



Fecc
EUROPEAN ASSOCIATION OF
CHEMICAL DISTRIBUTORS

Implementation of PPWR and EPR

European Association of Chemical Distributors (Fecc)
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Fecc supports the environmental objectives of the Packaging and Packaging Waste Regulation (PPWR) and recognises its important role in advancing the EU's circular economy agenda. At the same time, its implementation is creating significant operational and administrative challenges for chemical distributors of all sizes, particularly SMEs, which may affect cross-border trade and the consistent functioning of the EU internal market if not properly addressed.

The current transition period is creating regulatory uncertainty and administrative overload. National EPR systems remain in force while PPWR is being implemented in parallel, leading to duplication, legal ambiguities, and compliance challenges. This situation is particularly complex for distributors that import packaged goods from third countries, as they often have limited influence over packaging design and the documentation provided by upstream suppliers.

Chemical distributors operate across multiple Member States and are frequently involved in international supply chains. Companies engaged in global trade and working with a wide range of non-EU manufacturers face significant structural and procedural demands in order to ensure compliance. Without harmonised implementation and clear guidance, PPWR risks creating additional barriers to cross-border trade, distorting competition, and diverting resources away from sustainability investments and innovation.

Key Challenges in PPWR/EPR Implementation:

1. Legal Uncertainty During the Transition Period

Although PPWR is directly applicable, national packaging laws and EPR systems remain operational. This dual framework creates uncertainty regarding:

- Definitions of “producer” versus “manufacturer”
- Allocation of responsibilities for multi-component packaging (e.g. pallets, cartons, films)
- Treatment of imported packaging from third countries
- Documentation and conformity assessment requirements
- Obligations for e-commerce and cross-border transactions

At this stage, many concepts remain unclear or subject to differing interpretations. In some Member States, draft implementing acts risk going beyond PPWR requirements, further increasing complexity and compliance costs.

A clear **distinction between “producer” and “manufacturer” definition** is critical for distributors, as they may be considered the “producer” under EPR rules—particularly when importing packaged goods—despite having no influence over packaging design or production.

Companies across the sector face challenges in interpreting evolving requirements without consolidated EU-level guidance.

2. Inconsistent National Implementation

Despite being a Regulation, implementation approaches vary significantly between Member States. Discussions among national associations highlight:

- Divergent classification of certain packaging types (e.g. intermediate bulk containers, dangerous goods packaging)
- Different approaches to recycled content verification
- Variations in conformity assessment and documentation retention requirements
- Additional national compliance structures financed through industry contributions

In several countries where packaging directives have already been implemented through national law, the introduction of PPWR and revised EPR systems adds new concepts and procedures on top of existing frameworks, creating further complexity.

This lack of uniformity creates an uneven playing field and increases administrative costs for companies operating across multiple Member States.

3. Administrative and Sector-Specific Challenges

PPWR introduces extensive documentation, reporting, and verification obligations for distributors, which create significant operational and financial challenges, particularly for SMEs. Key obligations include:

- **Recyclability assessments** – Evaluating packaging for recyclability according to PPWR criteria.
- **Recycled content declarations** – Reporting the proportion of recycled materials in packaging.
- **Conformity documentation retention** – Maintaining detailed records over extended periods.
- **Engagement with national Producer Responsibility Organisations (PROs)** – Participating in national EPR schemes and associated reporting.
- **Packaging labelling requirements** – Ensuring compliance with labelling obligations for recyclability and recycled content.

These obligations intersect with broader **sector-specific challenges**:

- **Dependence on packaging manufacturer data** – To comply with PPWR obligations and produce the required compliance declarations and reports on packaging materials placed on the market, distributors must obtain detailed specification data directly from packaging manufacturers. These data are manufacturer- and production-specific, as they depend on the characteristics of the raw materials used in the packaging production process.

