



Subject: Packaging and Packaging Waste Regulation: Joint Transport and Logistics Sector Calling for Greater Clarity and Simplification

Transport and logistics operators and service providers play an essential role within circular economies; without them, circular economies would not function. As integral actors within circular economies, efforts to reduce environmental footprints through the adoption of more sustainable business practices - including through more sustainable packaging solutions - can significantly help to support the EU to reach its relevant sustainability and decarbonisation targets. Nonetheless, the aforementioned goals can only be achieved through clear, simple, and attainable regulatory framework.

In this respect, the undersigned associations, PostEurop, the European Express Association (EEA), and the European Association for Forwarding, Transport, Logistics and Customs Services (CLECAT), and the European Cold Storage and Logistics Association (ECSLA), representing significant sections of the transport, logistics and temperature-controlled storage sector, **call upon the European Commission to provide greater clarity in relation to transportation elements of the Packaging and Packaging Waste Regulation (PPWR), in addition to undertaking further, significant, simplification.**

In its current form, uncertainty remains in PPWR in relation to a number of elements concerning the application of the framework to transport operators. Whilst the updated guidance and FAQs from the Commission is acknowledged and appreciated, providing further clarity on more horizontal issues related to PPWR, a number of elements related to the implementation of PPWR by transport operators remain unclear. At the end of this paper, a list of outstanding questions that require further clarity from the European Commission can be found. **Signatories to this letter and their members kindly call upon the Commission to provide clear and concise responses to the questions in order to facilitate preparation, ensure compliance, and support the framework's success.**

Moreover, PPWR still represents a source of significant administrative and operational complexity that threatens to impact the competitiveness of transport operators, and their customers - in particular SMEs. While the undersigned associations support efforts by the Commission to temporarily suspend PPWR related Extended Producer Responsibility (EPR) requirements for authorised representatives until 2035 (and simultaneously call on co-legislators to advance and finalise the file as quickly as possible), further simplification is required. For example, reuse targets as outlined under article 29 (2) and (3) require operators to comply with different reuse targets depending on who is the end-receiver. This creates significant complexity for operators including managing operations and trade flows, empty returns, cross-site redistribution, and even

storage of un-used reuse packaging in facilities that were not designed to store such material. In addition to the above, operators must ensure that a system of reuse is in place to monitor and track all reusable packaging items. When considering the number of packaging pieces, e.g. pallets, within a single operator's network alone, the size, complexity, and cost of the investment needed to comply is substantial. For operators in the temperature-controlled food supply chain, reuse obligations must moreover remain compatible with EU food hygiene and food safety requirements and with the specific operating conditions of chilled and frozen storage.

Whilst the transport and logistics sector supports the objectives of the EU Packaging and Packaging Waste Regulation (PPWR) to reduce packaging waste, current levels of unclarity and significant complexity manifest as both a substantial compliance and competitiveness risk. Further legal clarity, operational feasibility, pragmatic solutions, and regulatory simplicity are required to achieve the framework's goals. Without such clarity, there is a risk of inconsistent implementation and enforcement across Member States, unnecessary administrative burdens and unintended impacts on supply chain efficiency, competitiveness and sustainability objectives. As a result, **signatories to this letter urgently call upon the Commission to adopt clear, EU-level implementation guidance and coordination with Member States to prevent divergent interpretations of manufacturer and producer status, particularly for branded transport packaging and reusable logistics assets, in addition to simplifying the PPWR framework as a whole.**

The co-signatory associations and associate members remain open for a constructive dialogue with the Commission to work towards achieving the EU's circularity goals via a competitive transport and logistics sector.

Outstanding Questions for Clarity

1. Given the complexity of transport and logistic supply chains, operators may perform a number of tasks that do not fall within the typical definitions of responsibilities within the PPWR framework. **Could the European Commission provide more detailed guidance and examples in relation to the definitions of responsibilities** (e.g. producer, fulfillment service provider, manufacturer) and also further clarify and enhance the examples already given for the role of Manufacturer in the FAQ-document. Further support in this area will help operators to comply with the necessary rules. A specific example of the above can be seen in who is responsible for obligations as manufacturer in a number of cases for transport packaging. For example, who is responsible when considering the manufacturing of non-branded packaging (if it is transport packaging and supplied flat) - for this case contradictions exist in the FAQs and Guidance document - or, more generally, who provides technical documentation in the cases of branded packaging?
2. Please can the European Commission confirm that any **packaging placed on the market prior to the application date of PPWR** (12 August 2026) - and aligned with previous packaging and packaging waste rules - does not need to comply with PPWR framework, and therefore does not require relevant documentation introduced by PPWR? Moreover, how should reusable packaging that was placed on the market before 12 August 2026, but after 11 February 2025, be treated if the relevant documentation is not available?
3. How are **shipping labels** considered under the PPWR framework? Given the amount of vital information that must be shown on a letter/parcel/transported goods, shipping labels are a necessity of the transport sector. Further guidance is therefore vital to understand whether they are deemed packaging, packaging material, or outside the scope of the framework?
4. Moreover, how should shipping labels be affixed to packaging, as well as labels used solely for internal transportation and operational logistics purposes, be treated under the PPWR? In the transport and logistics sector, **different types of labels** are essential to identify, track and manage shipments, parcels and other transported goods, and to display mandatory operational information. Further guidance would be appreciated on whether such labels constitute packaging under the PPWR and, if so, whether they should be regarded as packaging items, integrated components, separate components or ancillary packaging elements.
5. Similarly, the PPWR introduces new requirements for packaging labelling and traceability, such as **contact information and digital traceability through QR codes**. At the same time, additional labelling requirements will be introduced in the coming years. This creates a risk that businesses will need to update the same packaging multiple times, resulting in unnecessary costs and administrative burden. Can the

European Commission therefore confirm that steps will be taken to avoid this, consolidating requirements where possible?

