

IMACE POSITION PAPER: IMPLEMENTATION OF THE PACKAGING AND PACKAGING WASTE REGULATION

IMACE calls for a postponement of the 12 August 2026 application date of the Packaging and Packaging Waste Regulation (PPWR), combined with a targeted reopening of the Regulation to address critical outstanding issues. This is essential to ensure that the PPWR can be implemented in a legally certain, operationally feasible, and harmonised manner, consistent with the European Union's objectives on better regulation, simplification, competitiveness, and a well-functioning Single Market.

The European Margarine Association (IMACE), representing the European margarine and spreads sector, fully supports the EU's ambition to enhance packaging circularity and reduce environmental impacts. Our sector has engaged constructively throughout the legislative process and remains committed to contributing to the successful implementation of the PPWR. IMACE members are actively investing in sustainable packaging solutions and are committed to delivering on the Regulation's objectives.

However, with the general application date approaching, the conditions required for effective implementation are not yet in place. Despite the publication of Commission guidance, key elements of the framework remain insufficiently defined. Important aspects such as harmonised methodologies, detailed compliance pathways, and certain core definitions are still under development or lack sufficient clarity.

As a result, companies are expected to prepare for compliance without a clear and predictable understanding of how obligations will be interpreted or enforced in practice. This challenge is particularly acute in areas where compliance requires formal declarations, such as the declaration of conformity, which obliges operators to attest alignment with specific provisions (e.g. PFAS restrictions or recycled content targets). In the absence of clearly defined methodologies, harmonised definitions, and detailed guidance, such obligations create disproportionate legal uncertainty and potential liability for companies.

At the same time, the timeframe available for implementation is no longer realistic. In several critical areas, essential compliance tools, including testing methodologies, updated standards, and further guidance, are expected to become available only shortly before the application date. This does not allow sufficient time for companies to adapt manufacturing processes, conduct testing, update technical documentation, and ensure continuity of supply. For a sector operating under strict food safety requirements and complex production systems, this creates significant operational challenges.

The combination of legal uncertainty and compressed timelines is generating a disproportionate burden on economic operators. Companies are required to take significant investment and product decisions in a context where the regulatory framework remains incomplete, while also facing exposure to enforcement risks where compliance expectations are not clearly established. This situation risks leading to product withdrawals, supply chain disruption, and increased costs, ultimately affecting both industry and consumers.

Furthermore, the current state of implementation risks undermining the PPWR's core objective of harmonisation. In the absence of clear and fully developed rules, there is a significant risk of divergent interpretation and enforcement across Member States, leading to fragmentation of the Single Market. This outcome would run counter to both the objectives of the Regulation and the EU's broader agenda on simplification, better regulation, and strengthening competitiveness.

In this context, postponing the application date and reopening the Regulation are necessary to ensure that the PPWR can deliver on its environmental objectives in a credible and effective manner. Additional time would allow for the development of harmonised methodologies, the completion of guidance and standards, and the establishment of clear and predictable compliance pathways. A targeted reopening of the text would enable the clarification of key provisions and ensure coherence across the Regulation.

IMACE wishes to emphasise that this request does not call into question the ambition of the PPWR. On the contrary, it is intended to ensure that its objectives can be achieved effectively, without unintended consequences for the Single Market or European competitiveness. Our sector remains fully committed to advancing packaging circularity, investing in innovation, and contributing to the transition towards more sustainable packaging systems.

IMACE stands ready to continue engaging constructively with the European Commission and other EU institutions to support the development of practical and effective solutions.

Practical Implementation Asks

To ensure a workable and legally certain implementation of the PPWR, IMACE calls for the following practical measures:

Grace period for initial deadlines

In addition to postponing the general application date, IMACE calls for an explicit grace period for the first set of PPWR obligations currently foreseen for August 2026. This would allow companies to continue placing compliant products on the market while outstanding guidance, methodologies, and standards are finalised and implemented.

Timely provision of guidance

IMACE urges the European Commission to issue all necessary implementing guidance as early as possible, including for provisions with later application dates (e.g. 2028 and beyond). Given the complexity and operational impact of the PPWR, companies require significant lead time to adapt production processes, packaging design, testing protocols, and internal compliance systems.

Improved interoperability with related EU legislation

IMACE calls for enhanced alignment between the PPWR and other relevant EU frameworks, including the Single-Use Plastics Directive (SUPD), the Empowering Consumers for the Green Transition Directive (ECGT), and the Ecodesign for Sustainable Products Regulation (ESPR), notably with regard to Digital Product Passports.

Diverging timelines, guidance, and compliance requirements across these instruments significantly increase administrative burden and risk of inconsistency. Greater harmonisation and interoperability are essential to ensure efficient implementation and avoid duplication of efforts.

