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Challenges for the downstream users of chemicals under EPR for packaging

Executive summary

Downstream users of chemicals support the objectives of EPR for packaging, but fragmented national rules create disproportionate administrative costs, duplicate obligations and barriers to cross-border trade. With the upcoming Circular Economy Act, we call for an EU framework that:

- Harmonises EU definitions and classifications, especially for household versus professional/B2B packaging, while recognising traceable industrial waste-management systems.
- Creates a binding EU Digital One-Stop Shop with one registration, EPR identifier and reporting interface, and automated transmission to national systems.
- Harmonises reporting obligations, material codes, data requirements and calculation methods, limits national deviations and permits parent-company reporting within a Member State.
- Prevents double reporting and double payment in cross-border supply chains through clear allocation, deduction and refund rules.
- Harmonises EPR labelling and aligns its timing with CLP and other EU rules, protecting safety communication and avoiding unnecessary artwork changes and waste.
- Aligns EPR with various EU packaging and chemical legislation and UN transport rules, ensuring eco-modulation does not penalise legally required safety features.

Introduction

The downstream users of chemicals support a wide range of value chains, including construction, packaging, automotive, electronics, furniture, hygiene products and consumer goods. Companies typically operate across multiple Member States, placing packaged products on the market through complex B2B and B2C supply chains.

While these industries support the objectives of Extended Producer Responsibility (EPR), the increasing fragmentation of packaging EPR requirements across Member States creates significant administrative burdens, compliance costs and barriers to the functioning of the Single Market. These challenges are particularly acute for companies operating across multiple jurisdictions and for SMEs. This paper highlights the main challenges encountered by companies placing packaged products on the EU market and outlines potential solutions that could support a more efficient and harmonised EPR framework within the EU through the upcoming Circular Economy Act.

Challenge 1: complexity of EPR systems for industrial and chemical packaging

Most existing EPR systems were designed primarily around consumer packaging streams and do not adequately reflect industrial supply chains. Packaging used by the downstream users of chemicals (for instance, packaging used for adhesives, inks, paints, cosmetics, detergents, construction chemicals, lubricants, aerosols, fragrances) often includes:

- Multiple packaging layers: primary packaging for products; secondary packaging for logistics; and tertiary packaging for transport.
- Mixture of flows**:** B2B (industrial) and B2C (DIY, retail).
- Custom packaging and private labels per customer or distributor.
- Hazardous materials packaging which must comply with UN certification, limiting flexibility for recyclability(aerosols).

As a result, companies face difficulties classifying packaging and determining whether packaging should be reported as household or professional packaging. Classification frequently relies on estimates or assumptions, as actual end-use cannot always be determined. Where packaging is supplied directly to professional users, however, the picture is very different.

Professional packaging systems often operate under conditions that differ significantly from consumer packaging streams. Professional packaging is typically supplied to a known and limited number of business customers under contractual arrangements. The packaging flow, waste holder and treatment route can therefore often be identified with a level of certainty that is generally not achievable in consumer markets. Companies can therefore organise collection and treatment directly with specialised waste operators, and these systems already deliver a high level of traceability and control. Applying the same reporting and financing mechanisms to such managed industrial systems may therefore generate administrative costs without delivering equivalent environmental benefits.

EPR requirements should take these differences into account and focus on ensuring transparency and reporting, while avoiding unnecessary duplication of systems which are already functioning effectively.

Expected costs & missed market opportunities

Companies placing packaged products on the EU market incur substantial external advisory costs to determine whether legal entities must register with a producer responsibility organisation (PRO), identify data gaps and complete registration. These costs are additional to PRO registration fees and vary according to company structure, markets and applicable national requirements.

Companies also report significant differences in national rules for multi-material, hazardous and commercial packaging. Requirements may vary regarding whether the full packaging weight is assigned to the dominant material or split by material, and whether particular packaging categories fall within standard reporting or separate schemes. These differences increase complexity and underline the need for greater harmonisation.

