



LEBENSMITTELVERBAND
Deutschland

INFORMATION

English Version

Implementation of the PPWR requirements: PFAS limit values for food packaging Scope of Article 5(5)

12 June 2026

Regulation (EU) 2025/40 on packaging and packaging waste ('PPWR') [1] is fundamentally aimed at reducing all types of packaging and packaging waste and at strengthening recycling in the packaging sector across Europe.

The PPWR came into force on 11 February 2025 and will take effect within a phased timetable. Among other things, **from 12 August 2026**, relevant **mandatory limit values for the content of per- and polyfluoroalkyl substances (PFAS) in certain food packaging** will apply as a prerequisite for placing such products on the internal market (PPWR Article 5(5)).

The information provided here serves to interpret and clarify these specific requirements for PFAS in food packaging, while taking into account the text of the Regulation and the European Commission's final published guidelines [2] in conjunction with the Commission's FAQ catalogue [3].

The questions currently arising within supply chains, particularly regarding the scope of application and the determination of PFAS compliance are being discussed from the perspective of and based on the current assessment of the German Food Association, in consultation with branch associations. The aim is to promote a consistent understanding across involved supply chains and to enable companies to implement the requirements in a pragmatic and legally compliant manner.

I Background and relationship to Regulation (EC) No. 1935/2004

The PPWR forms part of the European regulatory framework for the environment and the circular economy. The requirements for packaging and packaging concepts set out therein focus on environmental compatibility, recyclability and the conservation of primary raw materials, regardless of the material used.

By contrast, the physical properties of 'materials and articles intended to come into contact with food' are a fundamental concern of consumer health protection and are therefore subject to the regulatory framework of food law, in particular through the Framework Regulation on food contact materials (EC) No. 1935/2004. The objectives are to guarantee consumers 'safe food in safe packaging' and to minimize health risks.



These regulatory principles consist of general requirements as well as authorisations for individual substances based on scientific risk assessments, in conjunction with and derived from migration limits.

They are implemented based on the material / substance through various individual measures, such as the Plastics Regulation (EU) No. 10/2011.

Comparison of regulations and principles

	Regulation (EU) 2025/40 (PPWR) Article 5(5)	Regulation (EC) No. 1935/2004	Regulation (EU) No. 10/2011
Protection objectives	Environmental protection Resource conservation	Consumer health protection	Consumer health protection
Scope of application	Food packaging (material-neutral) intended to come into contact with food	Food contact materials (material-neutral)	Plastic food contact materials (including plastic layers)
Requirement	PFAS content in the packaging	General requirements	Specific (SML) and general (OML) migration limits based on toxicological assessment
Definition of PFAS	Any substance containing at least one -CF ₃ /-CF ₂ group (excluding H/Cl/Br/I)	—	No general definition of PFAS; individual monomers are listed
Regulatory principle	Group-based restriction on the content in certain food packaging above a total fluorine (TF) limit value (risk-based)	—	Positive list for substances subject to migration limits; risk-based regime for non-intentionally added substances (NIAS)
Measurement approach	Tiered approach: Total fluoride content screening and, where necessary, differentiated measurement (organic and inorganic fluoride compounds)	—	Migration test

Based on 'IK Information and Proposal for the Implementation of PFAS Limit Requirements in the PPWR' (version of 20 May 2026)

In addition to the actual objectives of the PPWR, Article 5 also sets out specific material requirements for certain types of packaging. This includes regulations on substances used as components of such packaging. In this respect, Article 5 is to be regarded as a specification of material properties.



The PPWR regulation specific on PFAS was introduced as a preemptive anticipation of further planned general restriction measures for all PFAS expected in the framework of the EU chemical policy REACH and the Commission's evaluation process announced in Article 5(5) to take place by August 2030. The REACH Regulation however, is primarily pointed to preventing the release of PFAS into the environment through the life cycles of materials containing PFAS.

In its guidelines [2], the Commission emphasizes that Article 5(5) of the PPWR does not constitute a ban on the use of PFAS, but rather establishes a specific regime for maximum levels of PFAS in certain materials.

The PFAS limit values for food packaging derived from Article 5(5) do not follow the principles of European regulations on food contact materials, as no specific risk assessments by the EFSA have been carried out for the PFAS groups and limit values in question. According to recitals 20 and 21 of the PPWR, the restriction on PFAS in food packaging stems from concerns that consumer exposure to PFAS – which are classified as extremely persistent in the environment – could pose a potential risk to human health.

II Questions

To which packaging do the PFAS requirements in Article 5(5) apply?

According to the wording of Article 5(5), 'special provisions' are established within the broad scope of the PPWR for *'packaging that comes into contact with food'*.

In this respect, the regulator has expressly limited the scope of the PFAS requirements to packaging with a specific intended purpose, contact between the packaging material and foodstuffs. The reason for this may be that potential PFAS migration (substance transfer) can only occur in the event of direct, physical contact; however, the quantity and health relevance of such exposure have not been scientifically assessed. Given the chemical and physical properties of PFAS – namely their stability as polymers and their incorporation into a polymer matrix – it is unlikely that monomers would migrate to the packaged food via the gas phase.

Nowhere in the PPWR, nor in the Commission's guidelines [2], is the scope of Article 5(5) specifically linked to the scope of Framework Regulation (EC) No. 1935/2004 on food contact materials.

With regard to the scope of Article 5(5), the Commission's guidelines explain, in a restrictive manner, that *'food contact packaging' refers to 'packaging which, in accordance with the scope of EU food law, is intended to come into contact with food, or has already come into contact with food and is intended for that purpose'*.