Annex – Key Outstanding Issues Requiring Clarification

PFAS in food contact packaging (Article 5.5)

The current framework confirms that PFAS limits apply irrespective of whether substances are intentionally added or unintentionally present, including contamination, and does not provide for any transitional period for the exhaustion of existing stocks. Consequently, all packaging placed on the market after 12 August 2026 must comply with the limits. At present, no harmonised EU methodology exists for PFAS testing in food contact packaging. While a stepwise approach based on total fluorine screening has been indicated, enforcement is expected to rely initially on total fluorine or total organic fluorine analysis. A harmonised methodology is under development but is expected only shortly before the application date, creating significant uncertainty for operators.

Restrictions on certain packaging formats (Article 5(5) and Annex V.1)

The restriction targets group plastic packaging that is not necessary for handling, transport or logistics and that is primarily used for marketing or consumer convenience purposes. However, the absence of clear legal definitions for what constitutes “necessary” packaging creates uncertainty regarding the scope of the restriction and increases the risk of divergent interpretation across Member States.

Recycled content requirements (Article 7)

Exemptions from recycled content requirements apply directly but must be justified by manufacturers through technical documentation. This includes detailed evidence on polymer composition and the absence of authorised recycling technologies. In practice, this creates a self-assessment system placing the burden of proof on operators, requiring extensive documentation and ongoing reassessment, and generating significant compliance complexity.

Declaration of conformity

The Regulation introduces obligations requiring economic operators to declare compliance with specific provisions, including PFAS restrictions and recycled content requirements. However, in the absence of harmonised testing methodologies, clear

legal definitions and detailed compliance guidance. Such declarations create significant legal uncertainty.

Operators may be exposed to liability risks when conformity cannot be robustly demonstrated due to incomplete or evolving regulatory frameworks. Clear, harmonised, and operational guidance must therefore be provided well in advance of enforcement to ensure that declarations of conformity are meaningful, reliable, and legally sound.

Packaging minimisation and excessive packaging (Articles 10 and 24)

Existing minimisation requirements and standards remain applicable until the end of 2029, while new methodologies and criteria are still under development. The relationship between minimisation obligations and empty space ratio requirements remains only partially clarified, resulting in uncertainty regarding future compliance expectations and creating a prolonged transition period with overlapping frameworks.

Labelling requirements (Article 12)

The Regulation introduces harmonised labelling requirements aimed at facilitating consumer sorting of packaging waste and prevents Member States from introducing additional mandatory requirements. However, key aspects of implementation remain unclear.

Updating labelling across an entire product portfolio represents a significant operational and financial burden, requiring long planning cycles, redesign processes, and coordination across supply chains. In practice, such changes are subject to long lead times and cannot be implemented at short notice.

IMACE therefore stresses that:

- final and detailed guidance must be issued as a matter of urgency, to allow companies sufficient time to comply with the applicable deadlines;
- any requirements mandating specific colours or visual elements for on-pack labels should be carefully assessed, as they may generate substantial additional costs, particularly where such colours are not currently used in existing branding or packaging systems.

Reuse requirements (Article 29)

Reuse obligations apply to packaging with a clear transport function, and their applicability depends on the nature of the product. Nevertheless, important questions remain regarding scope and practical implementation. At the same time, compliance requires significant investments and operational adjustments, which are difficult to undertake in the absence of legal certainty.

Relationship between PPWR and other EU legislation (SUPD, ECGT, ESPR)

Packaging not restricted under the PPWR may still fall within the scope of the Single-Use Plastics Directive (SUPD), meaning that existing obligations continue to apply. The upcoming review of the Directive further adds to regulatory uncertainty.

At the same time, additional obligations stemming from the Empowering Consumers for the Green Transition Directive (ECGT) and the Ecodesign for Sustainable Products Regulation (ESPR), including the introduction of Digital Product Passports, require significant changes to packaging systems, data management, and product information flows.

The lack of alignment in timelines, guidance, and implementation requirements across these frameworks significantly increases administrative burden and complexity for operators. Greater coherence, harmonisation, and interoperability across EU legislation are essential to ensure efficient implementation and avoid duplication.

About IMACE

IMACE is the European Margarine Association, the only European organisation fully dedicated to representing margarine and plant-based spreads. Our members are leading in nutrition, sustainability, competitiveness and innovation — from optimising the fat composition of products to driving healthier, affordable plant-based diets. IMACE gives the industry a strong voice in Europe, shaping fair regulation and promoting the role of margarines and spreads in building a healthier and more sustainable future.

For more information, visit www.imace.org.