



Extended producer responsibility for packaging: Regulators' agreed positions and technical interpretations

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Introduction

This document contains the joint interpretations and agreed positions of the agencies (Environment Agency, Natural Resources Wales (NRW), Northern Ireland Environment Agency (NIEA), and Scottish Environment Protection Agency (SEPA) referred to in this document as the Regulators) relating to extended producer responsibility for packaging (pEPR), in particular the Data Regulations for England, Scotland, Northern Ireland and Wales as follows:

- The Packaging Waste (Data Reporting) (England) Regulations 2023, as amended by:
 - a. the Packaging Waste (Data Reporting) (England) (Amendment) Regulations 2023; and
 - b. the Packaging Waste (Data Reporting) (England) (Amendment) Regulations 2024
- The Packaging Waste (Data Reporting) (Scotland) Regulations 2023, as amended by:
 - a. the Packaging Waste (Data Reporting) (Scotland) (Amendment) Regulations 2024
- The Packaging Waste (Data Reporting) (No.2) Regulations (Northern Ireland) 2023, as amended by:
 - a. the Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2023; and
 - b. The Packaging Waste (Data Reporting) (No. 2) (Amendment) Regulations (Northern Ireland) 2024
- The Packaging Waste (Data Collection and Reporting) (Wales) Regulations 2023 as amended by:
 - a. The Packaging Waste (Data Collection and Reporting) (Wales) (Amendment) Regulations 2024

The guidance in this document takes into account the 2024 amendments to each UK nation's Data Regulations, which come into force on 1st April 2024, and applies to the collection and reporting of 2024 data onwards. It does not apply to the collection and reporting of 2023 data. The Regulators' guidance relating to 2023 data can be found in Version 3 of this document on [NPWD](#) in the 'Supporting information for Extended Producer Responsibility' section.

It is anticipated that all the Data Regulations will be revoked by the main pEPR statutory instrument (SI) (the pEPR main SI), when those regulations come into force, which will apply across the UK.

Notes about this document

The principal aim of this document is to provide assistance to those who are obligated by the Data Regulations. It describes the provisions of the Data Regulations and how they should be applied by producers and compliance schemes.

- This document is not a comprehensive explanation of the requirements of the Data Regulations, or any future changes to them. Users are encouraged to refer first to the Data Regulations and to published guidance at GOV.UK to resolve any issues they may have.
- This document will be updated as necessary. The Regulators retain the right to update or withdraw it at any time.
- This version of the document (version 5) does not provide information about 'nation of sale' data reporting as this is not a requirement of the Data Regulations. All references to 'reporting' are to 6 monthly reporting for large producers and annual reporting for small producers (expected to be an obligation in the pEPR main SI), unless stated otherwise. Please refer to guidance at [Who is affected and what to do - GOV.UK](#) for more information about nation of sale data collection.
- This document has no relevance to the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 or the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 (the 2007 Regulations), that remain in force.

Producers with obligations under the 2007 Regulations may refer to the [Positions and technical interpretations: producer responsibility for packaging for the 2007 regulations](#) document, that remains relevant for compliance with the 2007 Regulations.

Links to guidance

[Extended producer responsibility for packaging: Guidance collection](#)

[Extended producer responsibility for packaging: how to assess household and non-household packaging - GOV.UK](#)

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Part 1: What is Packaging?

1:1 Agencies' interpretation of packaging

For the purposes of the Data Regulations, packaging means all products made of any materials, of any nature, where the products are intended to be used to perform at least one packaging function in relation to goods, and are in one of four packaging types.

Packaging functions

- Containment: restraining or enclosing, for example, bottles and cans.
- Protection: defence from harm, for example, bubble wrap.
- Handling: facilitating movement, for example carpet cores.
- Delivery: aiding the conveyance of products to the final user or consumer, for example a pallet.
- Presentation: for exhibition or display, including attracting attention, for example, a label or a brightly coloured box.

Packaging types

- Primary packaging
- Secondary packaging
- Tertiary packaging (which is not shipment packaging) or
- Shipment packaging* (any packaging added to primary packaging for shipping single or multiple sales units to businesses or consumers sold online or via mail order. It includes packaging sent directly to the customer or to a collection point.)

Tertiary packaging may also be referred to as transit packaging.

Example: A shrink-wrapped pallet contains 50 boxes, each containing 100 packets of biscuits. Each individual packet of biscuits is the sales unit (packaged goods at the point of sale to the final user) and comprises an outer wrapper and an inner tray. Each element of packaging on the pallet is categorised as follows:

- Biscuit pack wrapper – primary packaging
- Biscuit pack inner tray – primary packaging
- Boxes – secondary packaging
- Pallet – tertiary packaging
- Pallet wrap – tertiary packaging

Example: A DVD purchased from an online retailer is packaged in a durable plastic case that is wrapped in a thin plastic film. It is placed in a padded mailing envelope and an unbranded address label is applied ready for dispatch.

- DVD case - not packaging (long term storage)
- Thin film - primary packaging (part of sales unit)
- Padded mailing envelope – shipment packaging
- Unbranded address label – Shipment Packaging

Example: A retailer orders 100 headphones online. Each headphone set is in a small box. The headphones are packed in groups of ten into larger boxes and these larger boxes are shrink wrapped onto a small pallet.

- The 100 individual headphone boxes are primary packaging, because each small box is the sales unit to the final user of the headphones.
- The 10 larger boxes, and the shrink wrap and pallet are shipment packaging, because this packaging was added to an online order for the purpose of shipping the goods directly to the retailer.

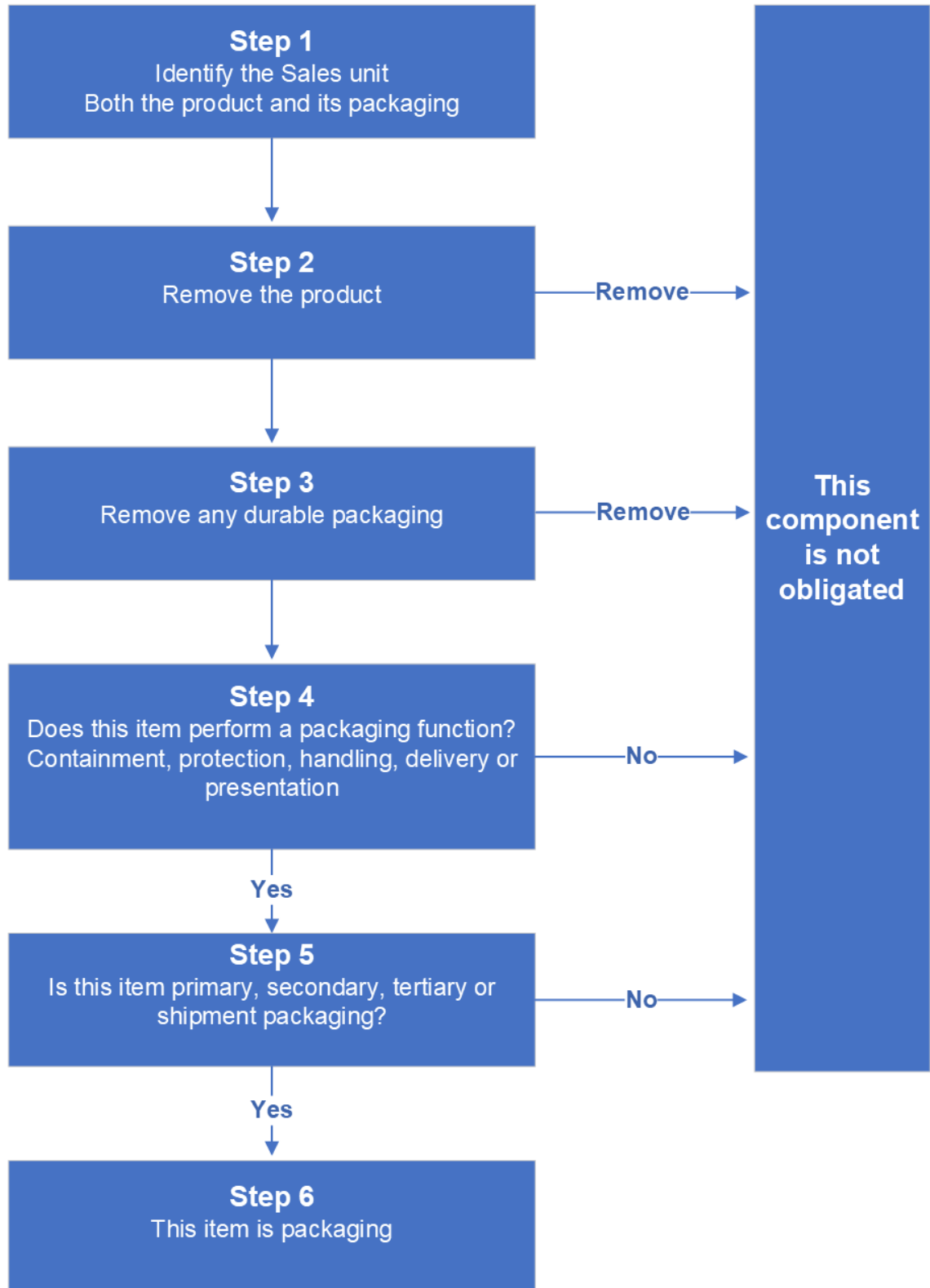
Note: If the headphones in this example had not been purchased online or by mail order and delivered directly to the purchaser (or collected by the purchaser from a shop or other collection point), the larger boxes would have been secondary packaging, and the pallet and shrink wrap would have been tertiary packaging.

Packaging types are explained at [Packaging data: what to collect for EPR - GOV.UK](#).

*Defra have advised that the definition of shipment packaging will be amended under the pEPR main SI that is due to come into force in 2025. Large producers must continue to report 2024 packaging data in line with the requirements and definitions in the current Data Regulations. When the pEPR main SI comes into force, producers will be able to report their packaging in accordance with the new definition and amend previous submissions of 2024 packaging data to align with the new definition contained within the pEPR main SI. Any queries about this policy should be directed to DEFRA service desk at EPRCustomerService@defra.gov.uk

1:2 Six steps decision chart

Note: this decision chart applies to filled packaging only. When considering whether unfilled packaging is obligated, please refer to the packaging functions guidance in Section 1:1.



1:3 Six steps explanation

Step 1: Identify the Sales Unit

Identify the sales unit (packaged goods at the point of sale to the final user) which comprises the product and its packaging. For example, spoon, preserves, jars, caps, labels, plastic sleeve, and price label all comprise the sales unit of a presentation pack of preserves with serving spoon.

Step 2: Remove the product

The product (or products if grouped) is used or consumed after purchase. In the example given in Step 1, this is the preserves and the spoon.

Some products cannot be removed from an outer layer that could be considered to be packaging, but is actually an integral part of the product. Examples include tea bags for tea, wood around a pencil lead, and cartridges containing ink.

Note: an exception to this is where the product itself is unfilled packaging that will go on to perform a packaging function when it is supplied. This packaging must be reported in accordance with the Data Regulations.

Step 3: Exclude Durable Packaging

Long-lasting durable products may be supplied with durable packaging that is intended to be used for storage of that item throughout the life of the durable product. This durable packaging is not obligated. Long-lasting durable items are those that a majority of users would keep for longer than 5 years.

For example, power tools are durable products. Their cases provide long-term storage. This also applies to durable cases or containers designed to last the lifetime of durable items, for example hard glasses cases, wooden board games boxes, hard carrying cases for electric razors, wooden cutlery boxes and hard carrying cases for cameras.

Step 4: The packaging function test

Does the packaging perform at least one packaging function as outlined in part 1.1?

Step 5: The packaging type test

Is the item in one of the packaging types listed in part 1.1?

Step 6: Packaging

All items which have reached this point in the flow diagram are considered to be packaging for the purposes of the Data Regulations.

Part 2: Packaging producer obligations

2:1 Producer functions and reporting terminology

The packaging producer function describes the role of the producer when the packaging was supplied.

A business may perform more than one producer function in relation to the same item of packaging. When calculating the amount of packaging that a producer handles for the purposes of the packaging threshold it is important to ensure that an item of packaging is only counted once by a producer, even if they perform more than one packaging function in relation to it. More information about the packaging handed threshold is in Section 2:2.

Producer function	Reporting terminology	Description
Brand owner	Supplied under your brand	Packaging for goods supplied under your own brand.
Packer/filler	Packed or filled as unbranded, or packed or filled as branded where the brand owner is not a large producer	Packaging you have placed goods into, for your own organisation or another organisation, that is unbranded when the filled packaging is supplied, or packaging that is branded when it is supplied and the brand owner is not a large producer.
Importer/First UK Owner	Imported	Certain packaging around goods you have imported and gone on to supply or discard in the UK, or UK packaging filled on behalf of and owned by a person not established in the UK and supplied to the 'first UK owner' of the filled packaging. For more information about the imported packaging that must be reported, refer to guidance at Packaging data: what to collect for EPR - GOV.UK
Distributor	Supplied as empty	Unfilled packaging that the distributor manufactures or imports, except packaging that will be the responsibility of a large packer/filler or large brand owner.
Service provider	Hired or loaned	Reusable packaging that you hire or loan out for the first time the packaging is supplied. (Please refer to Section 3:16 for information about service provider packaging)
Online marketplace operator	Supplied through an online marketplace that you own	Certain filled or unfilled packaging supplied to someone in the UK from a business outside the UK, through the online marketplace.
Seller	Selling data will be reported separately	Filled packaging you sell to a final user of the packaging. Packaging supplied under this function is included when assessing whether a producer meets the packaging handled thresholds, and also to 'Nation of Sale' data collection and reporting only. For example, a producer may be a seller and also one of the other producer functions listed above for the same item of packaging.

