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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: AOB for the meeting of the Council (Environment) on 25 June 2026
Addressing Implementation Challenges of the Packaging and Packaging
Waste Regulation
– Information from the Czech Republic, Bulgaria, Italy, Latvia, Romania
and Slovenia

We would like to acknowledge the efforts of the European Commission to support the implementation of the Packaging and Packaging Waste Regulation (PPWR), through the publication of the Guidance document and Frequently Asked Questions, as well as through ongoing engagement with Member States and stakeholders. These efforts are an important step towards facilitating a harmonised application of the Regulation. However, despite these measures, the current level of clarification remains insufficient to ensure legal certainty and a consistent understanding of key obligations across the Union.

The Packaging and Packaging Waste Regulation (PPWR) will become applicable as of 12 August 2026. The Regulation introduces a broad and highly ambitious set of obligations affecting both Member States and economic operators across all sectors of the EU economy.

While fully supporting the environmental objectives of the PPWR, we must underline that its **successful implementation raises serious practical challenges**. These relate to the complexity of the new requirements, their significant economic impact—especially on SMEs—and the fact that many key elements still depend on unadopted delegated and implementing acts. This situation creates **considerable legal and investment uncertainty and risks undermining timely and harmonised implementation across the Union**.

Several essential requirements remain insufficiently defined, creating significant uncertainty for investment decisions. Industry currently lacks a **clear compliance pathway, harmonised methodologies and the legal certainty** necessary to demonstrate compliance consistently across Member States. At the same time, Member States are already taking **diverging approaches** to the interpretation and implementation of certain provisions, which risks fragmentation of the single market and creates adverse environmental effects.

It is not realistic to expect industry to undertake substantial investments without clear, stable and predictable obligations. The **scale of the associated costs** is considerable running into billions of euros across the EU with limited or even negative impact to circular economy. Estimates based on the Commission's Impact Assessment indicate a potential increase of approximately EUR 160 per household. Such costs risk placing a substantial burden on European industry and citizens, weakening competitiveness and disproportionately affecting SMEs.

Several areas clearly illustrate these challenges, including fragmented packaging labelling requirements, and the lack of clarity surrounding rules on the testing of PFAS. These elements are not sufficiently specified at this stage, while their implementation requires substantial preparation, investment and technical certainty. Without further clarification, there is a real risk that economic operators and competent authorities will not be able to apply the new obligations in a consistent and enforceable manner.

In particular, the PPWR foresees multiple changes to packaging labelling between 2026 and 2028, while harmonised EU rules have not yet been adopted, creating a high risk of repeated relabelling instead of a single, coherent transition. It is equally important to ensure that the PPWR does not limit Member States' ability to maintain reporting obligations under Extended Producer Responsibility (EPR) schemes where these are necessary to ensure effective market surveillance, fair competition and the proper functioning of national systems as well as prevent freeriding from third countries.

In this context, we would like to call on the Commission to:

- urgently provide a clear and consolidated **timeline for the preparation and adoption of all relevant delegated and implementing acts** under the PPWR;
- prioritise and accelerate the preparation and adoption of measures essential for legal certainty, enforcement and investment planning, including by **urgently updating and further developing the existing Guidance document and Frequently Asked Questions** to provide clearer, more detailed and most of all operational explanations of key obligations, in particular where harmonised methodologies are lacking, while **ensuring their regular update and alignment** and early, **transparent and meaningful involvement of Member States and market operators** in their preparation; and
- engage without delay in a **structured dialogue with Member States, in particular with national Market Surveillance Authorities, to establish a common and predictable approach to compliance and enforcement across the Union.**

Ensuring timely clarification of the secondary legislation, together with a common and coherent approach to implementation and enforcement, is a prerequisite for enabling a legally sound, technically feasible and harmonised application of the PPWR. Without this, there is a risk of unnecessary costs, regulatory fragmentation and serious disruption to the functioning of the internal market, which would ultimately undermine the effective achievement of the Regulation's environmental objectives.