

# PACKAGING EXTENDED PRODUCER RESPONSIBILITY TECHNICAL GUIDANCE

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but could be subject to change.*

**MARCH 2025**

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The new system of extended producer responsibility has officially entered into force from the 1 January, with 2025 being EPR Year 1. This places a number of stringent financial and administrative requirements on packaging producers, with costs to industry expected to rise from around £500m in 2022, to an estimated £1.5 billion from 2025. This document aims to summarise the latest understanding of these wide-ranging reforms and contextualise them for BPIF membership.

## MOTIVE FOR THE REFORM

Since 1997, a system of producer responsibility for packaging has been in place, operating UK-wide under Great Britain and parallel regulations in Northern Ireland. This system successfully enabled the UK to meet government-set packaging waste recycling targets by making it economically viable for reprocessors to achieve these goals through the trading of Packaging Waste Recovery Notes (PRNs).

However, PRN funding covers only around 7% of the total costs associated with the post-consumer management of packaging waste in the UK, leaving a substantial financial burden outside the scope of producer responsibility. In addition, the previous system of shared producer responsibility was quite complex, and made it difficult for government to incentivise change, particularly as it did not encourage the improvement of packaging design and sustainability, which is something the reformed system seeks to address through the recyclability assessment methodology (RAM).

In alignment with many European nations, the UK government has now opted to shift greater financial responsibility to packaging producers for the end-of-life management of the products they sell. This policy aims to drive greater producer engagement across the entire lifecycle of packaging, from design to recycling. Under the new system, producers will be responsible for covering the net costs of collecting, sorting, and disposing of household packaging waste, as well as contributing to the recycling of all packaging waste generated in the UK.

## CURRENT EPR TIMELINE: 2025/26

**23 December 2024 :** Third iteration of the pEPR illustrative base fees published.

### 2025

**1 January:** pEPR regulations enter into force.

**21 January:** Scheme Administrator, PackUK is officially appointed.

**1 April:** Deadline for all obligated producers to register with the Environment Agency, and for all small producers to submit their 2024 packaging data, while large producers must submit their half-year 2 (July to December) 2024 packaging data.

**June/July:** Final EPR base fees to be published and a statement of modulation to be released (should confirm the level of EPR fee modulation according to the RAM).

**1 October 2025:** Large producers to submit their 2025 half-year 1 (January to June) data with red, amber, or green ratings according to the RAM. Producers will also receive their first EPR invoices based on their 2024 submitted data – this can either be paid as a lump sum or in quarterly installments in November 2025, January, April, and June 2026.

### 2026

**1 April:** Deadline for small producers to submit their 2025 packaging data, and for large producers to submit their half-year 2 (July to December) 2025 data.

**1 July:** Large producers receive their invoice for EPR fees for 2026/27 based on their 2025 submitted data – this will also be the first invoice to be subject to eco-modulation, with penalties or discounts applied to the EPR fees in accordance with the data's RAM rating.

**1 October:** Deadline for large producers to submit their 2026 half-year 1 (January to June) data.

## PACKAGING DEFINITION

Packaging is defined in the EPR regulations as:

*"...all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from raw materials to processed goods, from the producer to the user or the consumer, including non-returnable items used for the same purposes..."*

Under EPR packaging must be reported in specific packaging categories - these are:

- Primary packaging: any packaging used to package a single sales unit.
- Secondary packaging: is packaging used around multiple sales units for the purposes of presentation typically at the point of sale.
- Tertiary packaging: commonly referred to as 'transit' packaging, this is used to group multiple sales unit together for the purposes of handling through supply chains.
- Shipment packaging: also known as 'transit' packaging, this is packaging used in addition to primary packaging to help goods through postal/courier services or be supplied via mail-order and click-and-collect.

**Example:** A business supplies plumbing equipment. They supply small components in cartons, with multiple cartons palletised and sent to hardware stores. They also supply boilers to plumbers with a boiler packaged on a single pallet. The pallets used to carry multiple cartons to hardware stores would be classed as tertiary packaging, with the cartons classed as primary packaging. The pallets used on the boiler are classed as shipment packaging.

## EPR NEW PRODUCER CATEGORIES

Under EPR there will be new producer categories.

### **Brand Owner**

Obligated for any packaging carrying their brand, name, trademark, or other distinctive mark, as well as any unbranded packaging forming primary packaging alongside their branded packaging.

For example, for a ready-meal where the cardboard sleeve is branded but the plastic tray and film are not, all packaging is considered to be branded because it is one primary unit.

### **Importer**

Obligated for any secondary and tertiary packaging imported into the UK, as well as any filled primary packaging, for which there is no obligated UK brand owner. They are also obligated for any packaging they import around goods and discard without supplying onwards. An importer is also obligated for any packaging which they are the first UK owner of, unless there is an obligated brand owner for that packaging.

### **Packer/filler**

Obligated for any unbranded packaging they fill not owned by another party. Where another party does own the unbranded packaging a contract packer fills, the owner of the packaging will be obligated for that packaging as the packer/filler.

### **Distributor**

Obligated for any empty packaging they manufacture or import and supply to a small producer for the small producer to make use of. Where the business which supplies empty packaging to a small producer is not the manufacturer/importer of the packaging, this packaging is not obligated currently under EPR.

### **Online Marketplace**

Obligated for any packaging supplied via their platform by non-UK businesses to UK end-users.

### **Service Provider**

Obligated for any packaging they lease out for others to make use of the first time that packaging is placed on the market. Where packaging is reused multiple times, it does not have to be reported again. Packaging is only reported on its first use.

## **Seller**

Sellers are a distinct producer category in that a producer who is a seller, will not have to report any packaging for which they are solely a seller under EPR, nor will they have to pay for the packaging for which they are solely a seller.

However, producers who are a seller of packaging to consumers must include that packaging when determining if they pass the producer obligation thresholds for EPR. Producers do not need to include any packaging they sell to businesses when determining if they meet the producer obligation thresholds.

## PRODUCER THRESHOLDS

Under EPR reforms the threshold at which businesses become obligated is changing. Under EPR businesses will now start to incur obligations at a lower threshold of £1m annual turnover and 25 tonnes of packaging placed on the market in a year. At this level, a producer is classed as a small producer. If a business has £2m annual turnover and placed 50 tonnes or more of packaging onto the market in a year, then they are classed as a large producer.

Crucially, only non-exempt packaging contributes to a producer meeting the tonnage thresholds for EPR. This means that packaging that is exported, and UK source second-hand packaging do not contribute to producers meeting the tonnage thresholds, nor do items that do not qualify as obligated packaging a list of which can be found in [Extended producer responsibility for packaging: Regulators' agreed positions](#) and technical interpretations.

		Last Annual Turnover		
		Under £1m	£1m - £2m	Over £2m
Packaging Handled/supplied across last calendar year	Less than 25 tonnes	No obligation	No obligation	No obligation
	25 – 50 tonnes	No obligation	Small Producer Report Data	Small Producer Report Data
	Over 50 tonnes	No obligation	Small Producer Report Data	Large Producer Report Data & Pay EPR Fees

A diagram outlining producer thresholds under EPR

Turnover should be based on a business' most recent filed accounts. Producers should only consider packaging newly supplied onto the UK market, or that they imported and discarded in the UK in the preceding calendar year and should avoid double-counting of any packaging, for example that which they perform two producer activities on.

