

„PPWR“ FROM THE PERSPECTIVE OF SELLING ELECTRICAL EQUIPMENT AND BATTERIES

Regulation (EU) 2025/40 on Packaging and Packaging Waste (PPWR – Packaging and Packaging Waste Regulation), which will start to apply **from 12 August 2026**, will bring an extensive reform of the rules relating to packaging on the European market. It is a directly binding legal act that lays down **uniform requirements for entities placing packaging and packaged products** on the EU market, including manufacturers, importers, distributors and operators of online sales.

Significant changes will affect **packaging marking, technical documentation, conformity assessment processes and the responsibility of economic operators for the accuracy and completeness of the information provided.**

Companies operating in the field of packaging and packaged products need to review their existing processes, documentation and packaging solutions in use and determine which areas will require adjustments to ensure compliance with the new regulatory framework.

Most of the new requirements arising from the PPWR concern the packaging itself and its compliance with the new European rules. **Only part of the obligations falls within the areas that SEWA ensures for its clients as part of Extended Producer Responsibility (EPR) compliance.**

This overview is intended primarily for companies that **sell / place electrical and electronic equipment and batteries on the Slovak market.** Its purpose is to provide a practical and understandable view of the most important new obligations without unnecessarily legal or technical terminology.

*It should be emphasized that the implementation of the Regulation has not yet been completed. For several provisions **at the EU level, implementing acts and guidance documents** specifying the practical requirements **are still missing.** In the Slovak legal environment, **specific sanctions for breaches of the new obligations and the authority responsible for their enforcement have not yet been determined.***

Key Obligations divided according to Roles in the Supply Chain

From the PPWR perspective, it is important to distinguish between the “manufacturer”, who is responsible for the design and compliance of the packaging, the “importer” and the “distributor”, who must verify compliance, and the “producer”, who bears financial responsibility for packaging waste within the framework of Extended Producer Responsibility.

1. Obligations of the MANUFACTURER

A manufacturer is a person who manufactures packaging or has it designed and manufactured under its own brand. It bears the main responsibility for ensuring that the packaging complies with EU technical standards.

- **Marking and traceability:** Manufacturers must provide their identification details (name, address, email, etc.), the serial number or batch of the packaging (if the size or nature of the packaging does not allow this, then in the accompanying documentation) and (from 2028) mark the packaging with harmonised pictograms indicating the material composition.
- **Conformity assessment and technical documentation:** Before placing the packaging on the market, manufacturers must carry out the conformity assessment procedure and prepare detailed technical documentation, which they must keep for 5 to 10 years.
- **EU Declaration of Conformity:** The manufacturer must issue a written confirming that the packaging complies with all requirements of the Regulation.
- **Compliance with sustainability requirements:** Manufacturers must ensure that packaging is **recyclable** (from 2030) onwards (Recyclability Classes A, B, or C), complies with limits for hazardous substances (e.g., PFAS – from August 2026 for food-contact packaging); limits for heavy metals - already applicable until now, and contains the mandatory **recycled content** in plastic packaging (from 2030).
- **Packaging minimization:** (from 2030) onwards, manufacturers must ensure that **the weight and volume** of packaging are reduced to the minimum necessary to maintain its functionality.

2. Obligations of the IMPORTER

An Importer is an entity established in the EU that places packaging from a non-EU country on the EU market. The importer serves as a "gatekeeper" for compliance of imported products.

- **Conformity verification:** Before placing the packaging on the market, the importer must ensure that the manufacturer has carried out the conformity assessment, prepared the documentation, and that the packaging is correctly marked.
- **Identification:** The importer must indicate its name and contact details on the packaging.
- **Storage and transport:** The importer must ensure that storage and transport conditions do not compromise the packaging's compliance with applicable requirements (e.g. by damaging its recyclability).
- **Corrective measures:** If the importer identifies any non-compliance the packaging must not be placed on the market and appropriate corrective actions must be taken including the withdrawal or recall of the product where necessary.

3. Obligations of the DISTRIBUTOR

A Distributor is any other entity in the supply chain (e.g., wholesaler or retailer) that makes packaging available on the market.

- **Due diligence:** Before making packaging available on the market, distributors must verify whether the manufacturer is registered in the register of producers, whether the packaging is properly marked and whether the manufacturer/importer has provided the required information.
- **Prohibition on the sale non-compliant packaging:** If distributors suspect non-compliance, they must not make the packaging available on the market until the issue has been resolved.
- Additional obligations applicable to the HORECA sector and packaging that comes into contact with food.

4. Obligations of the PRODUCER in the context of Extended Producer Responsibility

A Producer is usually the entity that **first makes packaged products or packaging** available within the territory of a particular Member State. This may be the Manufacturer, the Importer or the Distributor. Its role is primarily financial and administrative and consists of: **registration in the register of producers, financing waste management, regular data reporting and appointing an authorised representative** when selling online directly to end users in another country.

