EU producers of packaging to appoint an authorised representative when making packaging or packaged products available on their territory for the first time (even if it had already been placed on the EU market in different Member States).

Why?

Packaging is one of the main users of virgin materials and is a significant contributor to waste. Increased use of packaging in recent years has contributed to CO₂ emissions, biodiversity loss, and pollution. The share of recycled packaging has grown significantly since 2012, but much recyclable packaging is not recycled in practice because suitable collection and recycling processes are not in place, or are not economically viable. This Regulation is part of the [European Green Deal](#) agenda, which aims to cut greenhouse gas emissions while supporting economic growth.

The European Commission proposed this Regulation because Member States have implemented packaging Directive 94/64/EEC in different ways, particularly in response to the challenge of plastic packaging. Diverging rules complicate the operation within the EU, and potentially damage EU efforts to improve packaging and tackle waste. The European Court of Justice found that certain Member States had failed to comply with various obligations of the Directive ([EPRS 2022](#)). The Commission anticipates that the new rules will reduce administrative burdens on businesses by aligning divergent rules and practices across EU Member States.

An evaluation study ([European Commission 2020](#)) identified the need to improve the essential requirements for packaging set in Directive 94/64/EC. In particular, those essential requirements are no longer aligned with the packaging technologies now available on the market, or with current environmental concerns. The study also highlighted ambiguities in the essential requirements, and a lack of clarity about which actors in the supply chain are responsible for packaging. It concluded that actively promoting improved packaging design could bring greater added value.

Timeline

Regulation [2025/40](#) applies from 12 August 2026. However, the rules apply from different dates (see Table 3).

What are the major implications for exporting countries?

Importers of food products to the EU have to ensure that all prepackaged food imported into the EU must:

- have undergone the conformity assessment procedure carried out by the manufacturer (Art. 38), and have technical documentation demonstrating compliance with Arts. 5–11 (Annex VII)
- be labelled in accordance with Art. 12
- be accompanied by the required documents

- be correctly identified [Art. 15(5,6)].

Today, packaging that comes into contact with food must be produced in accordance with good manufacturing practice under Regulation [2023/2006](#). This requires setting up effective quality assurance systems, including documentation on specifications and manufacturing processes that must be presented to competent authorities on request. Packaging must also comply with Regulation [1935/2004](#) on food contact materials (see [Food contact materials explained](#)).

Because the new Regulation goes beyond existing requirements, implications for non-EU businesses supplying the EU market could include:

- more testing with additional costs for operators because of the requirement for manufacturers to report on substances such as PFAS (European Commission 2022)
- an additional administrative burden on suppliers of packaged food, including exporters in non-EU countries, who have to produce and pass down the supply chain technical documentation that includes new sustainability information and a conformity declaration (European Commission 2022)
- significant challenges for manufacturers of recycled plastic in non-EU countries to meet EU standards regarding collection of plastics and emissions into the environment (Politico 2024)
- insufficient supply of recyclable and recycled materials by the 2030 deadline (FoodDrink Europe 2023)
- added complexity for the fruit and vegetable sector due to the ban on single use plastic packaging for fresh fruit and vegetables in quantities <1.5 kg, potentially exacerbated by individual EU Member States creating exemptions from these rules (Freshfel Europe 2024).

The new Regulation allows EU Member States to set higher targets for some obligations, and to choose not to apply some obligations in specific cases (for example, certain prepacked fresh fruit and vegetables <1.5 kg could be packaged in single use plastic packaging). The differences between the national applications of the rules within the 28 EU Member States will have to be closely monitored.

Recommended Actions

Under the new rules, non-EU exporters of packaged foods to the EU market must ensure by the end of 2025 that:

- any packaging has undergone an appropriate conformity assessment procedure
- the relevant technical documentation has been drawn up by the packaging manufacturer
- the manufacturer has provided a written declaration of conformity for the packaging type.

Suppliers exporting packaged foods should engage early with packaging manufacturers to review testing, monitoring, and documentation processes. Packaging manufacturers must be able to provide the information and documentation necessary for the exporter manufacturer to demonstrate compliance with this Regulation.

Exporters will need long-term strategies for sourcing packaging that can meet new recyclability criteria and, in the case of plastic packaging, for ensuring that recycled plastic is produced in a manner equivalent to EU standards.

Suppliers of fruit and vegetables should closely monitor how EU Member States intend to implement rules on single use plastic packaging for products weighing <1.5 kg. They should explore sources of non-compostable sticky labels.

Background

Directive [94/62/EC](#) aimed to prevent packaging waste through reusable packaging, recycling, and other forms of recovery. Reducing the final disposal of such waste contributes to the transition towards a circular economy. The Directive has been updated many times, incorporating requirements on plastic carrier bags (2015) and new recycling targets (2018).