**Important:** Please note that the both The Producer Responsibility Obligations (Packaging Waste) Regulations 2007 and The Packaging Waste (Data Reporting) (England) Regulations 2023 have been repealed and are no longer applicable. Producers are now subject only to [The Producer Responsibility Obligations \(Packaging and Packaging Waste\) Regulations 2024](#). This means that from October 2024 Large Producers should have submitted their half-year 2 2024 data and from January 2025, should follow the EPR timeline on page 5.

Valpak has a free to use [Obligation Calculator](#) which can be used to help determine if you are obligated under EPR as a large or small producer, or not at all.

## PRODUCER RESPONSIBILITIES

The following table provides a breakdown of the different responsibilities for small and large producers:

Small producer obligations	Large producer obligations
Register with environmental regulator	Register with environmental regulator
Pay a registration fee	Pay a registration fee
Collect data on any packaging activities performed throughout a year	Collect data on any packaging activities performed throughout a year (whilst assigning a red, amber, green rating from 2025 in accordance with the RAM)
Annually report data collected in the following year by <b>1 April</b>	Bi-annually report data collected by <b>1 October</b> (in year) and <b>1 April</b> (of the following year) with red, amber, green ratings
	Procure PRNs & PERNs to meet a packaging recycling obligation (often via a compliance scheme)
	Pay waste management disposal fees (EPR fees)

For businesses within a group the thresholds apply slightly differently. Any business that individually passes the producer thresholds can register and comply for EPR on its own. Any businesses that do not pass the thresholds individually, but the group when combined does, must comply as part of the group, and be obligated as the size of producer determined by the groups combined turnover and tonnage.

**Example:** If **Print Company**, a BPIF member, is one of a dozen businesses within a group and **Print Company** has a turnover greater than £2m and supplies more than 50 tonnes of packaging onto the UK market each year then they can comply with EPR independently of the rest of the group. The other businesses within the group do not individually pass the thresholds for EPR but when combined do. As a result, the parent company must register for EPR and comply on behalf of the group of companies, who are all obligated as large producers.

Under EPR reforms there is still a requirement to register annually with the environmental regulator but the process will be changing. In order to submit packaging data, all producers will need to create an account on the government's Report Packaging Data (RPD) portal, even if they are a compliance scheme member. Here they register with the EPR Scheme Administrator, which as of the 21<sup>st</sup> January has been [PackUK](#). Once a producer has enrolled, they are able to submit data via the platform and meet their compliance obligations. Producers will also register with the environmental regulator for whichever UK nation they are based in, currently expected to be achieved via RPD.

At the point of registration with both PackUK and the relevant environmental regulator, producers will pay a registration fee to cover the respective costs of the two bodies carrying out their duties. The registration fees are outlined below:

- **£1,685** for large compliance scheme members (£2,620 for direct registrants)
- **£631** for small compliance scheme members (£1,216 for direct registrants)

The majority of producers become members of producer compliance schemes (PCSs) who assist them in meeting their obligations under the packaging waste regulations. Producers that are members of a PCS must associate their business via RPD with their compliance scheme. This will enable their compliance scheme to have the power to carry out all necessary submissions on the producer's behalf.

Groups of companies can register together or individually depending on whether they pass the producer thresholds. A parent company seeking to manage the compliance of their group will enrol on RPD on their own, and once enrolled will be able to declare their status as representing a group. They will then upload details of

each subsidiary they intend to manage the compliance of as part of their group EPR registration. The registration fees for groups and subsidiaries are:

- **£558** for the first 20 subsidiaries (each)
- **£140** for the 21<sup>st</sup> to 100<sup>th</sup> subsidiaries (each)

## SMALL PRODUCER OBLIGATIONS

Small producers will incur no financial obligations (aside from registration fees and potential charges), but they will have reporting obligations. This means they will need to record data on any of the producer activities they perform in the UK annually.

The first submission deadline under the reformed system is the 1 April 2025, which is also by when all producers must have registered with the Environment Agency and PackUK.

## LARGE PRODUCER OBLIGATIONS

Large producers are required to collect and report data for any packaging activity they perform. Data must be reported in two annual submissions under EPR. One due by 1 October and one due by 1 April. The October submission will cover the first 6 months of a given year (January to June) and the April submission made in the following year will cover the last 6 months of a given calendar year (July to December).

In addition to reporting their packaging data, large producers must finance the end-of-life management of an equivalent amount of packaging to that which they placed on the UK market (through the acquisition of PRNs or PERNs) in line with government targets. Large producers of primary household packaging will also need to pay EPR fees and assess their packaging in line with the RAM guidance so that their fees may be modulated from July 2026.

## FINANCIAL OBLIGATIONS

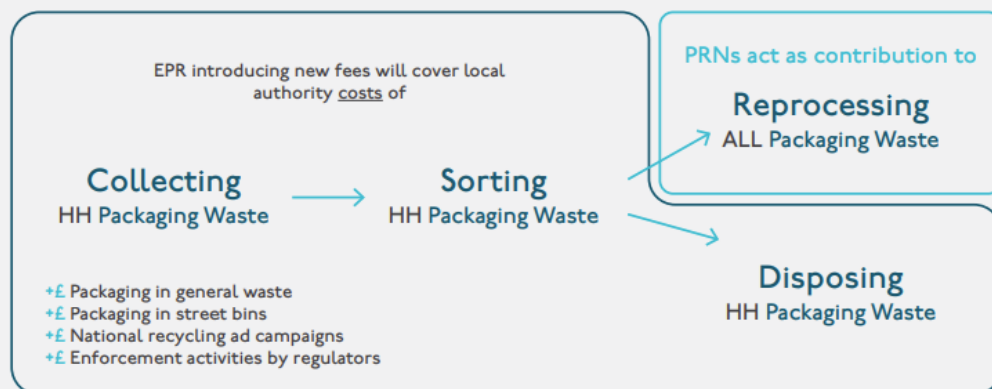
There will be new fees under EPR, waste disposal fees, which will depend on the type of packaging a producer places on the market. These waste disposal fees, often referred to as 'EPR fees', will see large producers paying directly to cover the full net cost of packaging waste. EPR fees will apply in addition to PRN obligations. We have now had three iterations of these EPR fees, with the latest ones shown below:

Material	2 <sup>nd</sup> Iteration	3 <sup>rd</sup> Iteration
Aluminium	320-405-605	<b>435</b>
Fibre-based composite	355-450-565	<b>455</b>
Glass	110-175-215	<b>240</b>
Paper/card	135-190-250	<b>215</b>
Plastic	360-425-520	<b>485</b>
Steel	220-265-330	<b>305</b>
Wood	145-240-340	<b>320</b>
Other	180-205-240	<b>280</b>

The official EPR fees are expected to be release in the summer of 2025.

PRNs are Packaging Waste Recovery Notes. These are evidence notes which certify that a tonne of a given packaging waste material has been reprocessed. There are also PERNs (Packaging Waste Export Recovery Notes) which evidence that material has instead been exported for recycling abroad. Producers have obligations to fund recycling, which are met by procuring PRNs or PERNs. Under EPR producers will continue to be obligated to procure these evidence notes to meet a recycling obligation.