Producer obligations are managed through SEWA.

Summary of Differences:

Role	Definition	Responsibility
Manufacturer	Entity responsible for packaging compliance under the PPWR, carrying out conformity assessment, preparing technical documentation and the EU Declaration of Conformity.	Bears primary responsibility for demonstrating packaging compliance.
Importer	Entity placing packaging or packaged products from third countries on the EU market.	Before placing the packaging on the market, it must verify that the manufacturer has carried out the conformity assessment, prepared the required documentation, that the packaging is properly marked, and that all identification obligations have been fulfilled.
Distributor	Entity making packaging available after it has already been placed on the market by the manufacturer or importer.	Before making the packaging available on the market, it must exercise due diligence and verify registration in the register of producers, the required marking, and the fulfilment of the obligations of the manufacturer and importer.
Producer	Entity first making packaged products or packaging available within a Member State.	Registers in the register of producers, finances waste management, reports data, and appoints an authorized representative.

A comparison of PPWR obligations by role is provided in Annex 1.

Example: *Elektro Import, s.r.o.* purchases VOLTIX-branded laptops from *Voltix Electronics Inc.*, Taipei, Taiwan, and places them on the Slovak market.

1. When is Elektro Import, s.r.o. an IMPORTER (under the PPWR)?

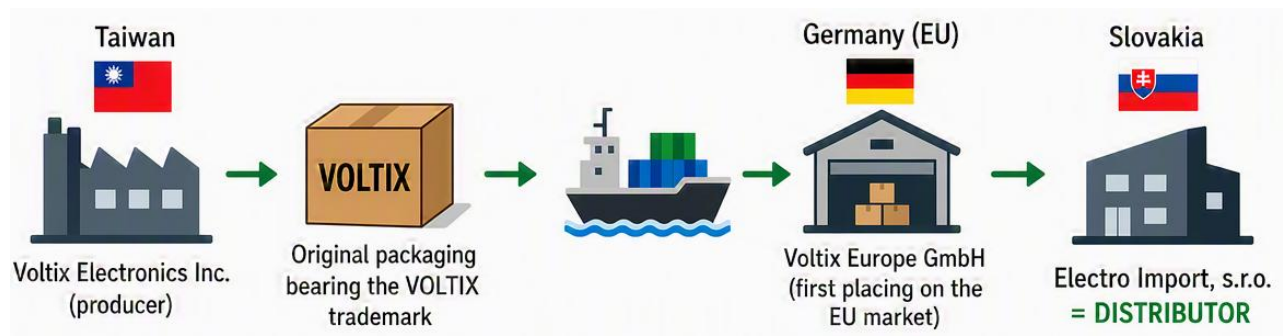
Scenario: Elektro Import, s.r.o. purchases laptops packaged in their original boxes directly from *Voltix Electronics Inc.* in Taiwan. The packaging bears the information of the Taiwanese manufacturer.



- Since Elektro Import, s.r.o. is **the first entity placing this packaged product from a third country (outside the EU) on the Union market**, it becomes **the Importer**.
- **Packaging labelling:** Both companies must be identified in text on the laptop box at the same time. The manufacturer from Taiwan must remain indicated and Elektro Import, s.r.o. must visibly and legibly add its identification details together with the marking “EU Importer”.
- **Responsibility for packaging:** Although the packaging was physically manufactured in Taiwan, Elektro Import, s.r.o., as the importer, bears full responsibility for ensuring that the packaging meets the PPWR criteria (e. g. recyclability, limits for heavy metals, minimum recycled content) and must fulfil EPR (Extended Producer Responsibility) obligations for this packaging (e.g. through SEWA).
- **Verification obligation:** Elektro Import, s.r.o. **must obtain** the relevant documents (Technical Documentation and Declaration of Conformity) from the Taiwanese partner **and verify** that they are complete and accurate.
- **Record-keeping obligation:** Elektro Import, s.r.o. must keep a copy in its company database for a period of 5/10 years.
- **Market access prohibition in case of non-compliance:** If the Taiwanese manufacturer refuses to provide the documentation or if the documentation is incomplete, Elektro Import, s.r.o. **must not** place the products on the market.