		For more information about nation of sale data, please refer to Who is affected and what to do – GOV.UK
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For more information about packaging producer functions, please refer to guidance at [Packaging data file specification for EPR - GOV.UK](#).

2:2 Producer Threshold Criteria

Not all businesses are obligated. There are thresholds, determined by the tonnage of packaging supplied to the UK market (this includes filled and unfilled packaging imported, and discarded by the importer), and business turnover.

The table below shows when an organisation is obligated as a small producer, or a large producer, or not obligated at all.

Producer Thresholds		Turnover		
		≤£1m	>£1m-£2m	>£2m
Packaging Tonnage This is the aggregated total from ALL packaging activities, including selling, as defined by the Data Regulations	<25 tonnes	No obligation	No obligation	No obligation
	25-50 tonnes	No obligation	Small producer	Small producer
	>50 tonnes	No obligation	Small producer	Large producer

The Data Regulations require turnover to be determined by reference to audited accounts.

The Regulators will assess the turnover of an overseas company using its usual annual accounts. Both UK and overseas activity turnover is taken into account. This position is consistent with the way in which we assess UK registered companies' turnover, where we do not discount any overseas activities.

More information about what small and large producers must do to comply with the Data Regulations can be found at [Who is affected and what to do - GOV.UK](#).

Example: If I have a £4 million annual turnover and I supply 27 tonnes of packaging under the 'Seller' function, and supply 24 tonnes of different packaging under the 'brand owner' function, then I should aggregate that packaging when determining whether I satisfy a packaging tonnage threshold. As my turnover is over £2 million and I supply 51 tonnes of packaging I am a large producer.

Calculation year

The calculation year is the calendar year preceding the obligation year.

Producers must assess the packaging they handled in the calculation year to determine if they meet the small or large packaging thresholds.

Obligation year

The obligation year is the calendar year in which a person has the obligations of a small or large producer.

For example, a person who met the large producer turnover threshold and who also met the large producer packaging handled threshold in 2022 (the calculation year) will be subject to a large producer obligation in 2023 (the obligation year). This means in 2023 that person must collect and report packaging data.

Packaging handled calculation

This assessment is based on the packaging handled in the calculation year and determines whether either packaging tonnage threshold is met.

Any person who is a producer under the Data Regulations must assess the packaging they handle to determine whether they are a large or small producer, or if they have no obligations under the Data Regulations at all.

Packaging handled calculations must include the weight of all packaging supplied under all the person's producer functions. Where a producer performs more than one producer function in relation to the same item of packaging, the producer should only count that item of packaging once for the purposes of its packaging handled calculation.

Example: in the calculation year a UK manufacturer of packaging who is a large producer, supplies unfilled packaging to UK packer/fillers who will fill the packaging with their own goods. Some of the UK packer/fillers are large producers, some are small producers, and some do not meet either the large or small producer thresholds so have no obligations under the Data Regulations.

The manufacturer supplies the unfilled packaging in unbranded shrink wrap which will be disposed of by the UK packer/fillers.

For the purpose of assessing packaging handled tonnages:

- The UK manufacturer performs the distributor producer function in relation to the unfilled unbranded packaging it supplied to the small and unobligated UK packer/fillers. The manufacturer must include the weight of this packaging in its packaging handled calculation. The manufacturer does not perform a producer function in relation to the unfilled packaging it supplied to packer/fillers who are large producers who will fill the packaging (because the producer function is performed by the packer/fillers), so it does not need to include this packaging in its packaging handled calculation.

- The small producers perform the producer function of a packer/filler, so they must include the weight of unfilled packaging supplied to them by the manufacturer in their packaging handled calculations.
- The packer/fillers who have no obligations under the Data Regulations must still assess the weight of packaging on which they performed a producer function, to check whether they remain unobligated.
- The UK manufacturer performs both a pack/fill and seller function in respect of the unbranded shrink wrap. This should only be counted once in the manufacturer's packaging handled calculation.

This example is summarised in the following table:

Large UK manufacturer supplies unfilled unbranded packaging to:	Who performs a producer function on this packaging?	Who includes this packaging in their packaging handled calculation?
Large UK packer/fillers	Large packer/filler performs packer/filler function.	Large packer/filler
Small UK packer/fillers	Manufacturer performs distributor function. Small packer/filler performs packer/filler function.	Manufacturer and Small packer/filler
Unobligated UK packer/fillers	Manufacturer performs distributor function. Unobligated packer/filler performs packer/filler function.	Manufacturer and Unobligated packer/filler

Turnover threshold

Turnover is based on the last audited accounts made available before the 'relevant date' of 7 April in the obligation year. This means that the accounts used to determine if the turnover threshold is met must be those available before 7 April in the obligation year. If audited accounts aren't available, a producer should use whatever accounts are available.

For example, if a producer meets the packaging handled threshold in the 2024 calculation year, the turnover threshold must also be assessed to determine if the producer has obligations in the 2025 obligation year.

Example: The producer's audited accounts are made available (e.g., on Companies House) in March 2025. The March 2025 accounts must be used to determine if the turnover threshold is met for the 2025 obligation year because the accounts were available before the relevant date of 7 April 2025.

Example: The producer's audited accounts are made available in May 2025, after the relevant date of 7 April 2025. The last audited accounts before the relevant date were made available in May 2024. In this case the May 2024 accounts must be used to determine if the producer has obligations in the 2025 obligation year.

Producers who do not handle packaging in consecutive years

A person who meets the packaging threshold criteria in the calculation year and turnover threshold, must meet the obligations of a small or large producer (as appropriate) in the obligation year after that calculation year, regardless of whether they continue to handle packaging in that obligation year. This is a change from the current 2007 packaging regulations that require packaging to be handled in both consecutive years.

2:3 Producer data reporting

To submit packaging data, all producers must create an account on the Government's Report Packaging Data (RPD) service.

- All producers must create an RPD account, even if they are a member of a compliance scheme.
- All data submitted to regulators must be verified by an approved person.
- A producer's application to the Regulator for an approved person to be assessed is submitted via the RPD system following the creation of the RPD account. The person who creates the account on RPD must be the individual who is proposed as the approved person.
- If an approved person wishes to delegate their authority, they will also be able to submit an application to the appropriate Regulator via the RPD system to propose a delegate.

More information about who can become an approved person or a delegate is provided below.

It is recommended that producers create their RPD account in advance of the reporting deadline to avoid delays in relation to the approved person or delegate approvals process. It can take up to 28 days for regulators to determine applications for approved persons or delegates.

More information about RPD can be found at [Extended producer responsibility for packaging: report packaging data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/extended-producer-responsibility-for-packaging-report-packaging-data)

Approved persons

Both producers and their compliance schemes need to have at least one approved person in place for the purposes of compliance with the Data Regulations.

The Data Regulations specify who can apply to be an approved person.

Legal entity	Approved person must be
An individual	That individual
A partnership	A partner
A limited liability partnership	A member of that partnership
A company registered in the UK	A director or company secretary of that company
An unincorporated body	An individual who has control or management of that body
A company which does not have a registered office in the UK	An individual who has control or management of the producer.

Partners and businesses that are not registered on Companies House must provide a signed declaration form confirming they are capable of being an approved person as per the table above. The form will be provided to the applicant by the Regulator on receipt of their enrolment application on RPD.

If an approved person wishes to submit an application for a delegate, the proposed delegate must be capable of carrying out the functions of an approved person. This is assessed by the Regulator on the basis of several factors including, whether the proposed delegate has the relevant knowledge and access to information needed to carry out the functions of the approved person and for example, whether they are sufficiently senior within the organisation. If the Regulators grant the application, the delegate can carry out the same functions as the approved person.

An approved person or their delegate must verify information submitted to the Regulator or to their compliance scheme and ensure that the information provided is as accurate as reasonably possible.

Part 3: Agreed Positions

This section provides information about specific topics within pEPR, for which an agreed position has been reached by the Regulators. It is not exhaustive, and users of this document are encouraged to first refer to the Data Regulations and to published guidance at [Extended producer responsibility for packaging: Guidance collection](#), to resolve any queries they may have.

3:1 Household Packaging

When reporting their packaging, producers must determine whether the packaging they supply is household packaging.

Producers should class all secondary and tertiary packaging as non-household.

All primary and shipment packaging should be reported as household packaging unless the following applies and can be evidenced:

- The packaging is supplied directly to a business or public institution, either because the business or public institution is the end user of the goods or because the business or public institution supplies the goods to an end user with all of the packaging removed
OR
- it is packaging for a product, where the product is designed only for use by a business or a public institution, and the packaging for that product is not reasonably likely to be disposed of in a household bin or a public bin. Packaging that satisfies one test but not both, is treated as household packaging.

We have provided a decision tree that may be used to help determine whether packaging should be reported as household packaging in [Appendix 1](#).

There is guidance about assessing household packaging (with examples of evidence that can be used to show that packaging is non-household) at: [Extended producer responsibility for packaging: how to assess household and non-household packaging - GOV.UK](#)

3:2 Supply

Sale or return

Packaging containing returned goods cannot be discounted from a producer's packaging tonnage, as the original supply has already taken place. However, if the returned product is resold in the same original packaging, it would not need to be counted a second time, provided that the producer has evidence that the product was resold in the original packaging. The producer would need to include any packaging it adds to the resold product's packaging, for example tape or labels.

Maintenance and repair services

A business that provides a maintenance or repair service will be the final user of products in packaging where the business orders those products and uses them in the course of carrying out its business. For example, if a customer takes their vehicle to a garage for a service, the garage will order goods and materials such as brake pads or replacement oil which it will use when servicing the vehicle. The garage has not supplied the packaging around such goods to its customer. For the purposes of the Data Regulations, the packaging was supplied by the person who supplied it to the garage.

If the packaging was branded, the brand owner would be responsible for reporting this packaging. However, if the product was imported and the brand owner was not responsible for the import, it would be the responsibility of the importer to report this as filled packaging.

Installation services

Businesses supplying goods and removing packaging during delivery are considered to have supplied this packaging. However, for the purpose of determining household packaging, where a producer supplies goods in packaging directly to another business that will then install the goods in domestic premises, where the installer is required to remove the packaging from those premises and dispose of it correctly in accordance with <https://www.gov.uk/dispose-household-waste>, we consider that the packaging has been supplied to a business final user.

If a producer does not supply goods in packaging directly to a business final user (for example where a producer supplies goods to an installer via a third-party) the producer will need to classify its packaging in accordance with the guidance at [Extended producer responsibility for packaging: how to assess household and non-household packaging - GOV.UK](#)

Where a producer supplies goods in packaging directly to a household and that household then employs a business to install that product, then the supply was made to a non-business. Therefore, unless the producer can evidence that the product supplied is designed for business use only and the packaging is not reasonably likely to end up in a household or public bin, then this packaging must be reported as household.

The Regulators consider the following to be examples of installation:

- The professional installation of items that require permanent, fixed connection to utilities such as water, gas, or venting systems. For example, hardwiring an alarm system directly into an electricity supply, or plumbing a dishwasher into a water supply.
- The professional fitting of a carpet or a kitchen into a property.

The following examples are not considered to be installation:

- The fitting of a plug-in appliance into a fitted kitchen unit
- The delivery of an item that is manoeuvred into place and plugged into an electricity supply
- The delivery and placement of a sofa with fitting of feet
- The delivery of flat packed furniture with an assembly service.

3:3 Established in the UK

Established in the UK requires any of the following:

- that a person is habitually resident in the UK
- the registered office of that person, or if they do not have a registered office, their head office or principal place of business is in the UK

A business with its registered office, head office or principal place of business outside the UK, is established in the UK if it has a branch or postal address in the UK. This could be a PO box, office, warehouse, or domestic premises (if they are used for the purpose of the business).

Overseas Producers

The Data Regulations apply in their respective nations of the United Kingdom.

Anyone established in the UK that performs a producer function in a UK nation and is a small or large producer, must comply with their obligations in the Data Regulations.

Overseas businesses that are established in the UK and perform a producer function, including that of an importer, and meet either the small or large producer thresholds are obligated under the Data Regulations.

3:4 Brands and brand owners

The Data Regulations define a brand as a brand name, trademark or other distinctive mark.

A distinctive mark could be a specific colour or marking (or a combination of the two), that is exclusive or bespoke to the brand owner and is directly associated with the brand, and generally the brand owner has directed the use of that specific colour or mark.

A brand owner is deemed to have supplied packaging that bears their brand, unless the packaging was:

- imported by an importer and the brand owner was not responsible for the import
- imported by an online marketplace operator
- reusable packaging supplied by a service provider (this would be reported by the service provider under the service provider producer function).

Overseas brand owner

Where a brand is owned by a business that is not established in the UK, any packaging bearing that company's brand does not have a brand owner for the purposes of the Data Regulations.

For example, a company established in the UK is a member of a group of companies. The UK company manufactures branded packaging where the brand on that packaging is owned by another member of the group established outside the UK. The UK company fills that branded packaging in the UK. The UK company must report this packaging as the packer/filler. If the UK company imports that branded packaging as filled, they should report this as importer. In both cases, the UK company does not own the brand and must not include the brand name or trademark on the brand template that they upload to the RPD system.