On the other hand, EPR fees will perform a distinctly different role to PRNs. EPR fees will cover the costs of local authority waste collections, national recycling communications, the operation of PackUK, and the management of packaging disposed of in street bins. All of these activities are currently not directly funded by the PRN mechanism.



*A diagram depicting the distinction between PRN and EPR fee funding*

Producer's obligations will be determined by where the packaging waste resulting from their activity arises. There are now five packaging categories which incur different financial obligations under EPR:

### **Household**

This is any primary or shipment packaging which is not directly supplied by the producer to a business end user. This means that packaging around goods which the obligated producer supplies to a wholesaler, who in turn supplies those to their customer, must be reported as household, even if they know it will not end up in a household waste stream.

### **Non-Household**

This is all secondary and tertiary packaging. It is also any primary and shipment packaging supplied directly to a business end user by the obligated producer, where the obligated producer can prove that their direct customer is the end user of that packaging.

For packaging placed on the market in 2024, the non-household packaging definition will also include any primary or shipment packaging for a product which is designed only for use by a business or public institution, and the packaging for that product is not reasonably likely to be disposed of in a household bin. We are awaiting further guidance on what is considered 'reasonably likely' and 'designed only for use by a business or public Institution'.

### **Street bin packaging**

This is any packaging featured on the government's list of 'packaging likely to arise in street bins'. The full list of this packaging is available [here](#).

### **Drinks containers**

These are any PET bottles, or steel & aluminium cans placed on the market in England, Scotland, and Northern Ireland between 150ml and 3L in volume, and must be reported separate to other packaging on the EPR data submission. Wales announced that they would withdraw from the UK-wide Deposit and Return System (DRS) due to their desire to include glass within the scope of their system.

Importantly there are many packaging items that will be placed on the market which are beverage containers but must not be reported under the drinks container category. This is because drinks container reporting pertains to items which are intended to be managed within a DRS in the future. As such, fibre-cartons and other drinks cartons would not be reported as drinks containers even where they are used to package beverages.

Due to their eventual inclusion in the DRS scope, PET bottles, as well as steel and aluminium cans will only incur PRN obligations when placed on the UK market until the DRS is launched. On the other hand, due to them being excluded from the DRS, glass bottles will incur PRN and household EPR fees under the new packaging waste regulations in England, Scotland, and Northern Ireland.

It is expected that any containers in-scope of the DRS will be exempt from EPR data reporting requirements, as well as any EPR financial obligations at the point the DRS(s) go live. However, if the DRS is delayed and therefore not in place by 1 January 2028, then obligated producers will be subject to the full range of packaging EPR obligations until a DRS is operational.

## Reusable

This is packaging which has been designed to be used multiple times by being refilled or reused for the same purpose for which it was conceived.

With the exception of imports, reusable packaging is only obligated the first time it is supplied. This means it can be used again in its original form for the same purpose, without picking up any further obligation.

Packaging type	PRN obligation	EPR fee
Household	✓	✓
Non-household	✓	-
Street Bin packaging	✓	✓ - likely to be an enhanced EPR fee
Drinks container	✓	-

A table depicting the financial obligations of packaging that incurs charges under EPR

## RECYCLABILITY ASSESSMENT METHODOLOGY (RAM)

The RAM is a framework developed by the UK government's Department of Environment, Food, and Rural Affairs (Defra), to evaluate the recyclability of packaging materials. It does so by assessing each packaging component based on its compatibility with current recycling infrastructure, including collection sorting and reprocessing capabilities. The RAM then assigns a red, amber, or green (RAG) rating to each component, which influences the fees producers will need under the EPR system; a red rating will face the highest penalties, with amber likely to face moderate penalties, while green possibly facing a discount on its EPR fee.

The RAM assesses packaging through four main stages before assigning a RAG rating:



*Packaging's compatibility with each stage is considered to produce a RAG rating*

Large producers will need to have started assessing all their household primary and street-bin packaging since the start of 2025, in preparation for their first report due 1 October. The fees that will be subject to this eco-modulation are those to be paid from July 2026 onwards.

## DATA PRODUCERS HAVE TO REPORT

All large and small producers affected by EPR for packaging must collect and report data about the packaging they have supplied within or to the UK market. The data that producers must collect or report depends on whether they are classed as a small or large producer and whether or not the packaging is supplied by an organisation that is established in the UK. The table below outlines the fields that producers must report for packaging they have placed on the market:

Data Field	Description	Report in other fields
Producer type (aka. packaging activity)	Under which producer activity was the packaging in question placed on the market?	Packaging can only be reported under one producer type – packaging in all other fields must be reported by producer type
Packaging material	What material is the packaging made from? (plastic, steel, aluminium, glass, paper & card, fibre-based composite, other)	Packaging can only be reported under one material category – packaging in all other fields must be reported by producer type
Packaging level	Is the packaging primary, secondary, tertiary or shipment packaging?	Packaging can only be reported under one packaging level - packaging in all other fields must be reported by packaging level
Household	Is the packaging primary or shipment packaging not supplied directly to a business end user?	Packaging reported as household cannot also be reported as non-household, or street bin
Non-household	Is the packaging secondary or tertiary? If not, is it primary or shipment packaging that was supplied directly to a business end user?	packaging reported as non-household cannot also be reported as household or street bin
Street bin	Is packaging included on government's list of commonly binned packaging items?	Packaging reported as street bin cannot also be reported as household or non-household. It also cannot be reported as a drinks container or as reusable packaging
Drinks container	Does packaging match the definition of a drinks container for the purposes of the EPR regulations?	Packaging reported as a drinks container cannot also be reported as street bin packaging or as reusable packaging

Reusable packaging	Is packaging returned to the producer and utilised repeatedly for the same purpose for which intended as part of an organised system?	Any packaging reported as reusable must also be reported in another applicable field (e.g. reported under household/nonhousehold and reported under reusable). Street bin packaging and drinks containers cannot be reported as reusable
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**Example:** If **Print Company** manufactures corrugated board boxes some of which carry its own brand and some of which are unbranded. Print Company supplies the own brand boxes to large companies and supplies the unbranded boxes to small producers, both of whom will use the boxes to supply single sales units to consumers. Print Company would therefore report the branded boxes as brand owner, cardboard, primary, household packaging. Print Company would report the unbranded boxes as distributor, cardboard, primary, household packaging. If the boxes were used to supply multiple sales units, then they would have to be reported as secondary or tertiary, and therefore would be reported as non-household.

Producers will also need to report the packaging waste, referred to under EPR as 'self-managed waste', their business has handled in the following ways as part of their EPR data submissions:

Packaging waste data field	Description	
Self-managed consumer waste	Household packaging waste not commonly collected for recycling by local authorities that the producer has collected and had recycled Or, any reusable packaging that has reached end-of-life and the producer has recycled	The amount of packaging reported as self-managed consumer waste can be offset against EPR fee obligations in the future. Packaging can only be reported in this category if there the producer can provide evidence that the packaging has been recycled

Self-managed organisational waste (currently subject to a regulatory position statement meaning it does not need to be collected for half-year 2 2024 or full-year 2025)	Any packaging waste generated in the course of a producer's operations that they have recycled	-
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Producers do not just need to report the amount of packaging waste they generated or collected, they also need to report which nation\* of the UK the waste was created in and, if it was transferred from one UK nation to another, which nation it was transferred to.