6. **Can the European Commission confirm that sheet of paper on which stamp is sold is not packaging?** Based on PPWR recital 13, it should be considered as an integral part of the product and not packaging.
7. Can the Commission clarify how **double charging under Extended Producer Responsibility** (EPR) rules should be avoided within logistics supply chains involving multiple economic operators? In complex logistics chains, the same packaging may first become subject to EPR obligations when it is placed on the market and subsequently give rise to additional EPR obligations when packaging waste is generated or handled by another economic operator. This creates uncertainty as to whether the same packaging could effectively be charged more than once. Further guidance would be appreciated on how the PPWR ensures that the same packaging is not subject to multiple EPR charges during its lifecycle, and how EPR responsibilities should be allocated between the different economic operators involved.
8. Please can the European Commission provide **further clarification on the interpretation of recitals 122 and 123**, resolving any contradiction that current exists in the text's wording. For example, recital 123 outlines that logistics companies conducting handling activities (e.g. unpacking and repacking imported goods before onward shipment) "should be considered as the producer" for the original transport packaging that remains with them and becomes waste in the Union. However, Article 3(15) defines a 'producer' exclusively as a manufacturer, importer or distributor meeting one of the situations set out in points (a) to (e). To qualify as a producer under the PPWR, a logistics company must therefore fall within one of those three categories, but Recital 123 does not specify which. This creates a legal gap as to the basis on which a logistics company acquires producer status. Could the European Commission clarify which role - manufacturer, importer or distributor - a logistics company assumes when performing the handling activities described in Recital 123, and on what legal basis under Article 3(15) that qualification is made?
9. PPWR, has a significant impact on goods imported into the EU. There is, however, a significant lack of clarity regarding the interaction between the PPWR's importer framework and the concept of the Importer of Record under EU customs law. We would welcome further guidance from the Commission on the interaction between PPWR's Importer obligations and due diligence duties, and **formal EU customs procedures and roles**, including any update to the guidance document or a dedicated FAQ addressing these scenarios
10. Whilst it is understood that a complete list of transport packaging types cannot be provided by the Commission given the range of solutions available on the market, **further guidance and additional examples of transport packaging is urgently requested by the transport sector**. Within this respect, could the Commission also

provide further clarity on the difference between transport packaging and handling equipment (e.g. roller cages)?

11. What if a **reusable packaging is used less than the expected iterations** due to being damaged, who will be accountable for it?
12. Does the European Commission **plan to develop a central coding and tracking system for purposes related to reuseable packaging**? Tracking packaging that will enter EU from outside EU and be re-used in EU will be extremely challenging for operators e.g. Euro Pallets (EPAL) that move between UK and EU - in such scenarios, will the Commission support a pragmatic solution to support operators in tracking such movements?
13. Can the European Commission provide further guidance on how to prove that an operator is fulfilling the **packaging minimization rules** and to what extent does this information have to be part of the Declaration of Conformity (DoC)?
14. **How often does an operator need to produce a DoC** for packaging for which the manufacturing conditions and technical specifications did not change?
15. Can the European Commission clarify the **role and responsibilities under PPWR of transport operators, postal service providers, and freight forwarders established in a third country** that sells branded parcel boxes (its own transport packaging) to customers in that same third country, where those customers subsequently use the boxes to send items to recipients located in the EU? A key complexity is that, at the point of sale of the parcel box, the postal operator, logistics provider, or freight forwarder has no knowledge of - and no means to verify - whether the box will ultimately be shipped to an EU destination, to a domestic recipient, or to a third country. It is therefore unclear (i) whether, and at what point, such a provider is deemed to "make packaging available for the first time on the territory of a Member State" within the meaning of Article 3(15)(c) or (d), (ii) whether producer status can attach retroactively once the parcel enters the EU, (iii) how the postal operator, logistics provider, or freight forwarder is expected to comply with obligations such as registration, EPR contributions, appointment of an authorised representative and provision of a Declaration of Conformity when the EU nexus is not established at the point of sale, and (iv) how responsibilities should be allocated between the third-country postal provider, the third-country sender and any EU-side operator (e.g. the delivering postal, logistics operator or customs importer) that first handles the parcel in the Union. Practical guidance and worked examples would be appreciated to enable compliant operating models for cross-border transport operators, including postal and parcel services.
16. Can the European Commission **confirm that logistics service providers that neither apply nor modify packaging are not subject to due diligence obligations**?

and can the Commission please clarify the criteria for distinguishing logistics services from fulfilment services that may be subject to additional compliance obligations?

17. Can the Commission confirm that **freight forwarders, logistics service providers and customs representatives do not become responsible for a producer's failure to register under Article 44** or appoint an authorised representative for extended producer responsibility under Article 45(3) solely because they arrange transport or providing customs clearance? What guidance will be provided to national authorities to ensure that enforcement remains directed at the responsible producer and, where applicable, its authorised representative, rather than defaulting to the logistics operator visible at the point of import?