More information, including links to the brand information template can be found at [Organisation details file specification for extended producer responsibility - GOV.UK](#).

Please see Section 3:11 for more information about unfilled branded packaging.

3:5 Multi branded packaging

Dual or multi branded packaging

If 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.

Example: a crisp manufacturer brand owner is the producer for its branded crisp packaging even if the packaging also bears the brand of another product the crisps are flavoured with, because the crisp manufacturer makes the first supply of the packaged crisps to a supermarket retailer.

Example: A food manufacturer makes products under a licence for a supermarket retailer which allows the manufacturer to place the supermarket's brand on the product packaging. The manufacturer's brand and the supermarket's brand are on the front of the packaging, and the rear of the packaging states that the product was 'produced for' the supermarket. As the food manufacturer makes the first supply of the packaging when it is filled to the supermarket, the food manufacturer will be obligated to collect and report this packaging as the brand owner.

Example: A food manufacturer produces goods with packaging that is co-branded with two brands. It owns one of the brands. The food manufacturer sells the filled co-branded packaging to wholesalers, who then supply the products to retailers. The first supply of the filled branded packaging is made by the food manufacturer to the wholesalers, so the food manufacturer must report this packaging as the brand owner.

Example: A grower sells potted plants to a retailer, owns a trademark and pots the plant product to which the trademark relates, and adds trademark labels to the pots. The grower also places labels bearing the retailer's name on the potted plants for the grower's own logistical purposes. The potted plants are subsequently supplied to the retailer, who is a large producer. The retailer adds a sleeve to each potted plant bearing its brand and the grower's trademark.

- Pot: this was pack/filled by the brand owner (grower) and became branded packaging when the grower added its trademark label; this is the responsibility of the grower as brand owner.
- Trademark label: this was pack/filled by the grower. The trademark on the label is owned by the grower, so this is the responsibility of the grower as the brand owner.
- Label bearing retailer's name: this was pack/filled by the grower, but because the grower added it only to assist with distribution of the plants to the retailer and not at the request of the retailer, it is the grower's responsibility as packer/filler.
- Sleeve: this was pack/filled by the retailer and has both the retailer's brand and the grower's brand. The retailer is responsible for the sleeve because it is the brand owner that makes the first supply of the dual-branded filled packaging (sleeve).

If the grower is not established in the UK and the plant was imported by the retailer, the retailer will be responsible for the pot and the grower's trademark label as the importer, and the sleeve as brand owner.

If the grower is a small producer, the grower is responsible for collecting data regarding the pot and label as a small producer brand owner. The large producer retailer would only report the sleeve as brand owner.

If the grower is not a small or large producer, the grower would not have any obligations, and the retailer as a large producer, would report the sleeve as brand owner.

Multiple brands within a single sales unit

The obligation for multiple, differently branded items included in a single sales unit is the responsibility of each of the brand owners of the branded items within the sales unit, where those brand owners are large producers. The brand owner of the sales unit is responsible for any packaging it has added, whether it bears its brand or is unbranded.

Example: A UK gift hamper manufacturer who is a large producer, is obligated for the hamper, straw, ribbons, bows and labels they add or fill, but not in relation to any branded packaging where they are not the brand owner.

For example, the contents of the hamper could include a bottle of wine, tin of biscuits or cake box which bear other UK companies' brands who are large producers. If the hamper also contains unbranded products, for example a packet of unbranded scones, the pack/filler of the scones would be responsible for the unbranded scone packaging.

Item	Packaging Material	Branded	Obligated producer *
Hamper	Wood	Yes	Hamper company as brand owner
		No	Hamper company as packer/filler
Wood wool filler material	Wood	No	Hamper company as packer/filler
Tin for biscuits	Steel box covered in clear shrink wrap	Yes	UK company as brand owner

Bottle of wine	Glass bottle (label, foil closure and cork)	Yes	UK company as brand owner
Scones	Cellophane wrap	No	Packer/filler of cellophane reports as packer/filler

*If a brand owner is not a UK large producer, the obligation will fall to the UK large producer packer/filler of the packaging. Where the packer/filler is not a UK large producer, the obligation will fall to the UK large producer distributor of the unfilled packaging.

3:6 Interpretation of 'forming part of branded packaging'

The assessment of whether packaging is branded (Regulation 8(2)(b)) must be made separately for each type of packaging: primary, secondary, tertiary, or shipment.

Example: Twelve branded tins of beans are placed on a branded cardboard tray. The twelve tins and tray are shrink-wrapped in unbranded plastic film. A number of these shrink-wrapped cardboard trays are placed on an unbranded pallet and wrapped with unbranded pallet wrap with an unbranded label. The branding on the cardboard trays is visible through both the plastic film covering the trays, and also through the pallet wrap.

The assessment of each packaging type and whether it is branded is as follows:

Packaging Type	Is it branded?
<p>Primary packaging: The sales unit to the final user or consumer is a single tin of beans, so the primary packaging is the unbranded tin, and the branded label.</p>	Yes, the primary packaging bears a brand, so all packaging that forms the primary packaged sales unit is branded.
<p>Secondary packaging: The branded cardboard tray and the unbranded plastic shrink-wrap are grouping a number of sales units, so these items make up the secondary packaging.</p>	Yes, because the items that make up the secondary packaging include an item that bears a brand.
<p>Tertiary packaging: The unbranded pallet, pallet wrap and label.</p>	No, because none of the packaging items that make up the tertiary packaging bear a brand. The branded secondary packaging being visible through the clear tertiary pallet wrap is not relevant when assessing if the tertiary packaging is branded, because each packaging type (primary, secondary, tertiary, or shipment) must be assessed separately.

Note: If the pallet in this example was owned by a service provider, the pallet would be the responsibility of the service provider.

3:7 Importer

A large producer must report packaging as an importer, for imports of:

- Filled branded packaging where the brand owner is not responsible for the import, or where the brand owner is not established in the UK, or where the brand owner is established in the UK but is not a large producer*.
- Filled unbranded packaging. Unlike the scenario above, this would include unbranded packaging imported on behalf of the brand owner.
- Filled or unfilled packaging that the importer discards without supplying it onwards.

*Note: For imported branded packaging where the brand owner is responsible for the import but is a small producer, the brand owner must report this packaging. However, because brand owner does not meet the large producer thresholds, the importer must also report the same packaging.

Importers should report the imported packaging when it is supplied within the UK, unless it is imported and discarded by the importer, in which case it should be reported by the importer when it is discarded.

Examples:

- Where an importer imports empty branded packaging into the UK on behalf of a brand owner who is a UK large producer and the packaging bears that UK brand owner's brand; if that packaging is discarded by the importer before being supplied within the UK, the brand owner is responsible for reporting the discarded empty branded boxes.
- Where an importer imports empty unbranded cardboard boxes into the UK and some of those boxes are discarded without being supplied, the importer is responsible for reporting the discarded empty unbranded boxes.
- Where an importer buys branded bottles of wine from an overseas wholesaler, the brand owner is established in the UK and the UK brand owner has no knowledge of the import, the importer is responsible for reporting this packaging.
- Where a UK buyer purchases unbranded packaged goods directly from an overseas supplier who is not established in the UK: the UK buyer is obligated for this packaging if they are a large producer, as an importer.
- Where a UK buyer purchases branded packaged goods directly from an overseas supplier who is not established in the UK, the brand owner is established in the UK but is not responsible for the import: the UK buyer is obligated for this packaging if they are a large producer, as an importer.
- If a UK buyer purchases packaged goods from a UK importer, that UK importer already took ownership of the packaging when it imported it and is obligated as an importer when it supplies the packaged goods to the UK buyer. An importing agent does not

take ownership of the packaging if they merely order the packaging on behalf of the UK buyer and do not receive payment for the imported packaging from the UK buyer, because the UK buyer makes payment direct to the overseas supplier. In this case the UK buyer will be obligated in relation to that packaging when it imports and supplies it within the UK. This includes packaging that is imported and discarded by the importing agent or UK buyer.

- If an overseas company has a UK sales office, which means they are established in the UK, if a UK buyer purchases packaged goods from the overseas company UK sales office, the overseas company takes ownership of the imported packaged products in the UK and is therefore the importer for the purposes of the Data Regulations.
- A supermarket uses a third-party logistics company to import branded wines, and the brand owners are not established in the UK. The supermarket is the owner of the packaging if it purchased the wine directly from the overseas supplier and the supermarket will be responsible for the packaging as the importer.

If the supermarket purchases the wine from the third-party logistics company, the third-party logistics company is the owner of the wine and is therefore the importer of the packaging for the purposes of the Data Regulations.

First UK owner

Where UK packaging is owned by a person who is not established in the UK, the obligation is picked up by the 'first UK owner' of the filled packaging.

Examples:

- An overseas company purchases unfilled packaging from a UK manufacturer. The overseas company pays a UK toll manufacturer to pack its products into the packaging. At no point does the ownership of the packaging transfer to the packer/filler. The overseas company retains ownership of the packaging until it has been filled and is supplied to someone in the UK. This person is the first UK owner of the packaging and is responsible for reporting it as the importer.
- A French brand owner who is not established in the UK sends its wine in bulk to a UK contract wine bottling company. The contract packer bottles the wine in the UK and then supplies the filled wine bottles to UK supermarkets, at no point taking ownership of the packaging. The first UK owner of the packaging is the UK supermarket who must report it as the importer.

Responsibility for an import

A UK brand owner is responsible for an import if they caused the import. A brand owner that instructs a third-party business to import its branded goods on its behalf, is considered to have caused the import and is therefore responsible for the import.

A brand owner does not need to own the packaging or to be named on import documentation in order to be responsible for an import under the Data Regulations.

If the brand owner is responsible for the import of filled packaging and is a large producer who is established in the UK, then the brand owner must report this packaging as brand owner.

If a brand owner is not responsible for the import of its branded packaging, the importer must report the packaging. Similarly, where the brand owner is responsible for an import but is not a large producer, the importer must report the packaging.

Examples:

- If a UK supermarket imports bottled wine that bears its brand, the supermarket is responsible for the packaging as brand owner.
- If a UK supermarket imports bottled wine that bears a brand owned by business that is not established in the UK, the supermarket will be responsible for the packaging as importer.
- If a UK supermarket instructs a third-party to import its own branded products on its behalf, the supermarket is responsible for the import and must report this packaging as brand owner.

US Air Force bases

All United States (US) bases in the UK are not considered as US territory or US property by the Ministry of Defence, so imports of packaging from the US to US Air Force bases in the UK are imports for the purposes of the Data Regulations.

Imports via bonded warehouses

The obligations in the Data Regulations are not linked to the payment of VAT or import duty on imported products. Whether the obligations apply in relation to imported packaging depends on whether a business is an importer for the purposes of the Data Regulations, unless a brand owner who is a large producer established in the UK is responsible for the import of the filled packaging. See also the producer functions of first UK owner, distributor and online marketplace operators whose functions also relate to the movement of goods into the UK.

[Appendix 2](#) provides examples of potential supply routes for imported packaging, how they should be reported and by whom.

3:8 Online marketplace (OMP)

An OMP is a website or other internet application that facilitates the sale into the UK market of filled or unfilled packaging by overseas businesses that are not established in the UK. The packaging may or may not be branded and must be reported as follows:

- The online marketplace operator must report all sales of filled packaging.
- The online marketplace operator must report sales of unfilled packaging to UK businesses who are not large producers.

Where operators of OMPs also perform other producer functions under the Data Regulations, for example a business that facilitates the sale of packaging into the UK as an operator of an OMP, and also supplies its own branded packaging in the UK as a brand owner, the overseas packaging sold through the OMP must be reported as an OMP operator, and its own branded packaging must be reported as brand owner. Packaging must not be reported under both producer functions.

For more information, please refer to [Packaging data: what to collect for EPR - GOV.UK](#) and to [Packaging data: tell us how you collected it for pEPR - GOV.UK](#)

3:9 Drink containers

Single use drink containers must be reported separately as drink container packaging, if they meet all of the criteria below:

- bottles or cans that contain or used to contain drink
- made wholly or mainly of polyethylene terephthalate plastic (PET), glass, steel, or aluminium
- have a capacity of over 50ml and no more than 3000ml
- are designed or intended to be sealed in an airtight and watertight state at the point of supply to a UK consumer.

Drink containers that do not conform to all the criteria set out above, for example HDPE milk bottles, must be reported as primary packaging, not as drink container packaging.

Producers must also ensure that drink containers and the separately reported ancillary components are correctly reported as household or non-household packaging, but as they are primary packaging, they will usually be reported as household. Any packaging reported as non-household must be sufficiently evidenced.

Material	2023 Data	2024 Data
Glass: Drink container	Report weight of container (excluding ancillaries) as household drink container; primary (HDC; Primary) Number of units supplied must be reported	No change
Glass: Drink container ancillaries (lids, labels, closures etc.)	Report each component separately by material type as HH primary Number of units not required	No change
PET, Steel or Aluminium: Drink container	Report weight of container excluding ancillaries as drink container packaging Number of units supplied must be reported	Report total weight of container including ancillaries as drink container packaging, as predominant material of container. Quantities/units must be reported
PET, Steel or Aluminium: Drink container ancillaries (lids, labels, closures etc.)	Report separately as HH primary Number of units not required	

Further guidance about reporting drink container packaging can be found at [Packaging data: what to collect for EPR - GOV.UK](#).