2. When is Elektro Import, s.r.o. a DISTRIBUTOR (under the PPWR)?

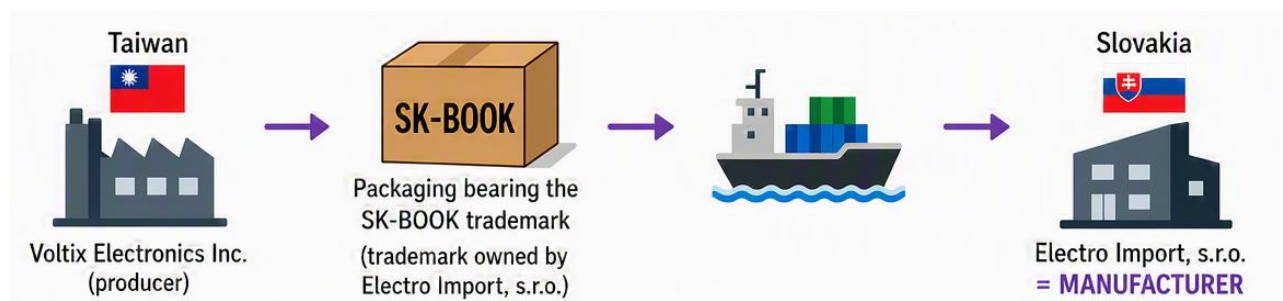
Scenario: *Voltix Electronics Inc.* has a European subsidiary and central warehouse in Germany (*Voltix Europe GmbH*). The German subsidiary imports the laptops from Taiwan into the EU and is responsible for their first placement on the EU market. Elektro Import, s.r.o. purchases the laptops from this German warehouse and brings them to Slovakia.



- Elektro Import, s.r.o. is no longer an importer because the product was already placed on the EU market in Germany. Elektro Import, s.r.o. acts only in the role of **Distributor**.
- **Packaging labelling:** Elektro Import, s.r.o. **is not required** to indicate its name and address on the box. This is because the Taiwanese manufacturer and the German importer are already indicated on the packaging.
- **Responsibility for packaging:** As a distributor under the PPWR, Elektro Import, s.r.o. primarily has a “due diligence obligation” - it must verify whether the entity before it has fulfilled its obligations. However, it does not have to carry out complex conformity assessment for these packaging items. It must fulfil EPR obligations for these packaging items (e.g. through SEWA).

3. When is Elektro Import, s.r.o. a MANUFACTURER (under the PPWR)?

Scenario: The Taiwanese factory manufactures laptops under the SK-BOOK brand owned by Elektro Import, s.r.o. and packages them in boxes displaying the *SK-BOOK* trademark.



- Whenever an entity places a product on the market **under its own name or trademark**, it fully assumes the role and responsibilities of a **Manufacturer**.

- **Packaging labelling:** The details of the Taiwanese factory, *Voltix Electronics Inc.*, are not indicated on the packaging. Only Elektro Import, s.r.o. will appear on the packaging with the marking “Manufacturer: Elektro Import, s.r.o., [Slovak address, email, etc.]”, together with the batch number of the packaging.
- **Responsibility for packaging:** Elektro Import, s.r.o. must prepare the complete packaging technical documentation, issue the EU Declaration of Conformity and keep it for 5/10 years. From a legal perspective, the Taiwanese factory acts merely as an anonymous subcontractor. Elektro Import, s.r.o. must also fulfil the applicable EPR obligations for the packaging (e.g. through SEWA).
- **Exception for „micro-enterprises“** with up to 10 employees and annual turnover not exceeding EUR 2 million: Elektro Import, s.r.o. is considered an importer or distributor if its packaging supplier is in the same Member State.

4. When is Elektro Import, s.r.o. a MANUFACTURER for part of the packaging?

Scenario: Elektro Import, s.r.o. imports VOLTIX laptops from Taiwan. Before shipping them to Slovak customers, it **repacks** them into its own new boxes, adds its own bubble wrap, or wraps them on pallets using its own stretch film.

- If Elektro Import, s.r.o. **creates new packaging, packages or repackages a product** under its own name, it becomes **the Manufacturer of that specific packaging** on the Slovak market.
- **Packaging labelling:** Elektro Import, s.r.o. must be clearly identified on the new transport box or packaging as the manufacturer of the packaging.
- **Responsibility for packaging:** The same as in the previous point.

Recommended Next Steps:

1. Define the roles for all your packaging. Your obligations will subsequently result from the defined role.
2. If you act as a Manufacturer or Importer under the PPWR:
 - prepare for the identification (labelling) of the importer/manufacturer and the traceability of packaging batches;
 - collect the technical documentation data relating to your packaging that will be required for the preparation and/or verification of the EU Declaration of Conformity;
 - your Producer obligations are already managed through SEWA.