\*Nation of sale data (like self-managed organisational waste) is currently under a regulatory position statement, meaning it does not need to be reported for 2024 or collected and reported for 2025.

**Example:** If **Print Company** is based in England and operated a collection scheme for the flexible plastic they have supplied onto the UK market. They have collected household flexible plastics throughout 2025 and had this plastic recycled, which they have evidence for. In addition, they have generated lots of waste cardboard boxes within their own operations. All of Print Company's packaging waste was transferred to Northern Ireland where it was recycled. They therefore can report the flexible plastics they collected as self-managed consumer waste, and in the future, this will reduce their EPR fee obligation for any plastic packaging they place on the market. They must report the cardboard boxes they had recycled as self-managed organisation waste; this will not reduce their financial obligations for that packaging. Both types of self-managed packaging will be reported as being generated in England and transferred to Northern Ireland.

Data must be reported by producers (or compliance schemes acting on their behalf) in a specific file format, a csv file format, on the RPD platform. There is extensive guidance from government available on how to [create the csv file](#) and what the [csv file contents mean](#). This is a significant new burden for producers compared to the under the Packaging Waste Regulations 2007 where the environmental regulators provided a standardised user-friendly data submission form. As a consequence, many producer compliance schemes, including Valpak, have developed their own user-friendly data submission forms available to members.

Of note, there is a new material category which producers have had to capture data for and report on since 2023; fibre-based composites. These are defined as any packaging material which is made of paperboard or paper fibres, but (as specified in

the RAM), has a plastic layer greater than 5% by weight; if it is below this, the packaging is to be considered paperboard; it must also have layers of other materials to form a single unit that cannot be separated by hand.

This means that any packaging component where the predominant material by weight is paperboard or paper fibres, and conforms to the above definition will have to be reported within the new fibre-based composite category. 'Easy-peel' packaging items, or items where there is a fibre carton, and a plastic film lid, would not meet this description as the plastic lid can be peeled away by hand. The carton component would be paper or fibre-composite depending on its specific composition, whilst the lid would be reported as plastic. As this is a novel aspect of reporting requirements, it is likely that government guidance will evolve over time in respect of how specific paper-based packaging items with varying levels of other coatings etc. should be reported.

Any other composite packaging material - that is packaging made of two or more layers of different materials that are combined, laminated, or bonded together which cannot be separated by hand - would be reported by whichever material is predominant by weight. This is of particular relevance in the print industry as some paper-based packaging products are coated with a layer of calcium carbonate or something similar in order to allow them to be effectively printed onto. This would most likely class as a composite, but so long as it is not laminated by a plastic layer, it would continue to be reported as paper packaging under EPR. If it were laminated by plastic this would be classed as a fibre-based composite.

To summarise, by October 2025, large producers will need to report all of their household and street-bin packaging according to the nine material types – aluminium, fibre-based composite, glass, paper & card, plastic, steel, wood, and other. Each of these must be reported with their own RAG rating (must include medical packaging if applicable, per material category and RAG rating).

**Nation of Sale Reporting:** Finally, there is an additional report which 'suppliers' of packaging will have to complete in the future. All sellers, distributors, service providers, online marketplaces, and importers of goods with at least £1m annual turnover and supplying at least 25 tonnes of packaging onto the market in any of those ways will be required to report all packaging placed on the market by UK nation annually. As mentioned, this is currently under a regulatory position statement meaning the legal requirement is still there, but there will be no enforcement action if 2024 data is not reported, or if 2025 data is not collected or reported. This requirement will resume from 2026.

## POTENTIAL COST IMPACTS

It is difficult to accurately discern what the cost impacts will be at this stage due to final EPR base fees expected to be released until the summer of 2025. For now, producers will be able to forecast their potential costs using the latest version of the EPR fees shown on page 13.

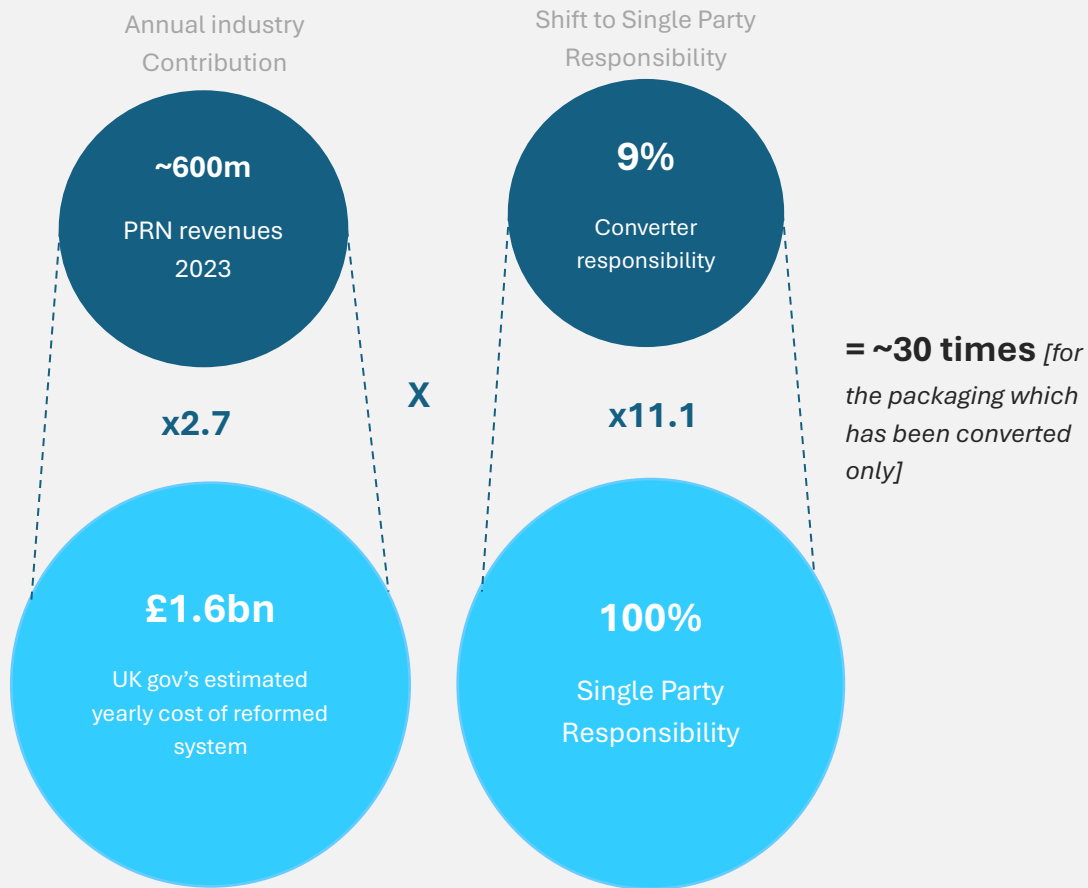
The calculation of these fees is done by dividing household packaging waste management costs and other relevant costs by the total amount of household packaging placed on the market. The result is a fee rate which is expressed in £ per tonne of packaging placed on the market. Each individual packaging category undergoes the following calculation separately:

**Numerator:** [costs incurred by local authorities managing waste of that household packaging category (e.g., aluminium)] *minus* [revenues from material sales] *plus* [that packaging category's share of other costs (PackUK costs, communication and debt provision costs)]

**Denominator:** [total weight of that household packaging category placed on the market]

Following the publication of the Statutory Instrument Defra released an Impact Assessment alongside it, in which it is estimated that the total costs of compliance will rise to £1.6bn. This estimate includes the costs of procuring PRNs, which in 2023 totalled just under £600m. When compared to previous years, it is estimated costs will increase by around x2.7 (assuming they are placing household packaging on the market) purely as a result of the new EPR fees. What must also be considered is the effect of the move from single-party responsibility to shared producer responsibility, as this will affect how much packaging an individual producer is responsible for and therefore their proportion of the £1.6bn estimated costs.