3:10 Packaging materials

Multi-material packaging

Multi-material packaging is constructed of assembled components of different materials that can be separated by hand. Each material must be reported separately.

Example: For a jar of jam comprising a glass jar, a paper label, a steel lid, and a hessian lid cover and tie, each component must be reported separately as glass, paper, steel and 'other' (hessian) respectively.

Example: A pack of four batteries in packaging made from a clear moulded plastic cover that is glued to a cardboard backing, and the plastic can be separated from the card by hand must be reported separately as plastic and paper.

Composite packaging

Composite packaging is made of two or more layers of different materials that are combined, laminated, or bonded together which cannot be separated by hand.

Composite packaging (unless it is a fibre-based composite) must be reported as the material which is predominant by weight, unless the materials are present in equal proportions in which case each material must be reported separately.

Example: Fibreglass tape (made from woven fibreglass strands encased in a plastic tape) is considered to be composite packaging because the fibreglass cannot be easily separated from the plastic tape. The predominant material is plastic, so the whole weight of the tape must be reported as plastic.

Fibre-based composite packaging

The Data Regulations introduce a new material category for fibre-based composite packaging. Fibre-based composite material is made of paperboard or paper fibres, laminated with plastic, which may also have layers of other materials, to form a single unit that cannot be separated by hand. Examples include takeaway cups for hot drinks or juice cartons.

Example: 200 grams per square metre (gsm) paperboard laminated to a 50gsm aluminium foil and to a 2gsm plastic film must be reported as 252gsm of fibre-based composite packaging.

Cellulose packaging

Under the 2007 Regulations, cellulose packaging is reported as paper/board. This does not change under the Data Regulations, except that cellulose which forms part of fibre-based composite packaging material must now be reported under the new 'fibre-based composite' packaging category.

3:11 Unfilled packaging

Unfilled unbranded packaging

Businesses are responsible for reporting packaging as a distributor if they manufacture or import unfilled and unbranded packaging that is supplied to:

- producers who are not large producers, or to
- large producers who in turn supply it unfilled.

If businesses have evidence that the packaging is supplied to a large producer who pack/fills it, this packaging will be the responsibility of that packer/filler. Similarly, if they have evidence that the packaging is supplied to a large brand owner and the packaging goes on to become part of a filled branded sales unit, this packaging will become the

responsibility of the large brand owner. (There is more information about unfilled branded packaging below).

Example: An importer imports unbranded and unfilled takeaway boxes that they supply to a wholesaler who is a large producer. The wholesaler then sells the boxes to takeaway food businesses, none of whom are large producers. The importer in this scenario is supplying a large producer who then supplies the unfilled packaging to small or unobligated producers, so the importer must therefore report this packaging as the distributor.

Example: A distributor supplies unfilled unbranded takeaway cartons to a takeaway food business that pack/fills the packaging. The takeaway food business must report this packaging as the packer/filler if they are a large producer. If the takeaway food business is not a large producer, the distributor of the unfilled packaging will be responsible.

Example: A distributor (manufacturer) supplies its sister company (sales company) with unfilled unbranded packaging that the sister company sells to businesses that will pack/fill it. The sales company provides the manufacturer with sales data and customer details, and the manufacturer uses this information to contact the customers to obtain confirmation as to whether they are obligated for the packaging in accordance with the Data Regulations. If the manufacturer has evidence that the packaging they manufactured became the responsibility of a large packer/filler or brand owner, then the distributor does not need to report this packaging.

Unfilled branded packaging

Branded unfilled packaging is the responsibility of the brand owner when the packaging is filled, where the brand owner is established in the UK. If the brand owner is not obligated either because they are not established in the UK or because they are not a large producer, the packaging will be the responsibility of the packer/filler when it is filled, where the packer/filler is a large producer. If the packer/filler is not a large producer, the distributor (i.e. the business that imported or manufactured the packaging) will be responsible.

Example: Unfilled branded takeaway paper cups supplied to takeaway or fast-food business will be the responsibility of the brand owner when that packaging is pack/filled.

Example: Where unfilled packaging bears a brand owned by a charity, because the Data Regulations do not apply to charities, the person who picks up the obligation for the packaging depends on the circumstances:

- If the unfilled branded packaging is supplied to a packer/filler who is a large producer, the packer/filler will be obligated when that packaging is pack filled because the charity cannot be a large producer for the purposes of the Data Regulations.
- If the unfilled branded packaging is supplied to a packer/filler who is not a large producer, the manufacturer or importer of the unfilled branded packaging will be obligated as a distributor.
- If the unfilled branded packaging is supplied to the charity itself to pack fill, the charity cannot be a large producer for the purposes of the Data Regulations, so the manufacturer or importer of the unfilled branded packaging will be obligated as a distributor.

Packer/filler of empty branded packaging (brand relates only to the packaging)

Where branded empty packaging (for example, branded padded mailing envelopes) is used by a packer/filler to supply their own goods without adding their own brand to the packaging, and the brand on the packaging relates only to the packaging and not the product contained within it, the packaging must be reported by the packer/filler and not the brand owner of the packaging. For more information on branded packaging please see section 3:4.

Ownership at point of pack filling

It is important to establish who owns the packaging at the point of pack/filling, because the obligation for that packaging falls on the owner. If a contract packer purchases packaging and pack/fills it for a client, the contract packer is the owner of the packaging and will be obligated for that packaging. If the packaging is owned by the client company at the time of pack/filling by the contract packer, the client company will be obligated for that packaging as the pack/filler.

The only exception to this is if the packaging being pack/filled is branded or is going to become part of a branded unit. In this case, if the brand owner is a large producer and is established in the UK, the brand owner will be obligated for the packaging.

3:12 Distributors and interpretation of manufacturer

The regulations define a distributor as a person who manufactures or imports unfilled packaging and supplies that packaging to another person.

Producers should follow the following principle in relation to the point at which packaging has been manufactured for the purpose of the Data Regulations:

Packaging, packaging components and ancillary elements are considered to be obligated and in general, are 'manufactured' into packaging at the point at which the finished item is capable of performing a packaging function in its own right.

The following examples specify the point at which specific items have been manufactured.

Packaging	Who is the manufacturer?
Bubble wrap or air pillows	<p>The person who manufactured the uninflated bubble wrap or air pillows.</p> <ul style="list-style-type: none"> • Can perform a packaging function without inflation
Plastic pellets	<p>The person who moulds the pellets into packaging that is capable of performing a packaging function.</p> <ul style="list-style-type: none"> • If the pellets are moulded into packaging components that cannot be used as packaging in their own right, the manufacturer is the person who assembles the components into packaging that can perform a packaging function.
Packaging components	<p>The person who assembles the components into packaging that can perform a packaging function. For example:</p> <ul style="list-style-type: none"> • An aerosol can manufacturer is the person who assembles the aerosol can components to make a useable spray can. <p>The manufacturer of an aerosol component e.g. a cap is not a packaging manufacturer, because an aerosol cap cannot perform a packaging function in its own right.</p>
Labels	<p>The person who adds information or detail to the label that causes it to perform a packaging function (as explained in Section 3:21 and Appendix 4).</p> <ul style="list-style-type: none"> • Labels do not become packaging until they are printed with information or detail for a packaging purpose. • This has no bearing on backing paper (the backing paper has already been filled and is therefore already performing a packaging function).
Flat-pack cardboard boxes	<p>The person who makes the flat-packed box from a sheet of cardboard (for example by cutting and scoring) is the packaging manufacturer.</p> <ul style="list-style-type: none"> • The conversion of a flat-packed box into an erected box is not considered to be the point of packaging manufacture.

Note: In line with the Data Regulations, if a large packer/filler, brand-owner or first UK owner is the producer in relation to the packaging in question, for example, where the packaging becomes part of a branded unit, then then the distributor is not the producer.

Distributor packaging reporting

A distributor must understand how its unfilled packaging will be used in its downstream supply chain to determine how it will be reported: For example, whether the packaging will go on to become the responsibility of a large brand owner or packer filler; whether it will be primary, secondary, tertiary or shipment packaging; or household or non-household packaging. This information must be as accurate as reasonably possible and the distributor

should have an associated documented process (for example a written methodology) to show how they have obtained their data.

A distributor must report its packaging as household packaging if it does not have evidence that the packaging is non-household, in line with guidance at [Extended producer responsibility for packaging: how to assess household and non-household packaging - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/extended-producer-responsibility-for-packaging-how-to-assess-household-and-non-household-packaging).

3:13 Charity exclusion

The Data Regulations do not apply to charities. For the exclusion to apply, organisations must be a charity within the meaning of section 1(1) of the Charities Act 2011 or for the purposes of section 202 of the Corporation Tax Act 2010. Profit-making organisations that are linked to charities are not charities for the purposes of the Data Regulations and are therefore not excluded.

3:14 Holding Companies & Subsidiaries (Groups)

For the purposes of the Data Regulations, a group of companies is:

- a holding company and one or more subsidiaries that handle packaging, or
- two or more subsidiaries of the same holding company that handle packaging (regardless of whether the holding company handles packaging itself).

Where the aggregate turnovers and packaging handled by the producers within the group (including the holding company) meet either the small or large producer thresholds, any entity within the group that performs a producer function, is an obligated producer for the purposes of the Data Regulations.

Group threshold test

When assessing whether the turnover and packaging threshold for large or small producers is met in relation to a group, producers in the group must consider the total packaging handled by them and their combined turnover. Where the combined turnover and packaging threshold are met, all those producers within the group are obligated.

Where the group collectively exceeds the small producer threshold but not the large producer threshold, all the producers within the group are individually obligated as a small producer.

Similarly, where the combined turnover and packaging handled exceeds the large producer threshold, all the producers within the group are individually obligated as a large producer.

Example: A group of companies consisting of a holding company with seven subsidiaries. Five of the subsidiaries are producers for the purposes of the Data Regulations within the group. The holding company and the other two subsidiaries are not producers. Four of the producer subsidiaries each handle 10 tonnes of packaging and have a turnover of £250,000 each. One producer subsidiary has a turnover of £1.2 million and handles 100 tonnes of packaging. All five producer subsidiaries within this group are individually obligated as large producers, because their combined turnover and packaging handled exceed the large producer threshold.

Creating a group account

Members of a group that are producers may choose to create an account and submit data collectively via their holding company, instead of each producer company in the group performing these functions individually. Creating an account as a group is optional. Producer companies within a group may choose to create an account and submit data separately if they wish.

It is important to note that the holding company is required to create the group account and provide an individual breakdown of the packaging supplied by each producer company within the group.

A holding company that does not handle packaging itself but two or more of its subsidiaries do, can create a group account on RPD. The holding company will need to submit its organisation details but it will not be required to submit packaging data.

Groups and establishment in the UK

A holding company and its producer subsidiaries must all be established in the UK to have a group account (see Section 3:3 on established in the UK). The regulators will apply the same rules to producer companies within a group as they do to overseas businesses, so the holding company does not necessarily need to be a UK registered company.

Example: A holding company incorporated and registered in Germany has a branch in the UK. Two of its subsidiaries who are registered and operate in the UK are producers for the purposes of the Data Regulations who collectively meet the large producer threshold and therefore each have a large producer obligation. The holding company can create a group account because it is established in the UK. If the holding company was not established in the UK, it would not be able to create a group account, because the two subsidiaries are not linked by a UK parent company and the two subsidiaries would have to meet their large producer obligations individually.

3:15 Cross-border arrangements

Great Britain/Northern Ireland

Movements between Great Britain (GB) and Northern Ireland (NI) do not constitute exports and imports for the purposes of the Data Regulations.

The Channel Islands and Isle of Man are outside the UK.

Packaging shipped from GB to NI or from NI to GB and subsequently exported, is an export and is therefore excluded from reporting, as long as the producer has robust documentary evidence that the export took place.

3:16 Reusable packaging

Reusable packaging means 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. It can be used again in its original form for the same purpose, without picking up any further obligation.

Reusable packaging supplied by a service provider

Some re-usable crate systems and pallets are hired over a time period or for a single journey from the system's owner (for example, a leasing-finance company). This 'service provider' will pick up the obligation but only report each item of packaging on its first supply in the UK.

This packaging must be reported under the service provider function irrespective of whether it is branded packaging.

Note: Packaging owned by a third party (for example pallets owned by a service provider) that a business uses to import and/or export its own goods, should not be reported by the importing/exporting business because they do not own the packaging. Producers are expected to keep documentary evidence of these arrangements (for example service provider transaction statements). If the packaging is branded by the UK third party, they do not report this on import if they are not responsible for the import. This packaging should only be reported once under the 'service provider' function the first time it is supplied by the UK third party/service provider.

Note: Only reusable packaging that is hired or loaned to the user of the packaging is captured under the service provider function including, but not limited to reusable pallet or crate hiring systems.

Any packaging added to the service provider packaging must be reported in accordance with the other producer function being performed. For example, a service provider who supplies 10 pallets that they wrap in shrink wrap for transport, must report the pallets under the service provider function, and the pallet wrap under the packer/filler function.

Note: The supply of filled reusable packaging together with a product (such as cable reels, woven bags, beer kegs, gas bottles, or reusable bread/bakery trays) is not considered to be a service provider activity. In these cases, the packaging must be reported on its first use, and subsequent uses will be exempt from reporting requirements.

