Federation of the European Sporting Goods Industry

ppwr – FESI response on consolidated questions

30 March 2026

Based on the Commission's March 2026 **PPWR FAQ** and the accompanying **Guidance document**, a number of clarifications are now available, but several of the issues raised by FESI members are still **not expressly resolved** and will likely require either implementing acts, further guidance, or enforcement practice to mature. The Commission itself notes that the Guidance and FAQs do not amend the PPWR, may be updated on a rolling basis, and that further detail will come through implementing/delegated acts and standardisation work over the next 2–3 years.[1]

1. Application of identification and manufacturer information (Article 15)

At this stage, the FAQ clearly states that the packaging must be identifiable by a **type, batch, serial number or other identifying element**, and that manufacturers are free to choose among those options. It also clarifies that "unique identification of the packaging" in Annex VIII means the **packaging itself** must be identified, not merely the product.

However, neither the FAQ nor the Guidance appears to state expressly that:

- the Article 15 identification and manufacturer details may be placed on **only one packaging component** for all components of a packaging unit,
- **minor components** such as pins, strings, stickers, cords or similar accessories may be exempted,
- or that certain components can be excluded based on **size, function or practicality**.

What the FAQ does say is that, for conformity assessment and declaration of conformity purposes, the relevant assessment is carried out for the **entire packaging unit**, and this assessment must include **all integrated and separate components**. That suggests the packaging unit is treated holistically for conformity purposes, but it does **not** automatically answer whether every single component must carry its own physical marking.

2. Practical implementation of Article 15(5)

The FAQ gives one important clarification: manufacturers may choose **freely** between a **type, batch, serial number, or another element** allowing identification of the packaging in question. In other words, the text does **not** make batch or serial numbering mandatory in every case.

That said, the documents do **not** provide:

- criteria for how that identifier should be assigned in practice,
- examples of best practice for bulk packaging, flexible packaging or polybags,
- a harmonised EU packaging identification system,

[1] EU FAQ and Guidance documents are not legally binding therefore the responses in this Q&A by FESI cannot constitute legal advice.

- or a concrete operational model for suppliers that currently do not mark packaging.

On transitional stock, the FAQ is clearer: packaging **lawfully placed on the market before 12 August 2026**, or before the application date of the relevant specific provision, may generally **remain on the market** without needing to be brought into compliance, withdrawn, or recalled.

3. Identification of the responsible economic operator (Article 15(6) and Article 18(3))

The Guidance and FAQ are more helpful on the general allocation of responsibility than on the exact packaging-marking format.

The FAQ states that the **manufacturer is the sole economic operator bearing legal responsibility** for packaging compliance with the sustainability and labelling requirements, even if others assist with conformity assessment or drafting. Typically the brand owner or the entity under whose name or trademark the packaging is marketed, which usually determines the design specifications.

The Guidance also explains that, under the PPWR definition, there is **always only one manufacturer in a supply chain** within the meaning of the Regulation. For sales and grouped packaging, that will normally be the **filler**, often also the product brand owner; for transport packaging and service packaging, it will normally be the company manufacturing that packaging unless the packaging is clearly branded by the user.

For imports, the Guidance clarifies that an **importer** must be a natural or legal person **established in the EU** placing packaging from a third country on the market. A mere **branch** of a non-EU company is generally not enough; if there is only a branch, the non-EU manufacturer would need an incorporated subsidiary in the EU or, where required, an authorised representative.

What remains unclear from the current documents is whether, in practice under Articles 15(6) and 18(3), **multiple economic operators** must be simultaneously identified on-pack. The texts do not provide an explicit answer on whether packaging supplier, product manufacturer and importer must all appear physically.

4. Digital options for harmonised labels (Article 12(1))

The Guidance is clear that Article 12(6) allows the Commission to establish harmonised label specifications, **including where provided through digital means**. It also expressly says that, for reusable packaging, additional information on reusability may be provided through a **QR code or other standardised, open, digital data carrier**.

At the same time, the Guidance also states that the Commission does **not intend to prioritise** the implementing act establishing a methodology for identifying material composition of packaging by **digital labelling**.

This suggests:

- digital options are clearly envisaged in the PPWR framework,
- but the detailed methodology and harmonised specifications are still pending,

- and there is not yet a full answer confirming that all identification, traceability and economic-operator information can be shifted to a QR code instead of appearing physically on the packaging.

One specific point is already settled: for **EPR labels/information**, the Guidance says the PPWR **bans physical labels** and allows that information to be provided **only in digital format** under Article 12(9).

5. Distinction between EU and non-EU manufacturers

There is no indication in the FAQ that the substantive packaging requirements themselves differ depending on whether the manufacturer is EU- or non-EU-based. The PPWR applies to all packaging placed on the EU market, whether produced in the Union or imported from third countries.

The practical difference lies in **who qualifies as the responsible economic operator in the EU**:

- an EU-established actor can be the importer,
- but a non-EU company with only a branch in the EU cannot generally qualify as importer merely on that basis,
- so responsibility must be allocated through an EU-established legal person or, where relevant, an authorised representative.

6. Declaration of Conformity (DoC) and traceability

The FAQ gives a useful answer here.

First, the conformity assessment and DoC are to be drawn up for the **entire packaging unit**, not separately for each bottle, closure, label, etc., although the assessment must include **all integrated and separate components**.

Second, where multiple Union acts require declarations, a **single EU declaration of conformity** may be drawn up, or a dossier of individual declarations may be assembled, provided the different legal instruments are clearly distinguished and packaging/product conformity are assessed separately where necessary.

Third, on traceability, the FAQ confirms again that the packaging needs to be identified in terms of **type, batch or serial number**. It does not provide a bespoke solution for components like polybags that currently have no marking, nor does it give relief where supplier traceability data are difficult to obtain.

So the best-supported conclusion from the current texts is:

- **DoC per packaging unit / packaging format / batch-series**, not necessarily per individual component,
- but traceability must still extend to the packaging as such and cover all components included in that packaging unit.

7. Toxicological safety of non-food contact packaging

This is one of the areas where the current documents do **not fully answer** the practical questions.

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What the FAQ does clarify is that:

- the general obligation to minimise **substances of concern (SoC)** in Article 5(1), and the **heavy-metal limit** in Article 5(4), apply to **all packaging** from **12 August 2026**; PFAS-specific limits in Article 5(5) apply only to food-contact packaging.
- the derogation for glass under Commission Decision 2001/171/EC remains in place; otherwise, the sum of lead, cadmium, mercury and hexavalent chromium is limited to **100 ppm by weight**, and those heavy metals may not be intentionally introduced during manufacture.
- the old harmonised standard **EN 13428:2004**, and in particular its Annex C on dangerous substances and conformity, will **no longer create a presumption of conformity after 12 August 2026** because it does not reflect the expanded PPWR hazard scope.

What the documents do **not** clearly say is:

- whether a **supplier declaration or engagement letter** alone will be sufficient evidence for non-food-contact packaging,
- whether formal testing will always be required,
- or which testing standards should be applied in the absence of new harmonised methods.

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