**Example: Print Company** is the brand owner for the household packaging they manufacture. Under the previous shared producer responsibility regime Print Company has a 9% convertor obligation. Under EPR that responsibility will increase to 100% for that branded packaging; an 11.1x responsibility increase. The introduction of EPR fees will increase the costs for packaging by 2.7x (from 2023 costs) and Print Company will have 11.1x more responsibility for their packaging. Factored together this results in a ~30x cost increase for Print Company's packaging.



The example is a worst-case scenario, and it is highly unlikely that a producer will see their costs increase so significantly because a producer is likely to lose responsibility for other packaging. For example, Print Company is likely to be obligated currently as a convertor where they produce packaging that carries other companies' brands, names or trademarks. Under EPR Print Company will have no producer responsibility obligations in respect of this packaging so long as those brand owners they supply to are large producers.

## MITIGATING THE EXPECTED INCREASES IN PACKAGING COMPLIANCE COSTS

From 2026 the EPR fees will be 'modulated' with more easily recyclable packaging incurring a smaller fee than more difficult to recycle packaging. As such businesses can reduce their costs when fee modulation comes into effect by moving to more recyclable packaging in advance, rather than adopting such packaging when fee modulation comes into force. This modulation of fees will be adjusted at regular intervals by the PackUK in the years following EPR regulations being introduced, with the ambition being that obligated businesses will have visibility of modulation criteria for the next 3 – 5 years. At Valpak we have developed a series of decision trees that members can access to facilitate their assessment of the different packaging materials which they place on the market.

A further measure by which businesses can mitigate the increase in costs under the proposals is to take on the burden of recovering packaging waste themselves. The proposed measures would allow businesses to offset the financial burden of their obligation against any packaging waste they backhaul, collect, recycle and dispose of, which is household packaging waste that is not commonly collected by local authorities for recycling - the packaging they would report as self-managed consumer waste. If producers themselves collect and recycle this difficult to recycle household waste, they can reduce their EPR obligation by 1 tonne for every tonne of material recycled in this way.

Switching to reusable packaging is another means by which producers can reduce their EPR cost exposure. Reusable packaging also only has to be accounted for when it is first placed on the market. This means that if reusable packaging is used across multiple years producers won't incur additional EPR obligations year-on-year. Further, end of life reusable packaging can also be recycled by the producer, with every tonne of material recycled in this way offsetting a tonne of EPR obligation in the same material category - also reported as self-managed consumer waste. These measures combined mean that reusable packaging is effectively free for compliance under EPR, and can be cheaper over time to make use of than single-use packaging.

The final method for reducing costs under EPR applies to packaging manufacturers and businesses that fill packaging on behalf of others. Manufacturers and importers supplying packaging to businesses that do not qualify as large producers – or, in the case of packaging placed on the market in 2024, businesses that package on behalf of non-large producers – are responsible for that packaging as distributors and packer/fillers, respectively.

It is the responsibility of distributors and packer/fillers to determine whether the businesses they supply to qualify as large producers. To facilitate with this process, the EA has established a register of large producers under EPR.

If a packaging manufacturer or filler is uncertain whether they are supplying to a large producer, they must assume they are not, thereby taking on full responsibility for the packaging they provide. Consequently, it is crucial for producers in this situation to take proactive measures to confirm their customers' status, as by doing so, they could face significant costs reduction under EPR since the obligation would be passed down.

Further to this, if a distributor or packer/filler does ascertain that their business customer is not a large producer then they can still reduce their costs under EPR if they can determine that the packaging they are supplying is non-household. If they do not have confirmation, then they must assume it is household and so would incur EPR fees for this packaging in addition to PRN obligations.

## INTRODUCTION OF A SCHEME ADMINISTRATOR AND MANDATORY LABELLING

As has been referenced throughout this report, Defra have set up a Scheme Administrator, officially now PackUK, which is tasked with overseeing the day-to-day functions of the packaging waste management and compliance system, in addition to deciding on important matters such as fee modulation and collecting EPR fees before redistributing them to local authorities. The primary differences between the tasks of PackUK and compliance schemes like Valpak are displayed below:

<b>PackUK (Scheme Administrator)</b>	<b>Valpak (Compliance Scheme)</b>
Decides what local authorities are owed for their kerbside collection services	Collects packaging data and submits declarations on behalf of members
Sets & recoups EPR fees from producers	Registers with regulators (and pays regulator fees)
Decides what packaging should face higher fees based on recyclability (RAM)	Acquires PRNs from accredited recyclers and exporters of UK packaging waste
Oversees rollout of national recycling campaigns	Offers a range of data, consulting, and National Cup Recycling Scheme

With regards to the mandatory labelling, this provision was removed from the main Statutory Instrument prior to it being notified to the World Trade Organisation and the EU on the 1<sup>st</sup> May 2024. Although the government has indicated that a mandatory labelling provision will be implemented via an amendment to the main EPR regulations, it does not plan to do so until the EU Packaging and Packaging Waste Regulation (Regulation EU 2025/40) confirms its own mandatory labelling provision to examine whether there can be consistency in labelling approaches between the EU and UK.

## FINAL CLARIFICATIONS AND UPCOMING POLICIES

The reform to the UK's waste management system has not come without complexity and a number of points of confusion that do need clarifying. Below are several points worth explaining.

### Dual/multi-branded packaging

The current position of the EA on this is that if the packaging bears more than one brand, the producer who makes the **first supply** of the **filled packaging** is the producer in relation to that packaging. Regardless of whether this first supply was made to another business (e.g., a food manufacturer supplying a supermarket with dual-branded packaging, the food manufacturer is obligated as the first supplier of the filled packaging).

### Brands on logistics labels

Brand owners will typically always be obligated for their branded packaging unless it is imported (the brand owner does not have a UK presence), or the brand is added on **for logistical purposes only** and **without the brand owner's request**. If the brand name has been added to the delivery address to assist with the distribution, then it is not considered branded packaging, and it will be the packer/filler's responsibility to report.

### Household vs Non-Household packaging

As it stands, non-household packaging is any secondary or tertiary packaging, while household packaging is primary and shipment packaging that is added to primary packaging for goods delivered directly to the purchaser or to a shop or collection point. However, it is possible to class primary and shipment packaging as non-household in instances where:

- It is supplied to a business or public institution (and they are the end-user)
- Packaging supplied is only designed for business use and is not reasonably likely to end up in a household or public bin

- You are an importer and import packaging into the UK and do not re-supply it to anyone else in the UK

It is important to bear in mind that for any of this, evidence must be provided and kept for a minimum of seven years.