Applying and maintaining different national rule sets requires significant staff and IT capacity to manage packaging data and adapt reporting systems. Uncertainty may also lead companies to adopt cautious reporting approaches, including broader scope classifications or more costly reporting categories, to reduce the risk of non-compliance.

Potential Solutions

- Establish harmonised EU definitions for household and professional/B2B packaging.
- Introduce simplified reporting for purely B2B industrial packaging.
- Recognise existing professional waste management systems when determining EPR obligations.

Challenge 2: data management and traceability burden

The management of packaging data is typically distributed across multiple departments inside one company, including procurement, R&D, manufacturing, logistics and regulatory affairs, leading to fragmentation, high administrative load in collecting all the right data and consolidating it (most of the time, manually) and risk of errors. Moreover, Enterprise Resource Planning (ERP) and Bill of materials (BOM) systems are rarely structured to identify packaging by material type and destination country, and often not all packaging levels are managed within the BOM or even exist in the same IT system.

Moreover, packaging information often arrives from suppliers in different formats (PDFs, spreadsheets, emails), leading companies with an annual estimate of tens of thousands of supplier documents to process manually to support compliance activities.

Finally, national EPR schemes request different data sets and classifications, with IT systems that need to be customised country-by-country. While Article 44 PPWR establishes a framework for producer registration and reporting, the current PPWR draft Implementing Act focuses primarily on the format of data submission rather than on harmonizing the underlying reporting obligations, classifications and data requirements across Member States. As a result, substantial administrative complexity is likely to persist despite the introduction of common reporting templates.

A harmonized data format is an important first step, but it does not by itself eliminate the need for companies to navigate multiple national portals, reporting rules, classifications and compliance interpretations. The CEA should mandate a genuine EU Digital One-Stop Shop, structuring it as a binding legal obligation.

Expected costs & missed market opportunities

Under the current fragmented system, EPR data-management costs increase with the number of national systems in which a company placing packaged products on the EU market operates. Companies selling packaged products across several Member States may need to maintain multiple registrations, work with different PROs, and submit similar information through separate national portals with different data and IT requirements.

Across sectors, the main cost drivers include:

- Investment in data systems and processes to collect, structure and maintain packaging information.
- Internal staff time for legal assessment, registration, PRO management, data quality checks and reporting.
- External support for compliance, reporting and data calculations, particularly where national requirements differ.

Additional national requirements, including different registration, reporting and calculation approaches, create further complexity and costs for companies operating across borders.

The consequences go beyond compliance budgets. Resources spent navigating fragmented national rules cannot be invested in packaging redesign, recyclability, recycled content or innovation. A genuine EU Digital One-Stop Shop, in which a single data submission can be reused across Member States, together with a harmonised reporting approach, would reduce country-specific administration and IT adaptation, improve data consistency and free resources for circular-economy objectives.

Potential Solutions

- Harmonised reporting framework: a standardised EU reporting template should be established, limiting national deviations wherever possible.
- Digital interoperability: the development of future digital infrastructure should support structured exchange of packaging data where feasible.

Challenge 3: reporting burden and compliance costs

Companies placing packaged products on the EU market face significant burdens arising from:

- Multiple national registration systems,
- Different reporting formats and material codes,
- Multiple legal entity registrations,
- Different reporting frequencies,
- Divergent treatment of reusable and non-reusable packaging,

- Country-specific requirements for authorised representatives, leading to separate contracts, duplicate reporting and additional administrative layers.

As a consequence, companies face significant administrative and financial burdens linked to managing multiple registrations, reporting systems and authorised representative requirements. The lack of harmonisation across Member States leads to duplication of effort, increased compliance costs and a higher risk of errors. For many companies, particularly SMEs, these requirements can act as a barrier to cross-border trade and divert resources away from innovation and sustainability investments.

Expected costs & missed market opportunities

Companies placing packaged products on the EU market confirm that each national variation of EPR systems must be handled separately, requiring additional investment in staff, software, system integration or external services to meet different reporting requirements, fee-calculation methods and timelines.

Divergent national rules may also result in the same packaging being reported and paid for in more than one Member State. This can arise when countries apply different reporting triggers, or when obligations fall on different actors in the supply chain.