Directive 94/62/EC established essential requirements related to the manufacturing and composition of packaging, and its reusability and recoverability (Annex II).

Producers must be able to demonstrate compliance with these requirements. European (CEN) Subject Standards that currently apply (listed below) will be replaced at a later date:

- EN 13427_2004: requirements for the use of European standards for packaging and packaging waste (the “umbrella standard”)
- EN 13428_2004: prevention by source reduction
- EN 13429_2004: reusable packaging
- EN 13430_2004: material recycling
- EN 13431_2004: energy recovery.

By following these standards, producers are presumed to be in compliance with Directive 94/62/EC. Relevant national standards can also be used to demonstrate compliance where no harmonised standards exist.

Resources

EPRS (2022) [Briefing: Revision of Directive 94/62/EC on packaging and packaging waste](#). European Parliamentary Research Service.

European Commission (2020) [Effectiveness of the essential requirements for packaging and packaging waste and proposals for reinforcement](#).

European Commission (2022) [Staff Working Document accompanying the Proposal for a Regulation of the European Parliament and Council on packaging and packaging waste](#).

European Commission: [Questions & Answers on the Regulation on Packaging and Packaging Waste](#).

EUROPEN (2021) [Extended Producer Responsibility \(EPR\) for used packaging](#). European Organization for Packaging and the Environment

FoodDrink Europe (2023) [MEPs see the complexity of packaging and adopt a pragmatic negotiating position](#).

Freshfel Europe (2024) [Compromise on the new EU Packaging law will lead to unprecedented, grievous effects on the functioning of the Single Market and dramatically damage fresh produce consumption](#). Press release, 12 March.

Politico (2024) [Inside the European Commission's last-minute push to stall its own sustainable packaging law](#). News, 14 March.

Sources


Regulation [2025/40](#) on packaging and packaging waste, amending Regulation 2019/1020 and Directive 2019/904, and repealing Directive 94/62/EC

Single Use Plastics Directive ([2019/904](#))


Waste Directive ([2008/98/EC](#))

Directive [94/62/EC](#) on packaging and packaging waste

Table & Figures

Table 1 Limits on concentrations of PFAS in packaging	
Type of polyfluorinated alkyl substances (PFAS)	Limit
Any PFAS as measured with target PFAS analysis (polymeric PFAS excluded)	25 parts per billion (ppb)
Sum of PFAS measured as sum of targeted PFAS analysis	250 parts per billion (ppb)
PFAS (polymeric PFAS included) ^[1]	50 parts per million (ppm)
<p>[1] If total fluorine (F) exceeds 50 mg F/kg, the manufacturer, importer, or downstream user of packaging must, if requested, demonstrate proof that the fluorine is measured as content of either PFAS or non-PFAS.</p>	
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Source: Art. 5(5) in Regulation [2025/40](#)

Table 2 Minimum percentage of recycled plastic per unit of packaging		
Type of packaging ^[1]	Minimum percentage recycled content	
	By 2030	By 2040
Contact-sensitive packaging ^[2] (except single-use beverage bottles) with polyethylene terephthalate (PET)	30	50
Contact-sensitive packaging ^[2] (except single-use beverage bottles) made from plastic materials other than PET	10	25
Single-use plastic beverage bottles	30	65
Plastic packaging other than the above	35	65
<p>[1] Certain sorts of packaging (e.g. certain medical packaging) do not have to fulfil these criteria. [2] Contact-sensitive packaging includes packaging that comes into direct contact with food.</p>		
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Source: Art. 7(1) and (2) in Regulation [2025/40](#)

Table 3 Dates of entry into force of requirements set by Regulation 2025/40		
Category	Requirements	From
Substances of concern (SoCs)	Food-contact packaging must not contain concentrations of PFAS higher than the levels presented in Table 1	12 August 2026
Compostable packaging	Tea, coffee, and related beverage bags that are designed for single use and sticky labels attached to fruit and vegetables must be compostable	12 February 2028
Labelling	Packaging will have to be marked with a harmonised label (pictograms) to inform about the composition of packaging material and help consumers to sort recyclable materials	12 August 2028
	Reusable packaging will have to be marked with a label showing its reusability	12 February 2029
Interdiction of packaging	Single use plastic packaging cannot be used for quantities of fresh fruit and vegetables <1.5 kg	1 January 2030
Packaging minimisation	Packaging must be reduced to the minimum volume/weight needed to ensure its functionality	
Minimum recycled content	Plastic packaging must contain at least the minimum percentage of recycled plastic per unit of packaging, as set out in Table 2	
	Packaging must be designed for recycling	
Recycling packaging	Packaging with less than 70% recyclability cannot be put on the market	1 January 2038
	Packaging will have to meet Grade A or B to be placed on the market	

Source: based on Regulation [2025/40](#)

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