**Important:** As per the first bullet-point, B2B supply is always non-household. However, if the packaging is supplied via a third-party (like a wholesaler), then the packaging is classed as household, regardless of what the product is, where it ends up, who the third-party is, or whether the end-user will go on to re-supply it.

## Upcoming Policies

**Simpler Recycling:** This has now entered into effect in England. From the 31<sup>st</sup> March 2025, all businesses with more than 10 full-time employees will be obligated to separately present household-like waste in the following waste streams:

- Dry recycling – plastic, metal, glass
- Paper & cardboard
- Food waste
- Residual waste – non-recyclable materials including absorbent hygiene products

From 31<sup>st</sup> March 2026 this will apply to all households, and from 31<sup>st</sup> March 2027, it will apply to all micro-firms as well as introduce the need for plastic films to also be collected for recycling.

**Deposit & Return Scheme:** The Deposit Management Organisation (DMO) is set to be appointed in April and will be responsible for overseeing the operations of a DRS. It remains on track to launch in October 2027, and will apply to all beverage containers made from PET, steel, and aluminium, with a capacity between 150ml and 3L.

A system of inter-operability will be in-place as it is expected to operate uniformly in England, Scotland and Northern Ireland, with Wales planning to launch its own DRS with glass in-scope.

## PRODUCER COMPLIANCE SCHEMES

A producer can get help with meeting their obligations under the packaging waste regulations for the new EPR system by becoming a member of a producer compliance scheme, like Valpak. Producer compliance schemes (PCSs) advise their members on what they are obligated to do under the regulations, how best to collect data/actively assist with the data gathering, accept data from producers and submit to the environmental regulators in the correct format, and assist producers in meeting their financial obligations to procure PRNs where needed. Valpak was the first PCS in the UK, and has been in operation since 1997. It remains the largest PCS, and is helping members and wider industry make the transition to EPR. There are a number of other compliance schemes currently in operation in the UK; a list of all compliance schemes can be found on the National Packaging Waste Database (NPWD). If you are interested in finding out how Valpak can support your business under EPR for packaging, or any of our other services to aid in wider environmental compliance, then please contact us at [info@valpak.co.uk](mailto:info@valpak.co.uk).

## FAQ'S

1. *Print Company* purchases packaging products that are used to package & ship printed products (i.e. books, magazines, brochures labels, cartons etc.) that they print for their customers. How would *Print Company* determine their obligations for this packaging?
  - a. *Print Company* would need to answer several key questions before they can determine where their obligations lie in respect of this packaging.
    - i. Firstly, are the packaging products branded? If yes, whose brand appears on the packaging products? If the brand owner is a large producer then they will be obligated for this packaging (unless the manufacturer of the packaging's mark is displayed on the packaging then they would be obligated as the first supplier of the filled packaging). However, if they are a small producer then the obligation would fall back onto the printer (as the distributor).
    - ii. Secondly, (assuming the packaging is unbranded, or does not carry a large producer's brand), who owns the packaging at the point where *Print Company* fill it: *Print Company* or this business they are supplying? If *Print Company* own it then they will be obligated as the packer/ filler.
    - iii. Thirdly, if the business *Print Company* is supplying own the packaging at the point in time where it is filled, are they a large producer? If they are not, then *Print Company* are obligated for the packaging as a packer/filler.
    - iv. Finally, if *Print Company* is obligated for this packaging, is the business they are supplying the end user of this packaging (or in 2024, is the packaging business use only packaging)? If so, then this packaging can be reported as non-household provided this can be evidenced.
2. What would the impact be if the *Print Company's* packaging products were made from recycled material on the packaging handled threshold and would this volume count towards EPR fees?
  - a. Currently under EPR, recycled content in packaging provides no mitigation against EPR obligations or packaging contributing to tonnage obligations/threshold obligations.
3. *Print Company* reuses packaging products that were either used for incoming goods to ship their products, or is bought in as pre-used. How should these be accounted for by *Print Company*?
  - a. If the packaging was previously used in the UK then *Print Company* would not be obligated for any packaging they reuse. If however, it is second hand and

imported from abroad, then as it is new to the UK market, this would still be obligated under EPR.

- 4.** Are there any specific rules for certain packaging items (envelopes & labels) and how should they be accounted for?
  - a.** Envelopes are often sold as part of a product (e.g. around greetings cards, gift vouchers) or as products in themselves to then be used for items that aren't considered goods (e.g. for documents and letters). In these cases envelopes are not considered to be packaging and so, provided their manufacturer can determine that they will be used/supplied in such a way, they would not be obligated for them under EPR.
  - b.** There are certain labels which are considered to not perform a packaging function - blank labels sold to consumers, labels that only carry a barcode, a barcode & number, and those that carry a barcode & expiry date. In addition labels such as Hazchem labels are not considered packaging. In most other instances will perform a packaging function and so their manufacturer may be obligated for them. What is pertinent though is the packaging around labels e.g., backing paper, rolls etc. This is considered to be packaging for the label and so will in most cases have to be accounted for by the label manufacturer as the packer/filler.
- 5.** Would *Print Company's* obligation be different if the same packaging products manufactured by Print Company were recycled after use?
  - a.** In most instances, recycling packaging will not reduce obligations for that packaging under EPR. If Print Company were to recycle any packaging eligible to be classed as 'self-managed consumer waste' then this would offset against EPR obligations provided they can prove that it was recycled. In addition, it is common for businesses that recycle their own packaging to be able to procure PRNs for that packaging at preferential rates.
- 6.** *Print Company* could fulfil 1 or more producer roles, often within the same job, what are the impacts of each in terms of accounting for EPR?
  - a.** There are no cost differences for different producer types under EPR, because the system is adopting the principle of single-party responsibility. Crucially, where Print Company does perform multiple producer activities on the same packaging, they are only obligated for it once, and should be careful to avoid double counting it.
- 7.** Do re-usable boxes need any form of identification - i.e., ID numbers or similar?

- a.** If a producer wishes to report packaging as reusable then they do require some sort of evidence/ audit trail that would demonstrate to environmental regulators precisely which packaging has been used multiple times by Print Company. In respect of placing reusable packaging on the market though, there are no specific requirements for being able to do so in respect of the packaging.
- 8.** Print Company predominantly operates in England but ships small amounts of products to other UK nations. How should products shipped to English located end location be accounted for by the Print Company?
  - a.** Provided the products are remaining within the UK then these packaging products would still be within Print Company's obligation in the same as packaging supplied within England may/may not, dependent on the business operation, branding etc. involved. Only if packaging was exported out of the UK would it no longer be considered obligated packaging for EPR.
- 9.** What differences in accounting are required by Print Company for finished products that are shipped to Wales, Scotland and NI under the "Nation Data" requirement?
  - a.** Under Nation Data reporting requirements, producers will have to report which nation of the UK they placed packaging on the market in. This means that producers will need to be able to produce a breakdown of the amount of packaging being supplied by them in England, Scotland, Wales and Northern Ireland. There are no costs associated with this reporting, and the data submission is made in a single annual submission to the Scheme Administrator.

