

Statement

BDI Statement on the Draft Implementing Regulation Under Article 44(14) of the Packaging and Packaging Waste Regulation (PPWR)

Federation of German Industries e.V.

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Summary

The Federation of German Industries (BDI) supports harmonised, digital and proportionate registration and reporting under Article 44 PPWR. The implementing regulation should establish a genuine once-only approach, use a common EU-wide core dataset, distinguish clearly between the responsibilities of the different reporting entities, harmonise reporting periods and avoid requirements that depend on unavailable technical documentation. It should also keep the reporting obligations of economic operators under Article 44 separate from Member State reporting under Article 56 PPWR.

BDI's key recommendations

- Maximise EU-wide harmonisation and minimise additional national requirements.
- Implement a practical once-only model based on a common EU-wide core dataset.
- Align every reporting requirement with the PPWR legal basis and the information actually available to the reporting entity.
- Clearly distinguish the obligations of producers, authorised representatives, producer responsibility organisations and reuse system operators.
- Do not make technical documentation, or an undefined “equivalent complete description”, a mandatory reporting basis.
- Separate economic-operator reporting under Article 44 from Member State reporting under Article 56.
- Enable automated exchange through machine-readable formats, standardised interfaces, reporting periods and bulk-upload functions.
- Avoid duplicate reporting and enable the reuse of data already held by producer responsibility organisations and existing EPR systems.

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Introduction

The Federation of German Industries (BDI) welcomes the Commission's efforts to establish a harmonised format for producer registration and reporting under Article 44 PPWR. A harmonised and digital registration framework can make an important contribution to reducing administrative burdens and improving the functioning of the internal market. Implementation should follow the principles of harmonisation, proportionality, digitalisation and administrative simplification.

From an industrial perspective, the implementing regulation should deliver a practical and interoperable EU-wide system that enables economic operators to fulfil their obligations efficiently across all Member States. It should support a genuine once-only principle, whereby information is submitted once and subsequently reused for relevant compliance purposes.

The implementing regulation should also ensure a clear separation between reporting obligations for economic operators under Article 44 PPWR and reporting obligations of Member States under Article 56 PPWR. Overlaps between these reporting systems should be avoided. The legal basis, reporting entity and purpose of each requested data point should be transparent.

1. Harmonisation must remain the primary objective

BDI supports common registration and reporting formats and harmonised reporting periods across the European Union. Harmonisation should remain the overriding principle, and the implementing act should not create incentives for supplementary national reporting requirements.

The possibility for Member States to integrate additional national measures and reporting obligations into the registration framework risks undermining a uniform European system. Diverging national requirements would create substantial compliance costs for companies operating across borders and could weaken the internal market.

The implementing regulation should therefore minimise national deviations and establish common data definitions, categories and reporting formats and periods for all Member States. Any national additions should be strictly limited to what is expressly required by the PPWR.

2. Establish a practical once-only registration and reporting model

Companies active in several Member States should not be required to maintain multiple registrations and duplicate datasets in parallel national systems.

BDI recommends designing the framework so that core company and packaging information is submitted only once and can then be exchanged securely between competent authorities, national registers and, where appropriate, producer responsibility organisations. This would reduce administrative burdens while improving data quality and consistency.

The framework should be based on a common EU-wide core dataset that can be reused across EPR-related reporting obligations and transferred efficiently along the value chain. The dataset should be limited to information necessary for the applicable legal obligations and should protect confidential business information.

A common dataset should also be aligned, where legally and technically possible, with other existing or forthcoming EPR data requirements. The objective should be to prevent parallel data models for closely related obligations.

3. Reporting requirements must remain proportionate and legally aligned

The draft introduces extensive reporting requirements concerning packaging materials, packaging components, collection and waste treatment. Transparency is important, but reporting requirements must remain proportionate and closely aligned with the obligations laid down in the PPWR.

The proposed level of granularity could create significant technical and administrative burdens, particularly where companies would have to report detailed information on individual packaging elements and material fractions of marginal relevance for EPR purposes.

Reporting categories and definitions should follow the relevant categories and terminology of the PPWR. An implementing act should not introduce additional reporting categories or information requirements that are not supported by the basic act.

For packaging placed on the market, reporting should focus on legally required and operationally relevant data. The concepts established by the PPWR for composite and multi-material packaging should be applied consistently, together with appropriate *de minimis* approaches where permitted by the legal framework.

4. Responsibilities of the reporting entities must be clearly distinguished

Article 44 PPWR provides for reporting by different entities, including producers, authorised representatives, producer responsibility organisations and, for certain obligations, reuse system operators. The implementing regulation should state clearly which entity is responsible for each individual data field.