Example: A UK bakery supplies bread products on reusable trays to a supermarket. The bakery maintains ownership of the trays but lends them to the supermarket to store and display the bread in-store. The Data Regulations define 'supply' as "selling, hiring out or lending", therefore a supply of packaging is made by the bakery when they loan the crates to the supermarket. This supply is not under the service provider function because the bakery is the first user of the packaging when it pack/fills and supplies the trays, and so the bakery must report the trays as the packer/filler. As the trays are reusable packaging, they would be obligated on their first use only.

3:17 Exempt packaging

Exports

Producers will only attract an obligation on packaging which becomes waste in the UK. Exported packaging is exempt from data reporting and therefore all obligations. However, producers must have a robust audit trail to prove that packaging was exported and did not become waste in the UK.

Example: Products used to manufacture goods are imported in boxes. After manufacture, the goods are placed in the same boxes and exported. The importer will not need to report the imported boxes if there is evidence that the same boxes went on to be exported.

Note: No assumptions must be made about exports. Producers are required to maintain documentary evidence to support the exclusion of exported packaging from their data, and this evidence must be kept for at least 7 years.

Duty free shops

HM Customs exercises strict control on duty free goods. Any goods sold in duty free shops (in airports, on ships and on international journeys), on which no duty has been paid, must be taken out of the UK. Consequently, the agencies consider that duty free goods are exported-and are not obligated under the Data Regulations.

Reused Packaging

For the reuse exemption to apply, packaging must be reused in its original form and for the same purpose for which it was designed.

Reused primary packaging is exempt from reporting requirements.

Reused secondary, and tertiary packaging is exempt from reporting requirements unless it was imported. This exemption must not be used if producers do not have evidence that the packaging was reused, and that the exemption was applied appropriately.

Example: A UK packer/filler who reuses cardboard boxes received from a UK supplier, removes the products they have been supplied with and uses the same boxes to pack and supply their own different products, will not have to report this reused packaging. If they add additional packaging to the reused boxes, for example padding inside the box, or tape, labels or stickers to the outside, these and any other added packaging will be obligated. The box in this example is exempt because it was reused in its original form and for the same purpose.

Example: A UK business imports tertiary boxes that are filled with goods. The boxes had been previously reused overseas. The UK business unpacks the goods from the boxes and pack/fills the same boxes which they supply to their customers. Although the boxes were reused overseas, they are not exempt from reporting because they were imported. This means that the UK business must report the weight of the boxes as the importer. The subsequent reuse of these boxes by the UK business to pack/fill and supply their own goods is exempt from reporting requirements.

There is more information about reuseable packaging in section 3.14.

3:18 Shredding cardboard for use as packaging void-fill

The shredding of packaging waste to create new packaging material is a recycling activity. For more information please refer to guidance at [Check if your material is waste - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/check-if-your-material-is-waste)

For example, a producer who is an importer and supplier of goods, receives imported products in unbranded cardboard boxes. The producer shreds the boxes to create void-fill packaging material to use for pack/filling its own goods. In this scenario the producer must report the cardboard boxes as the importer, and the shredded cardboard void-fill packaging when it is used, as the packer/filler.

3:19 Self-managed packaging waste

Self-managed packaging waste reporting relates to packaging at the end of its life when it has become a waste and has been sent for recycling. Producers who collect and send packaging waste for recycling must report this as self-managed packaging waste.

For example, a producer who is responsible for a product as the brand owner, will not be required to report their branded packaging as self-managed packaging waste, unless they are also the person who collects and sends the packaging for recycling.

This is a data collection and reporting obligation only, that will not attract a recycling or financial obligation. This requirement is in addition to the obligation to report packaging data. This is not double counting because the two data sets are different: one is for 'packaging' and the other is for 'packaging waste'.

There are two types of self-managed packaging waste to be reported: Self-managed organisation waste, and self-managed consumer waste. There is detailed guidance about self-managed packaging waste at [Packaging data: what to collect for extended producer responsibility - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/packaging-data-what-to-collect-for-extended-producer-responsibility).

3:20 Catering and hospitality

Disposable vending cups

In relation to reporting, it will depend on whether the cups are branded and who they are supplied to.

Where the cups are branded and the brand owner is a large producer, the brand owner is responsible for branded cups when they are filled.

If the cups are unbranded and the business stocking the vending machine is a large producer, the business stocking the vending machine should report this as packer/filler.

If the cups are unbranded and the business stocking the vending machine is not a large producer, then the supplier of the cups to the vending machine filling business should report this as a distributor.

Durable items of tableware

Ceramic and glass plates, bowls, cups, jugs and glasses are not packaging if they do not perform a packaging function. Paper plates can perform a packaging function and can be obligated in circumstances where they are used to supply goods to the end user. For example, a slice of pizza purchased from a street vendor on a paper plate.

Sauces and sachets

We regard establishments as the final users of items which are provided for communal use, such as a bottle of ketchup placed on a table in a café.

However, where single portion items such as condiments or toiletries are made available to a customer - with or without a charge - a supply has taken place between the business providing the items and their customer (the final user).

For example, a café supplying sachets of mayonnaise or wrapped butter portions to its customers (final users) will be the seller of these items, as would a hotel supplying sachets of shampoo to its guests.

Drinking straws, disposable cutlery, and serviettes

These do not normally perform a packaging function and are not regarded as packaging. Their wrappers are packaging.

3:21 Labels

Labels are considered to be packaging where they perform a packaging function. They can be packaging, whether applied directly to the sales unit or to other packaging associated with the sales unit.

If a label does not perform a packaging function, for example a label showing only a barcode, we will not consider it to be packaging. Please refer to [Appendix 4](#) for examples of labels and whether or not they are considered packaging.

Brands added to packaging to assist with distribution

Where a producer adds the brand of their customer to packaging solely to assist with distribution, and the brand was not added at the request of the brand owner, the addition of the brand would not obligate the customer as the brand owner. In this case the producer who added the brand is responsible for this packaging and should report this as the pack/filler.

Examples:

- An unbranded plant pot with a customer reserve label added at the time of seed planting would be the responsibility of the packer/filler.
- A packer/filler adds the address of its customer (a brand owner) to unbranded tertiary packaging and the brand name forms part of the actual delivery address. The brand name on this label is present purely for a logistical purpose (to assist with distribution) and it was not added at the request of the brand owner, so the label and the unbranded tertiary packaging is the responsibility of the packer filler.

Note: If the address that includes the brand name does not assist with distribution, for example if it is a head office address rather than an actual delivery address, we would consider the label to be adding a brand to the packaging that would therefore be the responsibility of the brand owner.

- A packer/filler adds the address of its customer (a brand owner) to unbranded tertiary packaging and the brand name forms part of the actual delivery address. In addition to the address, the top of the label is headed with the brand name of the product.

The brand name within the actual delivery address has been added to assist with distribution, so this does not add the brand to the packaging. However, the product brand name at the top of the label does not assist distribution, so this adds a brand to the packaging and the label and the tertiary packaging the label is attached to, is the responsibility of the brand owner.

Backing release paper for labels

The label liner, also referred to as backing release paper, is performing several packaging functions (including containment, handling, delivery and protection) and is therefore considered to be packaging. In this scenario the labels themselves are the goods that the label liner is protecting. The person who sticks the labels to the liner is the packer/filler in relation to the liner, assuming the label liner itself does not bear a brand.

If the labels are manufactured overseas and imported into the UK the release paper would be reported by the importer, not the pack filler.

If the liner bears a brand, it would be reported by the brand owner.

See [Appendix 4](#) for decisions on specific types of labels and [Appendix 5](#) for glue, ink, and silicone.

3:22 Packaging around waste

The packaging would be considered obligated if the waste is considered to be goods, for example it is being supplied for recycling. It does not necessarily need to have a monetary value. Packaging would be obligated if it was around sorted and baled materials going for recycling or as feedstock for a production process. If it was waste that was heading for disposal that for example, had plastic or banding around it, the plastic and banding would not be considered to be obligated.

Example: Recycling bags are provided to householders by local authorities for the collection of mixed household recyclables. The bags are collected and taken to a materials recovery facility where the mixed recyclables are sorted. The sorted paper and cardboard recyclables are baled, palletised, and supplied to paper mills as feedstock. Plastic recyclables are baled and sent to plastic reprocessors as feedstock.

- The baling wire and pallets used to supply the paper mill and the plastic reprocessor would be considered as obligated packaging.
- The bags supplied to householders for the collection of mixed recyclables would not be considered as obligated packaging as the mixed recyclables are not ready for final recycling at this point.

Example: Process waste from a cardboard box manufacturer is shredded, baled using plastic strapping, and supplied directly to a paper mill as feedstock. The plastic strapping is considered to be obligated packaging.

Example: A bread manufacturer supplies pack/filled rejected or excess bread products to an animal feed manufacturer who will use these as an ingredient in their manufacturing process. The original packaging containing the excess or rejected bread products, and any other packaging associated with the supply, is considered to be obligated packaging.

3:23 Incapacity

Due to differences in commercial law between nations, the following guidance applies to English companies and individuals registered with the Environment Agency only. The Scottish Environment Protection Agency (SEPA) should be contacted for guidance about companies registered in Scotland; the Northern Ireland Environment Agency (NIEA) for companies registered in Northern Ireland; and Natural Resources Wales (NRW) for companies registered in Wales.

The Data Regulations make specific rules for incapacity – that is producers who die, are bankrupt or incapacitated and companies that have gone into liquidation, administration, or receivership in regulation 14 of the Packaging Waste (Data Reporting) (England) Regulations 2023.

If a producer is re-organising, downsizing or selling off assets or parts of a business in the ordinary course of business, they would still need to assess whether they meet the obligation threshold and therefore continue to be obligated where relevant.

Incapacity of companies:

Liquidation

If a company is insolvent, it may be wound up in one of two ways:

- (i) compulsory winding up: this is where a person (usually a creditor) presents a petition to the court to wind up a company;
- (ii) creditors' voluntary winding up: this is where the members of a company pass a resolution to wind it up.

In both cases the winding up will be administered by a liquidator who will become an agent on behalf of the company. The management of the company's affairs will be taken out of the hands of the directors and the assets will be realised in order to meet (as far as possible) the company's liabilities. The company will then be dissolved, that is, it will be struck off the register of companies and will cease to exist as a legal entity. Any obligation under the packaging regulations will cease to exist for that company when the company is dissolved.

The appointment of a liquidator has no effect on the existence of the producer. Subject to the rules in regulation 14, the producer must still comply with packaging regulations. However, the liquidator's primary role is to wind up the company, and the producer is likely to cease trading.

Where in a relevant year a producer goes into liquidation, that person ceases to be subject to any obligations under the Data Regulations for that year. "Relevant year" means a calendar year in respect of which a person is a producer.

Administration

Administration is an insolvency process which applies to companies and partnerships. Its primary aim is to move the business forwards either through a sale out of administration or continuing to trade following restructuring. If the primary aim is not achievable, the administrator will seek to recover more for creditors than would be possible if the company were wound up and placed in liquidation. Only if these two options fail, will the administrator seek to realise any property or assets of the business in order to make a distribution to secured and/or preferential creditors.

A company which is selling on assets to generate capital is not in administration. It is not a case of incapacity when a company sells off part of its operation, even if the sale is to ensure the continuation of the company. For a company to be in administration, there must be an appointment of an administrator. The words '(in administration)' will be added after the name of the company.

An administrator is in the same position as any other officer of the company, who should ensure that the company complies with the Data Regulations.

One of the main features of administration is that a statutory moratorium is available through the Courts which halts the initiation or continuation of any legal proceedings against the business. During the moratorium, permission to take action may be sought from the administrator or, if this is not forthcoming, from the Court. Any third-party rights may still be pursued once the moratorium is lifted.

The appointment of an administrator has no effect on the existence of the producer as a legal entity. The year in which the company goes into administration, the company will have no producer obligations for that year. However, given that the primary purpose of administration is to keep the company trading, it may well be the case that the company has obligations in the year following administration. The company would be required to meet those obligations.

Administrative Receivership

An administrative receiver is appointed with a view to selling the assets of a company in order to repay sums owed to a certain type of secured creditor. The secured creditor will appoint the administrative receiver to recover the unpaid loan through the diversion of business income to the secured creditor and sale of the secured assets.

A producer may still be in a position to continue trading once the administrative receiver has recovered their costs, although in many cases the appointment of a receiver is likely to result in liquidation. Even where trading continues, however, the appointment of a receiver means that the producer will have no obligation for the year in which a receiver is appointed. The producer will have obligations in previous years and, if they continue to trade, may have obligations in subsequent years.

The appointment of a receiver has no effect on the existence of the producer. However, the directors' powers over the assets affected by the receivership will be suspended and the receiver will act on the company's behalf. If in a relevant year a producer goes into receivership, that person ceases to be subject to any obligations under these Regulations for that year.

Incapacity of individuals:

Death

Where a producer is a sole trader, that person's death will bring an end to any obligations under the Data Regulations.

If there is a partnership and one of the partners dies, the remaining partners will continue to be obligated under the Data Regulations (see continuation of packaging activities below).

Bankruptcy

Bankruptcy is the process by which a debtor's property is brought under court control and distributed to the bankrupt's creditors. An individual producer or a member of a partnership may be declared bankrupt. Bankruptcy orders are made after the presentation of a petition, usually by the debtor or one of his creditors. The bankruptcy will be administered by the official receiver or an insolvency practitioner acting as a trustee in bankruptcy (the trustee).

When the bankruptcy order is made, the bankrupt's estate immediately vests in the trustee. We are able to exercise all our powers under the Data Regulations against the trustee.