However, as noted producers will face no enforcement action if they do not collect or report their 2025 nation of sale data. The current regulatory position statement in place will be revoked on the 31<sup>st</sup> December 2026, and producers will be expected to resume with their collection of this data from 2026.
- 10.** Are there any changes of responsibility due to the Windsor Agreement if shipping to Northern Ireland?
  - a.** The Windsor Agreement is the current post-Brexit trading arrangement between the UK and the EU in respect of Northern Ireland, which seeks to normalize and smooth trading across the island of Ireland. In respect of the Packaging Waste Regulations, the Windsor Framework maintains the fundamental position that packaging and packaged items sent from the mainland UK to Northern Ireland & vice versa are not considered to have been imported/exported, but those going from Northern Ireland or the mainland UK to the EU (or vice versa) are considered to have been

imported/exported, which may be relevant to a producer when determining their obligations.

- 11.** Conversely, for Northern Irish based companies, are there any changes of responsibility for shipping to Mainland UK?
  - a.** In terms of the EPR for packaging reforms there are no changes regarding the status for shipping goods from Northern Ireland to Mainland UK, and in general the Windsor Framework aims to normalise shipments within the UK.
- 12.** Are there any changes of responsibility if shipping to Channel Islands and Isle of Man?
  - a.** The Channel Islands and Isle of Man are considered outside of the UK for the purposes of these regulations, so shipments to these territories are considered to be exports, shipments from these territories into the UK are considered to be imports.
- 13.** If *Print Company* ships to 3rd party distributor and they ship to other UK nations what are their responsibilities?
  - a.** Under Nation Data requirements *Print Company* is only obligated to report how much packaging they supplied to an end user in each UK nation. As such, in the scenario they would only be required to report on the packaging they supplied to the 3rd party distributor for which that distributor was the end user (e.g. the transit packaging around the goods supplied to the distributor) and which nation that supply took place in.
- 14.** *Print Company* predominantly operates in England but ships small amounts of products to EU countries. How do the responsibilities change?
  - a.** Any packaging which *Print Company* produces and would be obligated for that is exported to the EU is not considered to be obligated packaging under EPR, as the EPR regulations only concern packaging being placed on the UK market. As such, *Print Company* should exclude any of this packaging for the EU market from its EPR data reporting, nation data reporting, and determinations of whether it passes the producer thresholds.
- 15.** *Print Company* receives inbound items that are packaging - i.e., ink tins, shrink wrap-around pallets etc. Is all this the supplier's responsibility, or does *Print Company* carry any responsibility?
  - a.** If these items are being supplied to *Print Company* by a UK based supplier then *Print Company* will have no responsibility to include this packaging on their EPR data submissions or nation data reporting, unless these are branded with *Print Company*'s name, trademark or distinctive marking. If these are

disposed of by Print Company then Print Company will have to include these items of packaging in the 'Self-managed waste (organization waste)' section of their EPR data submission, but this will not entail a financial obligation under EPR.

If Print Company is being supplied these items by a non-UK supplier, or they carry Print Company's brand etc. then they will have to be included in Print Company's EPR data submission, as either Imported (and discarded) packaging or brand owner packaging.

**16.** *Print Company* receives chemicals in IBCs that are used and then returned to the supplier, but they lose sight of the IBCs. Does Print Company carry any responsibility?

- a.** It is unlikely that Print Company would be obligated for this in any way under EPR - If they are from a UK supplier then they should have sole responsibility for these, if they are from a non-UK supplier then when these items are exported Print Company would not be considered obligated for them. The only exception would be if these items carried Print Company's name, trademark or other distinguishing but that is very uncommon for IBCs.

**17.** The government's website states, "includes packaging around goods that carry your trademark". How does printing a client's brand on a carton or envelope change the accounting and recording for Print Company?

- a.** If Print Company is a packaging manufacturer for other businesses, then any packaging carrying the brand of a customer of theirs who qualifies as a large producer under EPR, or any unbranded packaging they supply to a large producer who will go on to fill it, would be the obligation of that customer under EPR, not Print Company. Print Company would not include this packaging on their EPR data submissions and it would not contribute to Print Company meeting the registration thresholds for EPR.

**18.** How can Print Company have surety, and what evidence would they need to retain to show that a downstream brand owner / retailer has properly accounted for and paid for EPR where they are responsible?

- a.** There is no joint and several liability under EPR for packaging. This means that Print Company is not legally required to determine that businesses in its' supply chain are meeting their obligations under EPR. Print Company need only ensure that it is meeting its own obligations under the regulations.

**19.** Does the weight of any Packaging for EPR need to include the weight of any Inks / Laminates / Foils / Adhesives etc. as is required for calculations of weight with PPT?

- a.** Reported weights of packaging under EPR need to be as accurate as reasonably possible. Print Company should therefore include the weight of this material where possible, bearing in mind when packaging needs to be reported as a composite material, as separate materials or as a single material.
- 20.** What are the implications under EPR for goods that are rejected after delivery – is EPR still calculated and paid?
  - a.** Whether or not goods are rejected and returned after delivery through some perceived fault (or for some other reason) makes no impact on the liability for them under EPR. The environmental regulator would consider a supply to have taken place and so the associated packaging would be obligated. If the packaging in question was reused though, it would not be obligated in its second use.
- 21.** What are the implications under EPR for goods that are delivered and subsequently reprinted following rejection after delivery – is EPR still calculated and paid on the 2nd delivery?
  - a.** Packaging supplied that is then rejected would have been obligated as part of this initial supply. It could therefore only be obligated again following reprinting if that reprinting amounts to a the labels being remanufactured, simply changing the appearance of the label would not normally constitute this.
- 22.** Cartons are printed “ganged up” on a sheet, die-cut and usually stripped before making up or sending out flat. If the sheets are supplied with the waste still applied does this form part of the weight calculation?
  - a.** Under EPR you need only consider the weight of the packaging components themselves, not attached waste.
- 23.** *Print Company* imports blank shrink wrapping from abroad, how should this be accounted for?
  - a.** If *Print Company* went on to make use of this blank shrink wrapping themselves (to wrap around palletized goods for example) then this packaging would be reported by *Print Company* as a packer/filler of unbranded packaging.  
However, if *Print Company* supplied the wrapping for its customers to use then the customer would be obligated for this packaging provided they are a large producer - if not, then *Print Company* would remain obligated for this packaging but as a distributor.

