Need for a Transparent, Evidence-Based and Proportionate Approach to Substances of Concern in Packaging

The packaging value chain supports the objectives of the Packaging and Packaging Waste Regulation (PPWR) to enhance the circularity, safety and sustainability of packaging within the European Union. These objectives can only be achieved, however, through a transparent, technically sound and evidence-based process that takes proper account of the information submitted by affected sectors and avoids creating unnecessary uncertainty across the value chain.

Against this background, we must express our clear concern regarding the current approach to identifying substances of concern in packaging and its components.

Given the potential implications for investment decisions, supply chain management and market access, it is essential that the process is conducted in accordance with the principles of transparency, proportionality, legal certainty and evidence-based policymaking that underpin EU Better Regulation.

This is particularly important to ensure that the implementation of the PPWR supports, rather than inadvertently undermines, its objectives of improving packaging circularity, recyclability and the functioning of the internal market.

Industry has invested significant time, expertise and resources in responding to successive information requests by ECHA and in explaining the technical realities of complex formulations, packaging applications, manufacturing processes and supply chains. It is therefore of significant concern that stakeholders are now being asked, for a third time, to assess a substantially expanded list of substances within a very short period - from around 100 to more than 700 substances. The current consultation timeline, taking place during the summer period, does not provide sufficient opportunity for the thorough technical assessment that such an exercise requires.

This concern is compounded by the limited transparency of the process. The current list does not clearly explain the methodology used, the criteria applied, the evidence relied upon, or how previous stakeholder comments have been assessed. In several cases, earlier submissions identifying factual or technical inaccuracies do not appear to have been addressed, although stakeholders have not been informed of the reasons underlying these omissions.

Particularly challenging is the identification of substances that are alleged to hinder recycling. The list does not indicate which recycling route or stream is concerned, nor does it explain the mechanism by which the substance is expected to hinder recycling in practice. Without such information, companies are asked to assess substances against unclear assumptions, which creates a disproportionate burden, especially for SMEs, and reduces the practical value of the exercise.

Our concerns are not merely procedural. Experience with other regulatory lists shows that, irrespective of their formal legal status, such lists can quickly be used by customers, retailers, certifiers or public authorities as de facto exclusion or deselection tools. This is already happening with customers increasingly asking suppliers across the packaging value chain to assess substances against the current draft list. Consequently, there is a tangible risk that

inclusion on the list may result in market restrictions in practice before any formal regulatory conclusions have been reached.

Particular care is also needed where substances are already regulated, authorised or assessed under existing EU frameworks, including food contact materials legislation, REACH and CLP. This includes substances listed in Regulation (EU) No 10/2011, for which Specific Migration Limits (SMLs) or other conditions of use have already been established to manage human health concerns. Listing such substances without appropriate context may create unnecessary confusion, duplicate established regulatory controls and undermine confidence in existing frameworks that already define conditions for safe use.

The process must also recognise the technical distinction between substances intentionally used in formulations and trace substances that may be present as impurities or non-intentionally added substances.

Tables suggesting that substances are directly added to packaging as IAS or NIAS, such as polymer monomers needed for the manufacturing of the raw materials, do not adequately reflect the realities of packaging manufacturing and may inadvertently mislead downstream users or policymakers. Substances that are present only as residual constituents, impurities, processing aids or NIAS originating from raw material production, manufacturing or recycling processes and are not present in any meaningful quantities in the final packaging should not fall within the scope of the exercise.

We respectfully call for a pause and reassessment of the current approach before the list is further developed, published or used as a basis for future action. At a minimum, the following conditions are necessary:

- a transparent explanation of the methodology, data sources and decision criteria used to include substances on the list;
- a clear account of how stakeholder input has been reviewed, accepted, rejected or incorporated, including correction of factual and technical inaccuracies before any further circulation/consultation;
- evidence-based justification for any indication that a substance negatively affects recycling, including identification of the relevant recycling route, stream and mechanism;
- clear safeguards to prevent the list from being interpreted or used as a de facto negative list or market exclusion tool, together with a clear statement that inclusion does not in itself mean that a substance is prohibited, unsafe, non-compliant or unsuitable for packaging use;

Our industry remains ready to contribute constructively and to provide technical expertise. However, meaningful engagement depends upon a process in which stakeholder input is transparently considered and decisions are supported by clear evidence and sound scientific reasoning. A framework developed without these safeguards risks creating uncertainty, duplication of existing regulatory requirements, supply chain disruption and unintended barriers to circularity.

For these reasons, we urge the European Commission and ECHA to reconsider the current approach and to ensure that any further work on substances of concern in packaging is firmly anchored in evidence, transparency, technical accuracy and due process.

Brussels 24 August 2026

The undersigned organisations

Afera
The European Adhesive Tape Association

ALUMINIUM CLOSURES

Cepi
RENEWABLE RECYCLED RESPONSIBLE EUROPEAN

Confederation of European Paper Industries

CEFLEX
A CIRCULAR ECONOMY FOR FLEXIBLE PACKAGING

ditpa

International Confederation of Paper and Board Converters in Europe

FEFCO

European Federation of Corrugated Board Manufacturers

FEICA®

Association of the European Adhesive & Sealant Industry

FLEXIBLE PACKAGING EUROPE

alufoil
European Aluminium Foil Association

ECMA EUROPEAN CARTON MAKERS ASSOCIATION

EUPC
EUROPEAN PLASTICS CONVERTERS

EuPIA

European Printing Ink Association

The Food and Beverage Carton Alliance

INTERGRAF

Imaging and Printing Association
I&P Europe

Metal Packaging

European printing industry association