The trustee collects in the bankrupt's assets. They may sell the business. Having paid the costs of the bankruptcy, the trustee distributes any available funds firstly to any preferential creditors and then to any other creditors.

The bankruptcy comes to an end if it is discharged (usually within 12 months unless there is an application to extend) or annulled by the court.

Regulation 14 means that in the year in which a person becomes bankrupt, they will have no producer responsibility obligations. They will have obligations in respect of the previous year and may have obligations in respect of subsequent years, which can be enforced.

Other incapacity

The Data Regulations refer to a person becoming incapacitated. Legal incapacity usually means the absence of legal ability, competence, or qualifications. For example, mental incapacity requiring a person to be appointed to conduct an individual's affairs would fall into this category. Where this is the case, it is unlikely that an individual producer will continue to perform producer functions and it is unlikely that there will be an obligation under the packaging regulations.

Continuation of producer activities by another person

Regulation 14 (2) & (3) deals with the situation that despite the death, bankruptcy, or other incapacity, liquidation, administration, or receivership of a producer some other person or legal entity carries on the activities of the incapacitated producer.

This only applies where the first producer has become incapacitated. It does not apply if the first producer is re-organising, downsizing, or selling off assets or parts of a business in the ordinary course of business.

Where the first producer has died, become bankrupt, is otherwise incapacitated, or gone into liquidation, administration or receivership and a separate legal entity carries on all or some of the activities of the producer, that separate legal entity will be deemed by operation of law to be a producer for that year in relation to the packaging producer functions it carries on. Where this happens, it is not necessary to assess the deemed producer against the threshold tests. The business that carries on the activities of the incapacitated producer will automatically take on their obligation for that year, irrespective of whether the new company satisfies the threshold tests of producer.

When a business buys all or part of an activity of another company, they will normally carry out due diligence checks. These can best be thought of as a fact-finding exercise so that the new company knows what assets and obligations it is taking on. Due diligence checks should reveal potential obligations under regulation 14 (2) & (3), so this obligation should not come as a surprise to the new company.

Where a company continues the first producer's activities it must inform its regulatory body within 28 days of doing so. If they join a scheme, the scheme should ensure they select them when creating their account on the reporting system.

In subsequent years, the business carrying on the activities would need to be assessed against the threshold tests.

3:24 Licensors, franchisors, and pub operating businesses

Where a license or franchise agreement exists between businesses, the licensing business (licensor/franchisor) is required to collect the nation of sale packaging data of any business that is subject to their licence or franchise agreement and is below the small producer threshold.

Where a licensee or franchisee meets either the small or large producer threshold, it must collect and report its own packaging data.

Franchisors are not required to collect packaging data on behalf of licensees or franchisees in relation to any packaging which is outside the license or franchise agreement.

It is important to note that in accordance with the Data Regulations, a brand owner is a producer for any filled packaging that bears their brand. This includes packaging supplied by a franchisee or licensee and must therefore be reported by the brand owner, which in most instances will be the licensor/franchisor.

Note: The table below summarises data collection and reporting obligations in relation to packaging supplied in the UK under licence or franchise agreements. It does not apply to imported packaging and it does not include the individual obligations of licensors or franchisors.

Licensee/ Franchisee	Packaging	Data collection and reporting* obligation (*Reporting obligation relates to large producers only)	Nation of Sale data collection obligation
Large Producer	Branded Packaging	Brand Owner	Licensee / Franchisee (records data as seller)
	Unbranded Packaging	Licensee / Franchisee (reports as packer/filler)	Licensee / Franchisee (records data as seller)
Small Producer	Branded Packaging	Brand Owner	Licensee / Franchisee (records data as seller)
	Unbranded Packaging	Distributor of the empty packaging (assumes licensee is purchasing empty packaging)	Licensee / Franchisee (records data as seller)
Unobligated	Branded Packaging	Brand Owner	Licensor / Franchisor is responsible for reporting packaging covered by paragraph 5 of Schedule 2 of the Data Regulations.
	Unbranded Packaging	Distributor of the empty packaging (assumes licensee is purchasing empty packaging)	Licensor / Franchisor is responsible for reporting packaging covered by paragraph 5 of Schedule 2 of the Data Regulations.

3:25 Regulation 17A report

Regulation 17A introduces a one-year transitional provision that allows producers to discount a proportion of packaging from their recycling obligations in the first year of the Main SI, if the packaging has already been reported under the 2007 regulations. This packaging is referred to as 'relevant packaging'.

Under the 2007 regulations, recycling obligations were shared between packaging raw material manufacturers (6%), converters (9%), packer/fillers (37%), and sellers (48%) of packaging, with importers picking up a 'rolled up' obligation for the activities performed on the packaging prior to import.

For example, if an item of packaging was manufactured and pack/filled in the UK in 2023, producers that performed the raw material manufacture (6%), converter (9%), and packer/filler (37%) activities would have a combined recycling obligation of 52% for the packaging. These producers would have collected data for this packaging in 2023 and reported it in 2024. To meet their obligations under the 2007 Regulations they would need to purchase PRNs or PERNs by the end of 2024 to cover the combined 52% recycling

obligation for the packaging. The seller obligation of 48% was not picked up under the 2007 regulations because the item was not supplied until the following year in 2024.

In 2024 a producer becomes obligated under pEPR for 100% of the same item of packaging when it is supplied in the UK. This means a total recycling obligation of 152% would be picked up for the packaging item, 100% under pEPR and 52% under the 2007 regulations.

Regulation 17A allows the producer to discount the obligation that was picked up under the 2007 regulations. In this example the producer would be able to discount 52%, so that the packaging incurs only a 100% recycling obligation in total, comprising 52% under the 2007 Regulations, and 48% under pEPR.

If a producer has evidence that packaging it reports under Regulation 17 has already had a proportion of the recycling obligation picked up under the 2007 packaging regulations, the producer can calculate the amount of 'relevant packaging' that is eligible to be discounted for the purposes of determining the recycling obligation under the main SI.

Note: A submission under Regulation 17A is in addition to data submitted under regulation 17. Producers do not need to make their own deductions to data they submit in their Regulation 17 report.

Note: In accordance with Regulation 17A(3), a report submitted under regulation 17A should be submitted in a format and on a date specified by the Regulators. This will be communicated in due course.

Relevant packaging

To determine the amount of 'relevant packaging', the producer must multiply the tonnage of packaging by the activity percentage for each material type.

Example: A producer handled 200 tonnes of paper packaging in 2023 and reported it under the 2007 regulations on 7th April 2024. On 100 tonnes of the packaging the producer only performed the manufacturer packaging activity. However, on a different 100 tonnes of paper packaging, the producer performed the activity of manufacturer, convertor, and packer/filler. For the purposes of a report under regulation 17A, a producer must submit a single weight in kilograms that denotes the amount that should be discounted from their recycling obligation that has already been accounted for by the producer in their 2023 recycling obligation under the 2007 Regulations.

In order to calculate this, you must first identify the weight of packaging per activity as demonstrated in the table below.

Packaging activity reported under 2007 regulations	Activity %	Material	Packaging weight	Weight per activity
Manufacturer	6%	Paper	100 tonnes	6 tonnes (6% x 100t)
Manufacturer, convertor, and packer/filler	52% (6% + 9% + 37%)	Paper	100 tonnes	52 tonnes 52% x 100t)
			Total material weight	58 tonnes (6t + 52t)
			Total to be reported under regulation 17A (per material)	58,000 kilograms

Part 4: Appendices

[Appendix 1 Determining household and non-household packaging](#)

[Appendix 2 Potential supply routes](#)

[Appendix 3 Packaging obligations of specific items](#)

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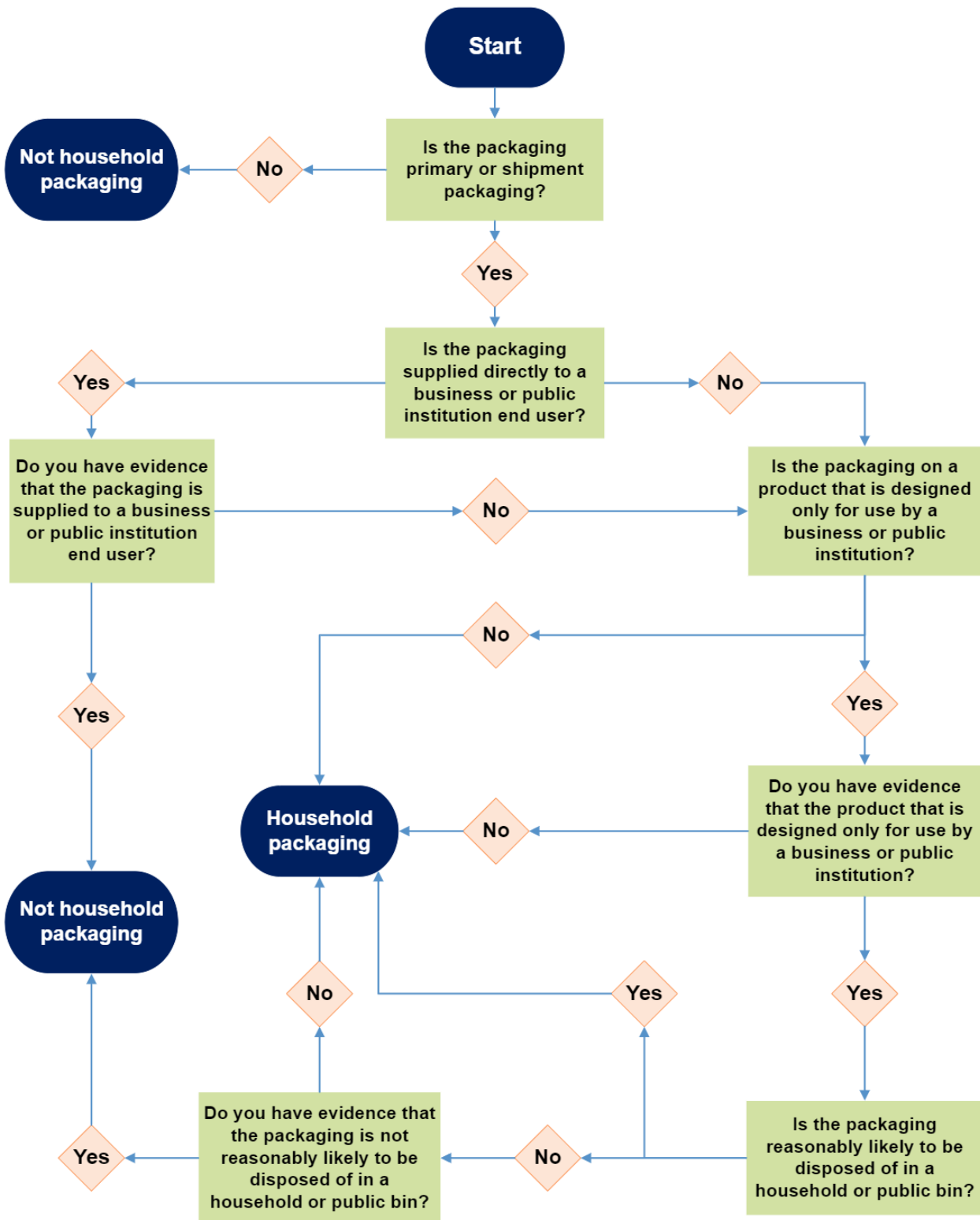
[Appendix 5 Packaging materials](#)

[Appendix 6 Commonly binned packaging](#)

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Appendix 1: Determining household packaging for data reporting



Notes: If products are supplied either in packaging, or with packaging removed (for example a business that supplies dog biscuits both by the bag and loose; packaging on those supplied by the bag must be reported as household, and those supplied loose i.e. with all the packaging removed (where there is sufficient evidence) the packaging may be reported as non-household.

Once household packaging has been identified, this should be further checked against the binned packaging list in Schedule 1, Part 3, Paragraph 17 of the Data Regulations, and these are reported separately.

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Appendix 2: Potential supply routes

The table below provides guidance on which large producer would report various types of packaging depending on the supply route. It applies to UK supply routes only and is not exhaustive. Please note this does not provide guidance about data that small producers must collect.