Source Documents:

[Guidance Document on Regulation \(EU\) 2025/40 on Packaging and Packaging Waste](#)
[Regulation \(EU\) 2025/40 of the EP and of the Council on Packaging and Packaging Waste](#)

Annex 1: Comparison of PPWR Obligations by the Role:

Area	Manufacturer	Importer	Distributor
Placing / making packaging available on the market	Responsible for ensuring that packaging complies with PPWR requirements before being placed on the market and for the overall compliance of the packaging.	Places on the market only packaging that complies with the requirements of Articles 5–12.	When making packaging available on the market, acts with due care regarding PPWR requirements.
Conformity assessment	Performs internal production control and guarantees and declares under its sole responsibility that the packaging complies with the requirements of Articles 5–12.	Before placing packaging on the market, ensures that the manufacturer has carried out the conformity assessment procedure under Article 38.	Does not perform conformity assessment as a primary obligation but verifies that the manufacturer and importer have fulfilled the relevant requirements.
Technical documentation	Prepares technical documentation enabling the assessment of packaging conformity and containing an appropriate analysis and assessment of risks of non-compliance.	Before placing packaging on the market, ensures that the manufacturer has prepared the technical documentation referred to in Annex VII.	Before making packaging available on the market, verifies compliance with the requirements applicable to manufacturers and importers under Article 15(5) and (6) and Article 18(3).
EU Declaration of Conformity	Issues a written EU Declaration of Conformity for each packaging type and retains it together with the technical documentation (Annex VIII).	Verifies that the manufacturer has carried out the conformity assessment procedure and prepared the required documentation.	Is not the primary issuer of the EU Declaration of Conformity but verifies compliance before making packaging available on the market.
Document retention	Retains the Declaration of Conformity and technical documentation for 5 years after placing single-use packaging on the market and 10 years after placing reusable packaging on the market.	Ensures that the documentation prepared by manufacturers is available to national authorities for enforcement and inspection purposes.	Verifies compliance with documentation retention requirements before making packaging available on the market.
Packaging identification	Ensures that packaging bears a type number, batch number, serial number, or other identification enabling traceability of the packaging.	Before placing packaging on the market, ensures that the manufacturer has complied with Article 15(5) and (6).	Verifies that the manufacturer has complied with Article 15(5) and (6).
Information on packaging	Indicates its name, registered trade name or trademark, postal address and, where applicable, electronic contact details on the packaging or through a digital data carrier (e.g., QR code).	Indicates its name, registered trade name or trademark, postal address and, where applicable, electronic contact details on the packaging. If this is not possible, the information may be provided through a digital data carrier (e.g., QR code) or accompanying documentation.	Verifies that the importer has fulfilled its obligation under Article 18(3) and that the manufacturer has fulfilled its obligation under Article 15(5) and (6).
Verification of registration in the EPR Producer Register	If also acting as an EPR producer, must arrange registration. Annex IX sets out the information required for registration, including company name, brands, address, contact details, identification number and declaration of compliance.	May also be considered an EPR producer if it is the first entity to make packaging or packaged products available within a Member State.	Before making packaging available on the market, verifies that the producer subject to EPR obligations is registered in the producer register pursuant to Article 44.
Prohibition on placing / making non-compliant packaging available	Bears primary responsibility for compliance. Technical documentation and the Declaration of Conformity serve as proof of compliance.	If the importer knows or has reason to believe that packaging is not compliant, it must not place it on the market until compliance is achieved.	If the distributor knows or has reason to believe that packaging is not compliant, or that the manufacturer/importer has not fulfilled its obligations, it must not make the packaging available until compliance is achieved or obligations are fulfilled.
Risk of being reclassified as a manufacturer	Subject to the full scope of obligations relating to conformity assessment, technical documentation and declarations.	Any importer who places packaging on the market under its own name or trademark, or modifies packaging in a way that may affect compliance, is deemed a manufacturer and assumes all manufacturer obligations.	Any distributor who places packaging on the market under its own name or trademark, or modifies packaging in a way that may affect compliance, is deemed a manufacturer and assumes all manufacturer obligations.

Annex 2: Timeline of Obligations

Date	Obligation / Significance
12 August 2026	A substantial number of core PPWR obligations begin to apply. From this date, food-contact packaging containing PFAS above the prescribed limits may no longer be placed on the market.
12 February 2027	Member States must establish penalties for breaches of the PPWR.
12 August 2028	Mandatory harmonised packaging labelling begins to apply, provided the relevant implementing act has entered into force. Commission Decision 97/129/EC is repealed from this date.
12 February 2029	Reusable packaging must be marked as reusable and include a QR code or another digital data carrier providing information on the reuse system.
1 January 2030	Major package of obligations takes effect, including: recyclability classifications (A/B/C), minimum recycled content requirements for plastic packaging, packaging minimisation requirements, limits on empty space, restrictions on certain packaging formats, and reuse targets.
1 January 2035	The requirement for recycling at scale becomes applicable, subject to any relevant implementing acts.
1 January 2038	Packaging may no longer be placed on the market unless it achieves at least recyclability Class A or B.
1 January 2040	Higher targets for recycled content in plastic packaging and stricter reuse targets become applicable.

Some deadlines may change depending on the adoption and entry into force of implementing acts at EU level.