- **Limited availability of verifiable data** – The required information cannot be analytically determined from the packaging itself, nor is it available in public or commercial databases. Distributors therefore depend heavily on information provided by packaging manufacturers. This dependency affects companies of all sizes, but is particularly challenging for SMEs, which often have limited leverage over suppliers and fewer internal resources to obtain, verify, and manage such information.
- **Non-EU packaging manufacturers** – Companies involved in international trade face additional complexity, as packaging manufacturers located outside the EU are not subject to European legislation and may therefore consider the transparency and documentation requirements introduced by PPWR less urgent.
- **Cross-border registration obligations** – Companies distributing products across the EU face uncertainty regarding registration and representation requirements in multiple Member States. The current framework risks creating fragmented national registration systems and increasing administrative complexity for cross-border operators.
- **IT systems and supply-chain coordination** – Meeting PPWR requirements will require the deployment of sophisticated IT systems, extensive data interfaces, and significantly increased coordination throughout the supply chain. These structural challenges affect companies of all sizes but can be particularly demanding for SMEs with limited compliance capacity, as well as for distributors and trading companies operating complex global supply chains.
- **Multiple regulatory frameworks in B2B supply chains** – Chemical distributors frequently supply products used in industrial, pharmaceutical, laboratory, and research environments. These supply chains must comply with several regulatory frameworks simultaneously, including dangerous goods transport legislation and chemical classification requirements.
- **Hazardous residues in packaging** – Although PPWR foresees certain exemptions, for example for packaging used for the transport of dangerous goods and certain medical products, these exemptions do not fully reflect the realities of chemical distribution. Many hazardous substances are not classified as dangerous goods under transport legislation but may still contaminate packaging in ways that make recycling unsafe or impractical. Consideration should therefore be given to managing packaging containing hazardous residues in a manner similar to packaging used for dangerous goods to ensure safe recovery and waste management.

Fecc Recommendations

To ensure that PPWR achieves its environmental objectives without undermining competitiveness, Fecc calls for the following measures:

1. Harmonised Guidance at EU Level

- Development of practical guidance documents at EU level
- Clarification of definitions (producer, manufacturer, importer)
- Clear allocation rules for multi-component packaging
- Alignment of conformity assessment approaches across Member States
- A centralised interpretation framework would significantly reduce uncertainty and administrative burden.

2. Proportionate and SME-Friendly Implementation

- Realistic transition periods
- Simplified documentation requirements for low-risk operators
- Avoidance of gold-plating at national level
- Recognition of the specific role of distributors in the value chain
- Regulatory objectives must remain achievable in practice, particularly for SMEs.

3. Streamlined and Digital Compliance Tools

- Development of harmonised digital reporting platforms
- Standardised templates for recyclability and recycled content documentation
- Interoperability between national EPR systems
- Digitalisation can significantly reduce duplication and administrative costs.

4. Financial and Advisory Support

- Access to advisory services for SMEs
- Clear contact points within national authorities
- Consideration of financial support mechanisms where new compliance structures are financed through industry contributions
- Supporting SMEs during the transition will improve overall compliance and environmental outcomes.

5. EU Engagement with Third-Country Exporters

The European Union should promote awareness of PPWR requirements among countries exporting packaged goods to the EU. This could include:

- Information campaigns targeting exporters
- Encouraging packaging compliance at the point of production
- Facilitating the registration of non-EU producers where relevant
- Improving compliance at the origin would significantly reduce administrative burdens for EU importers.

Fecc also notes that several of the challenges identified in this paper — particularly regarding administrative complexity, supply-chain data availability, and the compliance burden associated with documentation and reporting — could be addressed in the context of the forthcoming **Circular Economy Act (CEA)** and broader **environmental simplification initiatives**. These processes offer an important opportunity to ensure that PPWR implementation remains proportionate, harmonised, and practically workable for companies of all sizes operating across the EU internal market. Without coordinated implementation and clear guidance, there is a risk that divergent national approaches may unintentionally fragment the Single Market for packaging and packaged goods, creating additional barriers to cross-border trade.

Fecc supports the environmental ambitions of PPWR and the strengthening of circular economy principles in packaging management. However, effective implementation requires harmonisation, proportionality, and practical feasibility.

Without coordinated and consistent application across Member States, PPWR risks increasing administrative complexity, creating competitive distortions, and placing disproportionate pressure on SMEs, particularly those importing packaged goods from outside the EU.

Fecc remains committed to working constructively with the European Commission and national authorities to ensure that PPWR implementation delivers environmental improvements while safeguarding the competitiveness of Europe's chemical distribution sector.

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