



Package

HCT-202501-13

EU publishes new packaging regulation to replace Packaging Directive

On January 22, 2025, the European Union issued a new packaging regulation (EU) 2025/40 to replace the packaging directive 94/62/EC. The new packaging regulation will be implemented on August 12, 2026, and the packaging directive 94/62/EC will be repealed on August 12, 2026 (except for special provisions). The following is the main content of the new packaging regulation.

Scope of application:

Applies to all packaging (regardless of the material used) and all packaging waste, whether such packaging is used in industry, other manufacturing, retail or distribution, offices, services or households.

Requirements for packaging materials

1. Minimize the substances of concern in packaging materials or packaging components (the list of substances is scheduled to be published on December 31, 2026).
2. The sum of lead, cadmium, mercury and hexavalent chromium shall not exceed 100 mg/kg.
3. PFAS in food contact packaging must comply with the following requirements:
 - a. Each PFAS shall not exceed 25 ppb (excluding polymers);
 - b. The sum of PFAS shall not exceed 250 ppb (excluding polymers);
 - c. PFAS (including polymer PFAS) shall not exceed 50 ppm in terms of fluorine. If the fluorine content exceeds 50 ppm, the manufacturer, importer or downstream user shall provide documentation on the fluorine content, indicating its specific content as PFAS or non-PFAS, in order to prepare the technical documents required in Annex VII of this Regulation.

Packaging recycling requirements

1. All packaging placed on the market shall be recyclable.
2. Packaging is considered recyclable if:
 - (a) it is designed for material recovery so that the secondary raw materials recovered are of equivalent quality to the original materials and can be used to replace raw materials, and





(b) when the packaging becomes waste it can be collected separately and sorted into a specific waste stream so that the recyclability of other waste streams is not affected, and it can also be recycled on a large scale.

3. From January 1, 2030 or 24 months after the entry into force of the delegated act (whichever is later), only packaging that meets the recyclability performance level A, B or C in Table 3 of Annex II can be placed on the market. From January 1, 2038, packaging that meets the recyclability performance level A and B in Table 3 of Annex II can be placed on the market.

Minimum recycled content in plastic packaging

Plastic packaging components placed on the market (unless exempted) should contain the following minimum percentages of post-consumer recycled plastic:

Category	January 1, 2030 or 3 years from the date the implementing act takes effect (whichever is later)	January 1, 2040
Plastic contact-sensitive packaging with PET as the main component (except disposable plastic beverage bottles)	30%	50%
Contact-sensitive packaging made of plastics other than PET (except single-use plastic beverage bottles)	10%	25%
Disposable plastic beverage bottles	30%	65%
Other plastic packaging	35%	65%

Minimization of packaging requirements

From January 1, 2030, manufacturers or importers shall ensure that the packaging design placed on the market reduces its weight and volume to the minimum required to ensure its functionality, taking into account the shape and material of the packaging.





Packaging labelling

On 12 August 2028 or 24 months from the date of entry into force of the implementing act (whichever is later), packaging placed on the market shall be marked with a uniform label containing information about its material composition, based on pictograms, to facilitate the classification of packaging by consumers.

On 12 February 2029 or 30 months from the date of entry into force of the implementing act (whichever is later), reusable packaging placed on the market shall be labeled to inform consumers that the packaging is reusable.

After 12 August 2028 or 24 months from the date of entry into force of the implementing act (whichever is later), plastic packaging placed on the market with a recycled content label shall have its labelling in accordance with the implementing act.

Packaging manufactured or imported into the EU before the above deadlines may continue to be placed on the market for 3 years from the date of entry into force of the labelling requirement.

Original link: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202500040

HCT SOLUTION:

The new regulations only add restrictions on PFAS in food contact packaging materials in terms of hazardous substance restrictions, and the requirements for hazardous substances in other types of packaging have not changed. However, the new regulations put forward requirements for packaging material labeling, recycled material content in plastic packaging, and restrictions on excessive packaging. And by changing the directive to a regulation, member state conversion can be avoided, ensuring uniform application in all member states, thereby improving implementation efficiency and consistency. In addition, the new regulations expand the relatively single requirements in the original directive into more comprehensive environmental management measures. In addition to the new battery regulations and new packaging regulations that have been issued, the EU is also formulating new toy regulations and new ELV regulations. It can be seen that in order to strengthen environmental management, the EU has not only increased market supervision in recent years, but also improved laws and regulations at the top level design. Therefore, whether it is a product or packaging, only by ensuring legality and compliance can it be smoothly circulated in the EU market.