- 24.** *Print Company* imports packing products (i.e., fish & chip cartons) both branded and unbranded for what are most likely to be small clients – what are their obligations.
- a.** If these items carry *Print Company*'s branding then they will all be the responsibility of *Print Company* to report as Brand Owner. If however, they carry someone else's brand then *Print Company* will only be obligated for the items supplied to businesses that do not qualify as large producers, and they would report these as a Distributor under EPR.
- 25.** *Print Company* buys in blank material that is formed into unprinted plastic wallets that are used to hold multiple greetings cards that are sent out within outer packaging. Are these classed as packaging under EPR, and should the weight of these wallets be included in the companies EPR calculations?
- a.** These plastic wallets would be considered to be packaging and so *Print Company* would most likely have to include these on their EPR submission as a packer/filler of unbranded packaging.
- 26.** *Print Company* is supplied with blank fully manufactured wallets from their client that they insert greetings cards into for distribution. In this case are the wallets part of the clients EPR obligated packaging or the companies?
- a.** Responsibility for these under EPR will depend on who owns the wallets at the time of filling. If *Print Company* have taken ownership of the wallets prior to filling them, then they would be considered as the obligated packer/filler. If the wallets are owned by their client then the client would be considered to be the obligated packer/filler.
- 27.** *Print Company* is supplied with pre-printed fully manufactured wallets from their client that the company inserts greetings cards into for distribution. In this case are the wallets part of the clients EPR obligated packaging or the companies?
- a.** The answer is the same as Q17, except if the wallets are branded, in which case they will be the obligation of whoever's brand features on them.
- 28.** Could there be a default assumption adopted for when information is not received, to simplify where the business stands and provide it with protection?
- a.** Government advise that when you cannot determine if a business customer is small or large and therefore whether you are the obligated distributor of packaging you supply to them, that in the absence of evidence you must assume that they are small and be obligated for the packaging you supply.

- 29.** A suggestion could be that every company on Companies House should be compelled to submit to a register that is in the public domain that states what category they are in and that must be updated each year by a given date for the previous year. If such a platform could be established, there would be consistency of information. Can you see any issues with this as a suggestion, and have any proposals as to how to lobby for the same?
- a.** A public register of all registered producers is now in place and can be found on NPWD.

- 30.** As part of registering on the NPWD, guidance states that: Consumer information obligations If your main activity is selling packaged goods, you must give your customers information about:

- return and collection systems they can use
- their role in reusing and recycling packaging and packaging waste
- what recycling symbols on packaging mean
- how to get copies of waste strategy guidance

You must upload an explanation on how you will achieve this.

- a.** What are the parameters that would define a company whose “main activity is selling packaged goods”?
- i.** A business that sells packaging to consumers as part of the normal course of business would be classed as selling packaged goods as part of their main activities.
- b.** Where can a company access the information bulleted above?
- i.** A company must either undertake the information gathering and provision requirements outlined above on their own, or can get the help of an organisation such as a Producer Compliance Scheme. Valpak allows members to use the recycle-more website in order to meet their Consumer Information Obligations.
- c.** Is there any guidance as to the frequency and format for this information to be provided to customers?
- i.** Information should be made available to customers at point of sale (e.g. at tills, on receipts) and should be easily available free of charge to customers. A common tactic is to print information (or links to it) on receipts, sales documents and other printed materials.

**The following questions are specifically related to the Self-Adhesive Label Sector**

- 31.** Where substrates are laminated at source, is it the company carrying out the lamination who is obligated under EPR? Where label converters laminate themselves, would the EPR responsibility move to the end user?
- a.** Under EPR it is highly unlikely that the company carrying out the lamination will be obligated for labels under EPR. This is because they will only be obligated for the label when the label does not carry the brand of a large producer, and the label is added to packaging/an item by a small producer. In respect of the backing paper, the label convertor would be obligated for this under EPR in most instances as they will be considered the filler of this packaging.
- 32.** Are self-adhesive labels classed as filled or unfilled packaging?
- a.** Self-adhesive labels are classed as being 'filled' packaging only once they are applied to an item/ packaging unit.
- 33.** As with PPT, does EPR treat the backing liner and face material as 2 separate items?
- a.** Labels and their backing paper are considered to be two separate packaging components with the backing paper constituting packaging for the label.
- 34.** Who would be the "Producer" responsible to account for and pay EPR fees for BLANK backing liner – the importer/manufacture or the Label Convertor?
- a.** If the label convertor is a small producer then the Importer/manufacture who supplied them in this scenario would be classed as an obligated distributor of empty packaging. If the label convertor is a large producer then they would be considered as the packer/filler of the backing paper.
- 35.** Who would be the "Producer" responsible to account for and pay EPR fees for backing liner that carries branding from the Mill – the importer/manufacture or the Label Convertor?
- a.** If the Mill as the brand owner is present in the UK and is a large producer then they would be obligated for this packaging as the brand owner. If they are not present in the UK and/or are not a large producer then the obligations will sit as with Q.19.
- 36.** Who would be the "Producer" responsible to account for and pay EPR fees for the face material of a Printed label – the importer/manufacture or the Label Convertor?
- a.** If this material is supplied to a small producer who will make use of it by the manufacturer/ importer of the label then that supplier will be obligated as a

distributor. If the business supplied with the label is a large producer then they will be obligated for the label when they make use of it as a packer/filler unless branding is added to the label, in which case the brand owner will be obligated if they are a large producer.

- 37.** Who would be the “Producer” responsible to account for and pay EPR fees for the face material of a BLANK label – the importer/manufacture or the Label Convertor?
- 38.** What are the implications of the skeletal waste around a Label if removed prior to onwards supply, or if left in place when dispatched to the end client? How should the weights be calculated in each case?
- a.** Producers are not obligated for waste around packaging items and so should take best efforts to exclude the weight of any attached waste from their EPR data submissions.
- 39.** Most Labels that are not branded do not become Household Waste. However, if sold to a stockiest for subsequent re distribution, it is deemed that as sight has been lost of that products’ end of life - it must be assumed to have become “Household Waste”. What evidence would be required to set a precedence that would allow a consistent application of EPR here? Attempts by a Label Convertor to establish their client’s status in relation to being Obligated /Not Obligated / Small or Large producers has resulted in less than a 5% response and therefore they cannot be sure that a downstream brand owner / retailer has properly accounted for and paid for EPR.
- a.** At the time of writing, there is no means by which packaging supplied in this way can avoid being reported as household, and it would have to be reported by the obligated producer as household packaging. In the future, an open register of producers registered for EPR will be available to help determine if business customers are complying with EPR regulations, but at this point in time there is no such facility so businesses should undertake their best endeavours to determine the status of their business customers.

## OFFICIAL GUIDANCE PAGES

The following is a list of guidance pages produced by the government which may assist a business in complying with EPR requirements. These guidance pages are likely to be updated over time as the regulations are implemented and revised.

We have also included links to the RPD service, the National Packaging Waste Database, and government's centralised list of producer responsibility guidance.

### Guidance Links:

Extended producer responsibility for packaging: who is affected and what to do

**[Extended producer responsibility for packaging: who is affected and what to do - GOV.UK](#)**

Check if you need to report packaging data

**[Check if you need to report packaging data - GOV.UK](#)**

Packaging data: what to collect for extended producer responsibility

**[Packaging data: what to collect for extended producer responsibility - GOV.UK](#)**

Packaging data: how to create your file for extended producer responsibility

**[Organisation details: how to create your file for extended producer responsibility \(EPR\) for packaging - GOV.UK](#)**

Packaging data: tell us how you collected it for extended producer responsibility

**[Packaging data: tell us how you collected it for extended producer responsibility - GOV.UK](#)**

Report Packaging Data

**[Report packaging data - GOV.UK](#)**

National Packaging Waste Database

**[National Packaging Waste Database](#)**

Producer Responsibility Regulations

**[Producer responsibility regulations - GOV.UK](#)**

If you have any questions email the EPR  
helpdesk at **[eprhelp@bpif.org.uk](mailto:eprhelp@bpif.org.uk)**



**[thehub@bpif.org.uk](mailto:thehub@bpif.org.uk)**



**01676 526030**