	UK Supply route	Who reports	As what
Imported filled branded packaging (brand owner is responsible for the import and is a large producer)	Supplied to producers under the large producer threshold	Brand owner	Brand owner
	Supplied to large producer that will sell products on	Brand owner	Brand owner
	Supplied to consumers	Brand owner	Brand owner
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Brand owner	Brand owner
Imported filled branded packaging by a large producer (brand owner is not responsible for the import)	Supplied to producers under the large producer threshold	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Supplied to large producer that will sell them on	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Supplied to consumers	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Importing business or the first person in the UK to take ownership of the packaging	Importer
Imported filled branded packaging by a large producer (brand owner is responsible for the import but is a small producer)	Supplied to producers under the large producer threshold	Importing business	Importer
	Supplied to large producer that will sell them on	Importing business	Importer
	Supplied to consumers	Importing business	Importer
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Importing business	Importer
Imported filled unbranded packaging	Supplied to producers under the large producer threshold	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Supplied to large producer that will sell them on (packaging remains unbranded)	Importing business or the first person in the UK to take ownership of the packaging	Importer

	Supplied to consumers	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Importing business or the first person in the UK to take ownership of the packaging	Importer
Imported unfilled branded packaging (brand owner is responsible for the import and is a large producer)	Supplied to producers under the large producer threshold that fill it	Brand owner	Brand owner
	Supplied to large producer that will fill packaging and sell on (brand relates to the product)	Brand owner	Brand owner
	Supplied to large producer that will fill packaging and sell on (brand does not relate to the product)	Large producer	Packer/filler
	Filled and supplied to consumers	Brand owner	Brand owner
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Brand owner	Brand owner
	Supplied to consumers unfilled	not obligated	n/a
Imported unfilled branded packaging - imported by a large producer on behalf of a brand owner who is a small producer	Supplied to producers under the large producer threshold that fill it	Importing business or the first person in the UK to take ownership of the packaging	Distributor
	Supplied to large producer that will fill the packaging and sell on (brand relates to the product)	Large producer	Packer/filler
	Supplied to large producer that will fill packaging and sell on (brand does not relate to the product)	Large producer	Packer/filler
	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Filled and supplied to consumers	Large producer	Packer/filler
	Supplied to consumers unfilled	Not obligated	n/a
Imported unfilled branded packaging (brand owner is not responsible for the import)	Supplied to producers under the large producer threshold that fill it	Importing business or the first person in the UK to take ownership of the packaging	Distributor
	Supplied to large producer that will fill packaging and sell on	Large producer	Packer/filler
	Filled and supplied to consumers	Importing business or the first person in the UK to take ownership of the packaging	Packer/filler

	Damaged in transit and discarded upon arrival, or removed and discarded by the importer	Importing business or the first person in the UK to take ownership of the packaging	Importer
	Supplied to consumers unfilled	not obligated	n/a
Imported unfilled unbranded packaging	Supplied to producers under the large producer threshold that fill it	Importing business or the first person in the UK to take ownership of the packaging	Distributor
	Supplied to large producer that will fill packaging and sell on (remains unbranded)	Large producer	Packer/filler
	Supplied to large producer that will not fill packaging and sell on (remains unbranded)	Importing business or the first person in the UK to take ownership of the packaging	Distributor, unless the distributor can evidence that a large packer/filler or brand owner will supply the packaging when filled.
	Supplied to consumers	not obligated	n/a
Imported filled branded packaging supplied via online marketplace	Supplied to producers under the large producer threshold	Online marketplace	Online marketplace
	Supplied to large producer	Online marketplace	Online marketplace
Imported filled unbranded packaging supplied via online marketplace	Supplied to producers under the large producer threshold	Online marketplace	Online marketplace
	Supplied to large producer	Online marketplace	Online marketplace
Imported unfilled online branded packaging supplied via online marketplace	Supplied to producers under the large producer threshold	Online marketplace	Online marketplace
	Supplied to large producer that will fill packaging and sell on	Large producer	Packer/filler
Imported unfilled unbranded packaging supplied via online marketplace	Supplied to producers under the large producer threshold	Online marketplace	Online marketplace
	Supplied to large producer that will fill packaging and sell on	Large producer	Packer/filler
UK filled branded packaging	Supplied to producers under the large producer threshold	Brand owner	Brand owner
	Supplied to Large producer that will sell products on	Brand owner	Brand owner
	Supplied to consumers	Brand owner	Brand owner
UK filled unbranded packaging	Supplied to producers under the large producer threshold	Business that filled the packaging	Packer/filler
	Supplied to large producer that will sell products on (remains unbranded)	Business that filled the packaging	Packer/filler
	Supplied to consumers	Business that filled the packaging	Packer/filler
UK unfilled unbranded packaging	Supplied to producers under the large producer threshold who will fill the packaging and supply it on	UK manufacturer	Distributor

	Supplied to large producer that will fill the packaging and supply it on.	Large producer as they will fill packaging	Packer/filler
	Supplied to any business that will go on to supply it unfilled	UK Manufacturer	Distributor, unless the distributor can evidence that a large packer/filler or brand owner will supply the packaging when filled.
	Supplied to consumers	not obligated	n/a
UK unfilled branded packaging (UK large brand owner)	Supplied to producers under the large producer threshold who will fill the packaging (no other brand added)	Brand owner	Brand owner
	Supplied to large producer that will fill the packaging and supply on (no other brand added)	Brand owner	Brand owner
	Supplied to large producer that will fill the packaging, add their brand and supply on (dual branding)	Large producer (carries out first supply of filled packaging)	Brand owner
	Supplied to consumers	not obligated	not obligated
Packaging used for internal transfer/operations			
Imported unfilled branded packaging (brand owner responsible for import)	Used for internal transfer/operations (by brand owner)	Importer or the first person in the UK to take ownership of the packaging (imports and will eventually discard)	Brand owner
Imported unfilled branded packaging (brand owner not responsible for import)	Used for internal transfer/operations (by brand owner)	Importer or the first person in the UK to take ownership of the packaging (imports and will eventually discard)	Importer
Imported unfilled unbranded packaging	Used for internal transfer/operations	Importer or the first person in the UK to take ownership of the packaging (imports and will eventually discard)	Importer
UK unfilled packaging-like products (for example a mug)	Not obligated, this is not packaging	n/a	n/a

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Appendix 3: Packaging obligations of specific items

Packaging items not included in this table are presumed to be obligated packaging unless the producer can provide adequate justification for it to be excluded.

Item	Is it packaging?	Comments
Airlines - food packaging		
-Disposable tray	Yes	-Protects and presents food
-Durable tray	No	-No packaging function
-Knives and forks	No	-No packaging function
Analytical bottles containing an environmental sample	No	Analytical bottles are not obligated packaging since an environmental sample cannot be classed as goods, and do not constitute a sales unit
Barbecue foil trays (for disposable BBQ)	No	Integral part of product
Barrels and kegs	Yes	Obligated on first trip
Basket for presentation of goods	Yes	The presumption is that the basket performs packaging functions including containment, protection, presentation, and is obligated. The goods are unlikely to satisfy the definition of 'durable'.
Blood bags (human blood)	Depends	Packaging if supplied as part of a sales unit
Boxed sets of books (slipcases)	No	Providing it is the intention and likelihood that books will be stored in the box
Boxes containing tools	No	Usually for long-term storage (for example, drill case)
Cash bags	No	Cash is not goods. Regulations only relate to packaging around goods.
Card boxes for calligraphy pens, model kits etc.	Yes	Not considered long-term storage
Carrier bags	Depends	Single or multiple use carrier bags used by customers to carry their goods, are packaging. This includes bags that a retailer will replace when they break. More durable bags made of stronger materials such as woven polypropylene, canvas, jute, or heavy-duty nylon bags, are considered to be a product, not packaging.
Catalogues	Depends	If the catalogue is requested, then associated packaging is obligated. If it is unsolicited, it is considered to be junk mail and not obligated.
Ceramic jar containing cheese or biscuits	Yes	Contains a consumable product that does not meet the requirements of long-term storage. Cheese or biscuits cannot be considered to be durable products so the pots should always be obligated.

CDs - plastic film	Yes	Protective packaging function
CDs - cardboard sleeves	No	Usually long-term storage
CDs - lyric books/inserts	No	Part of product
CDs - plastic ('jewel') cases for CDs	No	Long-term storage. However, the multi-pack case with the spindle, base and hard plastic cover would all be regarded as packaging. This is because it is not regarded as long-term storage.
CDs - plastic ('jewel') case for goods other than CDs (for example, iron on patches)	Yes	Protection function - once patches are removed, case usually discarded
CD cases for promotional goods	Depends	Need to consider type of CD: if for time limited offer (for example, internet access), yes obligated
Charcoal sacks	Depends	A standard sack for charcoal would be obligated packaging. A paper sack that has been impregnated with a combustible material and designed to burn with the charcoal is not obligated.
Cheese rinds/wax	No	Excluded by the Packaging (Essential Requirements) Regulations 2015
Coat hangers	Depends	<p>Coat hangers are not obligated packaging if they are sold to the end user as a product. Examples include wooden coat hangers sold in packs by a retailer and empty hangers supplied to a retailer who retains the hangers (the retail customer does not take home).</p> <p>Coat hangers are obligated packaging if they are used for the presentation, handling and protection of clothing. For example, plastic coat hangers used for the display of clothing in retail shops</p> <p>Where the purchaser of the goods leaves the shop with the clothing and coat hanger, he or she is the end-user of the packaging.</p> <p>In all other cases the retailer is the end user of the packaging.</p> <p>Coat hangers which are reused do not pick up an obligation unless they have been imported.</p>
Coffee pods or beverage capsules	Depends	A perforated coffee capsule where the coffee is discarded with the capsule is considered to be part of the product, not packaging.
Collectors toys - boxes	No	Product intended to be kept with box for lifetime. Labels still obligated
'Cool packs'	Depends	<p>Reusable plastic 'ice packs' are a product.</p> <p>Single trip 'cool packs' made up of foam pads, liquid and cardboard sleeve packaging that perform a protection function are packaging.</p> <p>The weight of the water or ice is not included.</p>
Cores, reels, spools	Depends	They are obligated if they fulfil a packaging function

Cosmetics in mock cases	Yes	Unlikely case would be kept after product consumed
Courier bags (The insulated bags worn by couriers, used on an on-going basis to transport and deliver take-away food).	No	Courier bags (used to deliver takeaway food) retained by the business delivering the goods, are not packaging. Any other packaging supplied to customers with goods is obligated, for example, takeaway food packaging.
Crayons - paper sleeves	No	Part of product
Credit/bank card packaging	No	Not considered to be goods
Packaging associated with bank card readers	Yes	Considered to be goods
Packaging associated with Government issued documents (for example passports or driving licences)	No	Not considered to be goods
Cups - disposable, in which drinks are provided (for example, tea/coffee)	Yes	
Cut out templates on card boxes (e.g., mask on cereal box)	Yes	Part of box performing packaging function
Display stands	No	Unless being used for a packaging function prior to being used for display (for example, for transport of goods)
Dosage delivery caps (for example, medical)	Yes	But only if an integral part of the container for example, forms part of the closure
Dry Ice	No	Dry ice is not classified as packaging
Dunnage (for example bearers and sticks in timber trade, or packaging around goods in holds of ships)	Yes	Dunnage performs a packaging function
Envelopes for greeting cards	No	Product
Envelope peel off strips	Yes	The peel off strip protects the adhesive on the envelope.
Epi Pens	No	A prefilled medical injection is designed as an integral part of the drug delivery system for a fixed number of doses or days. The Epi pen is not considered packaging but the glass canister containing the drug is obligated.
Fat balls - Net around the fat balls – bird food.	Yes	Performs a containment function
Film - rolls containing the film	No	Product
Fire extinguishers	No	Product
Fireworks	No	Any packaging around fireworks themselves i.e. box, packet, film would be regarded as packaging.

First Aid kit boxes	No	Long-term storage
Freight Containers (road, rail, ship and air)	No	Not packaging. Defined in line with the generic characteristics of a container in ISO 830.
Frames used within freight containers	Yes	The frames are obligated tertiary packaging. They are used to facilitate the protection, handling and delivery of the goods they contain.
Fumigant canisters	Yes	Canister performs a packaging function
Games boxes	No	Long-term storage
Gas cylinders	Yes	Commercial and industrial cylinders included by Directive amendment 2013/2/EU from 1 October 2013. Fire extinguishers are not packaging.
Gift voucher envelopes	No	As card envelopes, product
Gift card packaging	Yes	We consider the gift card is a sales unit, purchased for the value of the information contained upon it and as such, whatever the gift card is surrounded by for the purposes of containment, protection, handling, delivery and presentation will be obligated. The product will be the gift voucher/plastic card. Any information separately included regarding the experience/booking details would not be classed as packaging.
Glass containing wax beads and candle wick	Depends	Presumption is that glass performs packaging (presentation, containment etc.) function and is obligated
Grow bags	No	Considered to be an integral part of the product
Haggis skin	Yes	Packaging as it is not edible and the filling is the product
Hat boxes	No	Long-term storage
IBCs (Intermediate bulk containers)	Yes	IBCs are considered to be primary packaging and are obligated on their first use. Imported IBCs will always be obligated.
IBC liners	Yes	Packaging
Inhaler - plastic holder	No	Product
Inhaler - cartridge	Yes	Packaging
Inhaler (asthma or nasal) - whole unit disposable	Yes	All packaging
Jars (designed to be tumblers after use)	Yes	After use is irrelevant. Presumption is that glass performs packaging (presentation containment etc.) function and is obligated.
Jewellery/watch boxes	Yes	The boxes perform a packaging function. In exceptional circumstances where the box is specifically designed and bespoke, it may be considered as long-term storage and not packaging.

