

... pursuant to the EU Packaging and Packaging Waste Regulation (PPWR): Article 3 (1) no. ...

(15) 'producer' means any manufacturer, importer or distributor to whom, irrespective of the selling technique used, including by means of distance contracts, one of the following applies:

- (a) the manufacturer, importer or distributor is established in a Member State and makes available for the first time from within the territory of that Member State and on that same territory transport packaging, service packaging, or primary production packaging, whether as single-use packaging or as reusable packaging; or
- (b) the manufacturer, importer or distributor is established in a Member State and makes available for the first time from within the territory of that Member State and on that same territory products packaged in packaging other than those referred to in point (a); or
- (c) the manufacturer, importer or distributor is established in a Member State or in a third country and makes available for the first time on the territory of another Member State, directly to end users, transport packaging, service packaging or primary production packaging, whether as single-use packaging or as reusable packaging; or
- (d) the manufacturer, importer or distributor is established in a Member State or in a third country and makes available for the first time on the territory of another Member State, directly to end users, products packaged in packaging other than those referred to in point (c); or
- (e) the manufacturer, importer or distributor is established in a Member State and unpacks packaged products without being an end user, unless another person is the producer as defined in point (a), (b), (c) or (d);

(13) 'manufacturer' means any natural or legal person that manufactures packaging or a packaged product; however:

- (a) subject to point (b), where a natural or legal person has packaging or a packaged product designed or manufactured under its own name or trademark, regardless of whether any other trademark is visible on the packaging or on the packaged product, 'manufacturer' means that natural or legal person;
- (b) where the natural or legal person that has the packaging or packaged product designed or manufactured under its own name or trademark falls within the definition of micro-enterprise set out in Recommendation 2003/361/EC as applicable on 11 February 2025, and the natural or legal person that supplies the packaging to the natural or legal person that has the packaging designed or manufactured under its own name or trademark is located in the same Member State, 'manufacturer' means the natural or legal person that supplies the packaging;

Questions:

No. (13) a) Has an individual or company designed or manufactured packaging or a packaged product under their own name or trademark (own brand)?

✗ If this does not apply, the individual/company stipulated at the beginning of no. (13) is considered the manufacturer.

✓ If this applies, is the individual/company a micro-enterprise?

✗ If this does not apply, the company whose own brand is visible on the packaging remains the manufacturer.

✓ If this applies, is the supplier of the (complete) packaging located in the same Member State as the company whose own brand is visible on the packaging?

✗ If this does not apply, please refer to 2. a.

✓ If this applies, the supplier becomes the manufacturer in accordance with no. (13) b).

(17) 'importer' means any natural or legal person established within the Union that places packaging from a third country on the market;

(18) 'distributor' means any natural or legal person in the supply chain, other than the manufacturer or importer, that makes packaging available on the market;

... nach der Europäische Verpackungsverordnung (PPWR): Artikel 3, Absatz 1, Nummer ...

(23) 'end user' means any natural or legal person that resides or is established in the Union to whom a product has been made available either as a consumer or as a professional end user in the course of its industrial or professional activities, and that does not make that product further available on the market in the form supplied to it;

Who is the end user within the meaning of the PPWR?

'End users' of producers within the meaning of Article 3 (1) no. (15) d) (for sales and grouped packaging) refer to consumers or professional end users. The PPWR states this very clearly. There is no room for interpretation. 'End users' of producers within the meaning of Article 3 (1) no. (15) c) (for transport, service and primary production packaging) refer to consumers or professional end users of the product, not to consumers or professional end users of the packaging material. Transport, service and primary production packaging is packaging that is sent from abroad directly to the product's end user, together with the product itself. Example: transport packaging that is sent directly to private households in an e-commerce setting. A packaging or filling company that imports pallets, stretch film, shrink wrap, kitchen foil or wrapping paper from another Member State to package its products is not considered the 'end user' of this packaging material. However, the company may be the end user of the packaging material's packaging, e.g. the roll around which the wrapping paper is wrapped.