Reporting obligations should only apply to an entity that possesses, or can reasonably obtain under the PPWR, the relevant information. Individual producers and authorised representatives generally report information on packaging placed on the market under Article 44(7) and (8). Data on collection, sorting and waste treatment under Article 44(10) should not be assigned to individual producers where those producers do not hold that data.

Information on the collection and treatment of packaging waste is generally generated within waste-management and EPR structures. Where the relevant information is held by producer responsibility organisations or other responsible operators, the implementing regulation should assign or channel the reporting obligation accordingly and avoid parallel reporting by producers.

5. Technical documentation must not become an additional reporting obligation

The reference to technical documentation should not result in new administrative obligations for economic operators. Technical documentation serves product-compliance purposes and was not designed as a reporting instrument for EPR schemes.

Many entities subject to producer-registration or EPR reporting obligations do not have direct access to the technical documentation prepared by the packaging manufacturer. In particular, a distributor that qualifies as a producer, an authorised representative or a producer responsibility organisation may not possess that documentation. The implementing regulation should not make reporting dependent on information that is unavailable to the reporting entity under the PPWR.

The PPWR does not prescribe a standardised data structure for technical documentation that could automatically support register reporting. Mandatory transfer or submission could require substantial system adaptations and raise concerns regarding confidential business information.

Article 2(4) should therefore be deleted or revised so that technical documentation and the undefined concept of an “equivalent complete description of the packaging unit” do not become mandatory reporting bases. A standardised EU-wide core dataset containing only the information required for EPR compliance would be a more practical solution.

6. Keep Article 44 and Article 56 reporting separate

The implementing regulation under Article 44(14) should govern reporting by the economic operators identified in Article 44. It should not pre-empt or duplicate the separate reporting framework for Member States under Article 56 PPWR.

Requests for data on collection, sorting, recycling, recovery, disposal or shipments must be mapped precisely to the corresponding obligation and reporting entity in the PPWR. Where a data point serves Member State reporting under Article 56 rather than economic-operator reporting under Article 44, it should be addressed in the appropriate implementing act under Article 56.

A clear separation will improve legal certainty, prevent double counting and reduce the risk that data collected for different purposes is requested several times in different formats.

7. Digitalisation and automation should be fully utilized

BDI strongly supports fully automated electronic reporting processes. The Commission should promote interoperable digital solutions and standardised interfaces enabling automated data exchange between companies, producer responsibility organisations and public authorities.

Reporting systems should support machine-readable formats, standardised APIs and bulk-upload functionalities. The technical specifications should be stable, clearly documented and tested with economic operators before the reporting obligations apply.

Digital reporting should reduce, rather than increase, administrative effort. It should not require companies to adapt to multiple national interfaces or manually re-enter information already available in structured form.

8. Duplicate reporting must be avoided

Companies should not be required to submit the same information through parallel reporting channels.

Where relevant information has already been collected through producer responsibility organisations, deposit and return systems or existing EPR systems, that information should be reusable for compliance purposes. The implementing regulation should explicitly support efficient data reuse and prevent unnecessary duplication.

Reuse must be governed by clear responsibilities, consistent data definitions and appropriate safeguards for confidential information. Authorities should coordinate requests so that companies are not asked to reconcile divergent datasets for the same packaging flows.

Conclusion

BDI supports the establishment of a harmonised European registration and reporting framework under Article 44 PPWR. To reduce administrative burdens and strengthen the internal market, the implementing regulation should:

- ensure maximum EU-wide harmonisation and minimise national deviations;
- apply the once-only principle through a common EU-wide core dataset;
- keep reporting proportionate and strictly aligned with the PPWR legal basis;
- assign each reporting obligation to the entity that actually holds the relevant information;
- avoid mandatory reliance on technical documentation or an undefined equivalent description;
- separate economic-operator reporting under Article 44 from Member State reporting under Article 56;
- support automated digital data exchange through common technical standards; and
- prevent duplicate reporting and enable reuse of existing EPR data.

Such an approach would strengthen legal certainty, reduce compliance costs and support the competitiveness of European industry while ensuring effective implementation of extended producer responsibility requirements under the PPWR.

About BDI

The Federation of German Industries (BDI) communicates German industries' interests to the political authorities concerned. She offers strong support for companies in global competition. The BDI has access to a wide-spread network both within Germany and Europe, to all the important markets and to international organizations. The BDI accompanies the capturing of international markets politically. Also, she offers information and politico-economic guidance on all issues relevant to industries. The BDI is the leading organization of German industries and related service providers. She represents 40 inter-trade organizations and more than 100.000 companies with their approximately 8 million employees. Membership is optional. 15 federal representations are advocating industries' interests on a regional level.

Imprint

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