Junk mail	No	Not regarded as goods and therefore associated packaging is not obligated. If an item ordered is a sales unit (for example, paid for catalogue), this is regarded as goods and associated packaging is obligated.
Kebab skewer	No	Part of product/sales unit
Knives and forks - disposable	No	No packaging function
Laundry/dry cleaning packaging	Yes	All packaging
Lighters - disposable	No	Whether refillable or not
Lipstick tubes	Yes	
Liquid correction fluid brush	Yes	Integral part of a packaging component
Lolly stick	No	Part of product/sales unit
Manicure set case	Depends	If intent is for long-term storage, not packaging
Mascara brush	Yes	Where it forms part of the lid, not where sold as a product in isolation
Match boxes	Yes	
Meat packaging - absorbent paper	Yes	Forms part of sale unit
Mobile phone top up card packaging	Yes	Card is a sales unit and therefore packaging is obligated
Nitrous oxide cannisters	Yes	
Nozzles (for sealant dispensers)	Yes	If also forming the function of a closure
Packaging sold as a product (for example padded envelopes, cardboard boxes, bags and sacks)	Depends	If the product goes on to perform a packaging function and meets the packaging definition and is supplied for use as primary, secondary, tertiary or shipment packaging, it is defined as packaging
Pallets	Yes	Pallets that are reused are obligated for their first use. Imported pallets will always be obligated.
'Do not stack' pallet cones supplied with goods (placed or attached to the top of a pallet-load to prevent stacking)	Yes	Perform a packaging function
Pallet nails	Yes	Where the information is available it should be reported separately. If not, it should be reported as the predominant material by weight.
Party poppers	No	Container, card top and string are all considered to be part of the product
PC games/software boxes	No	Considered long-term storage
Pencil cases/purses with sweets	No	Pencil cases/purses are product
Pens - disposable	No	Product

Petri dishes containing agar	No	Product
Photograph wallets	No	Photograph wallets are long-term storage.
Outer envelope around the photograph wallet	Yes	The envelope used to present or deliver the wallet is packaging whether it is collected or delivered.
Plant ID labels	Yes	Presentation function
Plant pots	Yes	Except when biodegradable and intended to be planted with the plant, or when sold containing a plant intended to stay in the pot for example, a house/patio plant
Plates - disposable	Depends	Packaging if it performs a packaging function
Postal packaging on goods/requested catalogues	Yes	If the contents are acquired as part of a contract (mail order goods, goods on approval, paid for or requested catalogues) they are goods and the packaging is obligated
Postal packaging on mail/general correspondence	No	Postal packaging on mail/general correspondence
Pre-packed sandwich/cake cartons	Yes	Performs containment/protection/presentation functions
Presentation packs	Yes	Contains products
Printer cartridges	No	Part of product
Promotional packaging For example, packaging around leaflets, posters or freebies	Yes	Packaging around promotional goods supplied is regarded as packaging.
Razor handle holders	No	Regarded as long-term packaging
Razor blade holders	Yes	The plastic tray holder containing the razor blades is packaging
Removal boxes (Used to pack and transport possessions during moves/relocations).	No	Do not perform a packaging function in relation to the supply of 'goods'
Reed diffuser bottles	Yes	The bottle contains oil for the diffusers and is regarded as packaging
Re-used packaging	Depends	Yes, if it is imported. Otherwise, it is obligated on its first trip, but not on second and subsequent trips.
Ribbon around a cake	Yes	Performs a presentation function
Roll cages/trolleys	Yes	Roll cages are considered to be packaging and are obligated on their first use. Imported roll cages/trolleys will always be obligated.
Roll on deodorant	Yes	
Room deodorisers (plastic outer for re-filling)	No	Durable, part of product
Saline bags	Yes	Sales unit containing product

Santa Claus cards (replies from Royal Mail) - associated packaging	No	Not considered goods
Sausage skins	No	Part of product
Security tags	Depends	Tags which do not perform any packaging functions are not obligated. If they act as a closure (for example, label on CD opening), they are obligated
Silica gel bags (desiccants)	Yes	Protection function, therefore obligated
Silage Wrap	No	Silage wrap is a system/vessel which enables the process of fermentation to take place and is integral to the process. Silage is made either by placing cut green vegetation in a silo or pit, by piling it in a large heap and compressing it down so as to leave as little oxygen as possible and then covering it with a plastic sheet, or by wrapping large round bales tightly in plastic film. Therefore, silage wrap's primary function is to produce the product.
Sim card packaging	Yes	Sim card is a product
Skip bags (pre-paid)	No	Not part of a sales unit
Spectacle cases	No	Long-term storage
Spoons/leaflets with medicines	No	No packaging functions
Sterile medical packaging	Yes	Protection function, therefore packaging. The fact that it's sterile does not remove the potential for being obligated.
Stillages (for example, metal open crates used in the automotive industry)	Yes	Tertiary (or transit) packaging on first trip (not a road/rail/ship container)
Storm matches - boxes	Yes	Match box performs packaging functions
Sunglasses - tags and labels (for example, UV rating; care instructions etc.)	Yes	Presentation packaging function
Syringes: Empty, used for drawing up.	No	Product (although wrapping around syringe will be packaging)
Pre-packed with medicine.	Yes	Syringe and any labels, wrapping and so on, will be packaging – performs delivery and protection function (see Epi pen)
Plastic needle caps.	No	Part of the product (syringe)
Tampon Applicator	No	The applicator is considered part of the product and not packaging.
Tea bags	No	Integral part of product, including string in drawstring teabags. String, label and staple attached to ordinary teabags are obligated
Tea lights - foil cups	No	Integral part of product

Tea caddies	Yes	Contains a consumable product that does not meet the requirements of long-term storage
Teat supplied separately with baby milk	No	If the teat is supplied separately and is not the main closure as they also come with a lid, which you take off and put on the teat. This is analogous to a nozzle, which is only packaging when it's forming the closure.
Toner cartridges	No	Part of product
Toys in boxes and trays (for example, small figures)	Yes	Boxes and trays considered to be disposed after opening
Totes (plastic crates)	Yes	Where reuseable, for first supply only.
Reusable Trays - bread and bakery	Yes	When supplied with goods.
Trays - disposable food tray	Yes	Protects and presents food
Tray - durable food tray	No	No packaging function
Urine bags	No	Not part of sales unit. Urine is not goods.
Vapes	No	Product
Vape refills	Depends	If the refill has any electrical components the refill will be part of the product. Refills without electrical components are packaging.
Vending toys ('egg' container)	Yes	
Vial (pre-packed with medicine)	Yes	Glass vial containing medicines, all included as packaging including metal crimp lid and rubber/plastic valve.
Video card boxes	No	Long-term storage
Water filter cartridges (containing membrane)	No	Part of product
Wooden bucket with shower goods	Yes	Shower goods are consumable products and not durable goods. See Jars (designed to be tumblers after use) for a comparable product.
Wrapping paper	Depends	No when sold as a product. Yes, when used to wrap goods for supply

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Appendix 4: Label examples

Label	Obligated	Comments
Barcode only	No	No packaging function
Barcode plus number	No	No packaging function
Barcode plus product expiry date	No	No packaging function
Handle with Care labels (or tape)	Yes	This label is performing a protection and presentation function
Hazchem label only	No	No packaging function
Label with description/picture of product and/or company name.	Yes	Presentation function
Pharmacy labels – name and address of the pharmacy, dosage instructions for the patient at the point of dispensing and no logo	No	No packaging function

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Appendix 5: Packaging material examples and how to report them.

The materials included in the table below should be reported as the material identified in the 'Packaging Material' column. This list is not exhaustive. Other materials not listed here that are used as packaging must be reported as appropriate.

See [Packaging data: what to collect for extended producer responsibility - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Material	Packaging Material
Biodegradable packaging – starch-based material	Paper/board (unless it contains other materials including fibre, in which case it should be reported under the 'fibre-based composite' category).
Biodegradable plastics – compostable plastics made of plant-based products	Other
Chipboard	Wood
Composite packaging materials - multi-layered sheets or laminates of dissimilar materials which are bonded together and cannot be separated by hand	Record the whole weight of the item in the predominant material by weight (unless it includes fibre in which case it should be reported under the 'fibre-based composite' category)
Cork	Other
Cotton	Other
Flax based products	Other
Glue	Other
Hardboard	Wood
Ink	Other
MDF (medium density fibreboard)	Wood
Nitrile	Other
Non fossil fuel derived plastic / bio plastic	Plastic - Non fossil fuel derived plastic / bio plastic should be classified as plastic for the purposes of the Packaging Regulations. Even though they are non-fossil sourced, these materials are chemically similar to fossil derived polyethylene (PE) and can be recycled as part of the same process as other PE films
Oxy-degradable plastics – made of petrochemicals	Plastic
Particle board, OSB	Wood
Plywood	Wood
Plastics chemically similar to normal petrochemical derived plastic	Plastic
Rubber	Other
Sawn timber	Wood
Silicone	Other
Sugarcane based paper products	Paper/board
Vermiculite	Other
Wax (EXCEPT for cheese production)	Other

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Appendix 6: Commonly binned packaging

The Data Regulations include a list of packaging items that commonly end up in public bins. The table below provides additional clarity about whether the agencies consider the packaging of specific items to be commonly binned. Please refer to the Regulations for the full list of items.

More information about binned packaging is at [Packaging data: what to collect for EPR - GOV.UK](#)

Item	Categorised as commonly binned?
Cereal bar packaging	Yes - confectionary and/or a single portion of food
Yoghurt pots, tubes or pouches	Yes - single portions of food that can be consumed immediately without further preparation
Ice cream or ice lolly packaging	Yes - single portions of food that can be consumed immediately without further preparation
Vape liquid/Pod packaging	Yes - as for cigarettes and vapes packaging
Multipack packaging containing commonly binned items	<p>Multipack outer packaging is not considered to be commonly binned.</p> <p>The packaging around each individual unit within the multipack is considered to be commonly binned.</p> <p>Example: For a multipack of six bags of crisps (where each crisp packet weighs less than 60g), the outer multipack packaging is not considered to be commonly binned, and the packaging around each of the six bags within the multipack are considered to be commonly binned.</p> <p>For the purpose of assessing if an item is commonly binned, the weight of each individual unit within the multipack must be considered, not the combined weight of the whole multipack.</p>
Confectionary: Boxes, bags, pouches, buckets or tubs of confectionary containing, individually wrapped or unwrapped sweets, chocolates, gum etc.	<p>The box, bag, pouch, bucket or tub must be treated as a single sales unit (all packaging within the sales unit is primary packaging)</p> <p>If the contents of the sales unit weigh less than 230 grams, all packaging associated with the sales unit is considered to be commonly binned.</p> <p>If the contents of the sales unit weigh 230g or more, we will not consider any of this packaging to be commonly binned.</p> <p>The packaging around medicinal products and vitamins is not considered to be commonly binned.</p> <p>“Medicinal product” has the meanings given in regulations 2 and 8 of the Human Medicines Regulations 2012(g).</p>
Tobacco product packaging	<p>Yes – tobacco product packaging is considered to commonly end up in public bins.</p> <p>Please note cigarette papers and filters themselves are products, not packaging. Their packaging (the rolling paper packet and the packaging associated with a sales unit of filters, such as the sleeve around the filters & box or a bag) are considered to be commonly binned.</p>

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Appendix 7: Document version control table

The table below summarises changes in Version 5 from the previous Version 4. **Please note that this is not an exhaustive list of changes that have been made.**

Section	Summary of change	
Contents	Section numbers have been changed. Links added and updated.	
1:1	Previous references to packaging categories have been changed (here and throughout document) to packaging ‘types’. Information added about proposed changes to shipment packaging definition.	
1:2 & 1:3	Six steps decision chart: Advice added that steps are relevant only to filled packaging.	
2:1	Producer functions table: Amended wording.	
3:2	Installation Services: Further clarification and examples added.	
3:4	Section renamed. Information added about distinctive marks and supply. Sub-section called ‘Packer filler of empty branded packaging’ has been moved to Section 3:11.	
3:6	NEW SECTION: Interpretation of ‘forming part of branded packaging’.	
3:7	Responsibility for an import – clarification added.	
3:9	Wording amended.	
3:10	Information added about reporting of multi material and composite packaging,	
3:11	Unfilled unbranded packaging: clarification and example added.	
	Unfilled branded packaging: clarification added.	
	Packer filler of empty unbranded packaging: sub-section heading changed.	
	Ownership at point of pack/filling: clarification added.	
3:12	NEW SECTION: Distributors and definition of manufacturer.	
3:14	Groups: First paragraph revised	
3:16	Reuseable packaging supplied by a service provider: clarification and examples added.	
3:17	Exempt Packaging: further clarification and example added to the ‘reused packaging’ section Update 13/11/2024: Second example corrected and revised (Version 5.1)	
3:18	NEW SECTION: Shredding cardboard for use as packaging void-fill	
3:19	NEW SECTION: Self-managed packaging waste	
3:21	Labels: ‘Logistical labels on packaging’ sub-section has been renamed as ‘Brands added to packaging to assist with distribution’. Further clarification and examples added.	
Appendix 2	Correction: Imported unfilled branded packaging imported by a large producer (brand owner is responsible for the import and is a small producer): Filled and supplied to consumers - Reported by: Large producer (was previously BO) Reported as: Packer/filler (previously BO).	
	Imported unfilled unbranded packaging: Scenario added for ‘Supplied to large producer that will not fill packaging and sell on (remains unbranded)’	
	UK unfilled unbranded packaging: clarification, and scenario added for ‘Supplied to any business that will supply it on unfilled’.	
	Supply routes added for UK unfilled branded packaging (UK large brand owner)	
	Section on internal supply clarified	
	References to first UK owner changed to ‘the first person in the UK to take ownership of the packaging’. (‘First UK Owner’ relates to UK packaging filled by toll manufacturers).	
Appendix 3	Positions added or clarified:	
	<ul style="list-style-type: none"> Carrier bags position clarified Courier bags position re-worded ‘Do not stack’ pallet cones, position added Film cannister position removed Removal boxes: reworded Trays – bread and bakery Renamed - reuseable bread trays and reworded Totes -reworded Update 13/11/2024: Two ‘dunnage’ entries consolidated & position clarified (Version 5.1) 	
	Appendix 4	Clarification added
	Appendix 6	Commonly binned packaging: Clarification added and position added to exclude vitamins and medicinal products from confectionary category

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