In some cases, fees may be refunded after exported quantities are deducted, but companies must still pre-finance the amounts and manage the related administrative process. In other cases, limited visibility across complex supply chains can prevent a refund and lead to double payment. This leaves funding in a market where the packaging waste will not arise and undermines the functioning of the Single Market.

Potential Solutions

- EU Digital One-Stop Shop for EPR, as proposed by Ecommerce Europe, which would allow:
    - Single registration,
    - Single reporting interface,
    - Single EPR identifier,
    - Harmonised reporting formats,
    - Automated transmission to national systems.

    It is worth mentioning Industry-led initiatives already in place that demonstrate the willingness of PROs to explore greater convergence. PROs from Belgium, Netherland, France and Luxembourg are examining how reporting systems could evolve towards greater alignment in the context of the PPWR. Such initiatives could help identify common principles, data requirements and technical solutions that could support the future development of an EU-wide Digital One-Stop Shop.

- Parent company reporting**:** where multiple subsidiaries operate within the same Member State, consolidated reporting by the parent company should be permitted, potentially via the EU Digital One-Stop Shop for EPR.

Challenge 4: labelling and artwork management

Chemical packaging is already subject to extensive labelling obligations under CLP, ADR, REACH and, for certain sectors, also DPP obligations under the Detergent Regulation. Additional EPR labelling requirements create:

- Conflicts with hazard communication requirements (i.e. customers can no longer make sense of such communication, due to the wide variety of labelling)
- Multiple artwork versions
- Small label space constraints
- Increased multilingual requirements

Expected costs & missed market opportunities

Introducing new labelling requirements can create substantial costs across a product portfolio. The overall impact depends on the number of artworks, packaging formats, markets and national variants affected.

These costs go beyond the graphic change itself. Even a relatively simple label update may require coordination across regulatory affairs, design, procurement, quality assurance, master data and IT, manufacturing, logistics, warehousing, marketing and packaging teams.

- Design and layout work.
- Printer setup and minimum order quantities.
- Disposal of obsolete label stock.
- Production, quality and master-data updates.

Costs increase where existing packaging must be redesigned, multiply with each national variant and recur whenever requirements change before EU harmonisation. Discarding obsolete labels and packaging also creates avoidable waste.

Additional effort may be needed to explain changes to customers, distributors and internal staff, ensuring that updated labels are understood correctly and that mandatory product and safety information remains clear.

Potential Solutions

- Accelerate harmonisation of EPR labelling requirements.
- Align timing with other labelling requirements laid down in other EU legislation, such as CLP and the Directive on empowering consumers for the green transition.
- Ensure EPR symbols do not conflict with safety labelling requirements.

Challenge 5: regulatory overlaps and contradictory requirements

The downstream chemical industries increasingly face overlapping requirements between:

- EPR obligations
- Plastic taxes
- PPWR requirements
- CLP and ADR obligations
- REACH communication duties

With regards to the issue of regulatory compliance, for chemical packaging in particular, compliance obligations under CLP, ADR, REACH and UN transport legislation are often mandatory and non-negotiable. Packaging features requested to ensure safety, prevent leakage or guarantee legal compliance may inadvertently reduce recyclability scores or increase EPR fees. Companies should not be penalized under one framework for complying with requirements imposed by another.

With regards to the issue of financial contributions, future eco-modulation schemes should recognize situations where packaging characteristics are driven by legal safety requirements rather than by design choices. Packaging required to comply with hazardous-goods legislation, chemical safety regulation or food-contact regulations should not automatically be disadvantages in fee structures where those characteristics cannot realistically be altered without compromising regulatory compliance.

Potential Solutions

Better alignment and harmonisation between various EU regulatory frameworks is a must.

List of Signatories

FEICA - Association of the European Adhesive & Sealant Industry

ECC - European Construction Chemicals

FEA - European Aerosol Federation

I&P Europe - Imaging and Printing Association e.V.

CEPE - European Council of the Paint, Printing Ink and Artists' Colours Industry

Detergents Europe