It is not explicitly stated that the description of ‘food contact material’—which goes beyond the wording of Article 1(2) of Regulation (EC) No. 1935/2004 on the PPWR—is fully relevant or is to be understood as synonymous with *‘packaging that comes into contact with food’* within the meaning of the PPWR.

The PFAS requirements therefore apply to food contact materials only for packaging, which are safe and suitable within the meaning of the food law provisions of the EU Framework Regulation and which come into contact with food during use.

The description ‘packaging that comes into contact with food’ is, in this respect, to be interpreted independently and exclusively within the context of the definition of ‘packaging’ in Article 3(1) of the PPWR.

What does ‘food contact’ mean?

The key criterion for determining whether packaging must comply with PFAS requirements is ‘food contact’. When the packaging is used for its intended purpose, physical contact between the relevant material or component and a food matrix must be foreseeable or, by virtue of the intended use, must occur. When used for its intended purpose, the packaging must PFAS requirements do not apply to food contact materials used in processes, nor to packaging components that do not come into contact with food when used for their intended purpose.

In the German version of the guidelines, the Commission uses the term *‘food contact packaging’* and assumes that this is generally placed on the market as filled retail packaging. This refers to so-called ‘primary packaging’, which must comply with the PFAS requirements following the final processing steps, such as sealing, heat-sealing and closing.

The Commission’s guidelines also note that the PFAS restrictions apply to materials intrinsically associated with the packaging, such as ‘printing inks, varnishes and adhesives’. The limit values may be applied to the packaging unit as a whole, i.e. the packaging matrix including the associated printing inks, varnishes and adhesives, in this context. Compliance may be calculated on the basis of the PFAS concentrations of the components (determined analytically or using a risk-based approach).

So-called ‘secondary packaging’ (e.g. outer packaging, transport packaging, shrink wrap) and functional ‘subsidiary components’ of packaging are not covered by Article 5(5). They are not relevant in terms of PFAS provided that they do not come into contact with food, in accordance with their intended use.



EXAMPLES of PFAS relevance in packaging / packaging elements and materials

NOTE: This table is intended merely as a guide to the classification of common packaging components; the list is not exhaustive. Individual cases must be assessed on their own merits.

Packaging in contact with food	Which parts/elements are potentially 'PFAS-relevant' *?	Which parts/elements are potentially not 'PFAS-relevant' **?
Cups, bottles, Plastic stand-up pouches	Plastic material; Lid with product contact Printing inks (if applicable)	External labels Clips
Multi-layer composite material made of plastic	Inward-facing layers	Layers facing outwards
Paper-based 'to-go' packaging	Paper material; coatings in contact with food	Covers
Paper bags / paper	Paper material for bags, wrapping paper, inserts); coatings intended to come into contact with food; Printing inks (if applicable)	Paper that forms part of a product (e.g. muffin cases) or process papers (e.g. baking paper)
Glass and metal packaging	Glass, metals; Internal coatings; Inner lid coating; Sealing films	External coatings; External labels; Lid material (exterior)
Paper/cardboard boxes	Paper/cardboard material when used without inner bags or films; Adhesive material Printing inks (inside)	Paper/cardboard material when used with inner bags or films

* "PFAS-relevant" means: requirement for PFAS conformity assessment based on a risk-based model

** "Non-PFAS-relevant" means that a PFAS conformity assessment is not required

When is PFAS testing required?

There is considerable uncertainty as to how compliance with PFAS requirements (PFAS compliance) can be demonstrated. While current analytical capacities in the EU are extremely limited, existing methods can only detect a small proportion of PFAS substances, meaning that for the majority of PFAS, no practicable analytical method is available using current techniques.

PFAS detection depends heavily on the material and the process, such as the type of polymer, the use of processing aids and the presence of PFAS in recycled material streams.



The European associations, in consultation with the Commission, recommend that compliance with Article 5(5) be achieved through a 'compliance-by-design' approach. Material selection, specifications and manufacturing processes should, generally, be defined in such a way as to prevent non-conformities at source. Analytical testing should not be interpreted as a systematic requirement for all relevant packaging materials. Instead, it should serve as a proportionate verification tool to be applied where indicated, based on a structured and documented assessment of the likelihood of non-compliance.

The Commission also notes a lack of harmonized methods for testing for the presence of PFAS in various matrices of food-contact packaging in the guidelines [2]. To this end, the Commission recommends a step-by-step approach within the framework of the guidelines, based on a meta-analysis of PFAS studies:

- **Step 1:**
Quantification of the total fluorine (TF) content
>> If TF value is below 50 mg/kg, sample could be considered compliant.
- **Step 2:**
If TF is above 50 mg/kg, methods such as pyrolysis-GC/MS can be used to confirm whether the fluorine is organic (PFAS) or inorganic.
>> If the total organic fluorine (TOF) is below 50 mg/kg, the sample could be considered compliant.
- **Step 3:**
Direct TOP (total oxidisable precursors) analysis is recommended to check compliance with the 25 µg/kg and 250 µg/kg concentration limit.

Based on the evidence currently available to the Commission, all samples compliant with test (Step 1) are also compliant with tests (Step 2) and (Step 3).

Is PFAS NI (not intentionally added) relevant?

According to the Commission's explanations, no distinction shall be made between intentionally added PFAS and those present unintentionally (NI). The provisions in Article 5(5) are intended to apply to both pathways of entry.

However, based on the 'results of PFAS laboratory analyses carried out on a range of selected packaging items', the Commission assumes that, only food contact packaging to which PFAS have been intentionally added for functional reasons will yield results exceeding the PFAS limit values.



What does 'risk-based approach' mean?

Provided that the packaging in question is PFAS-relevant and comes into contact with food, compliance must be established by the responsible manufacturer.

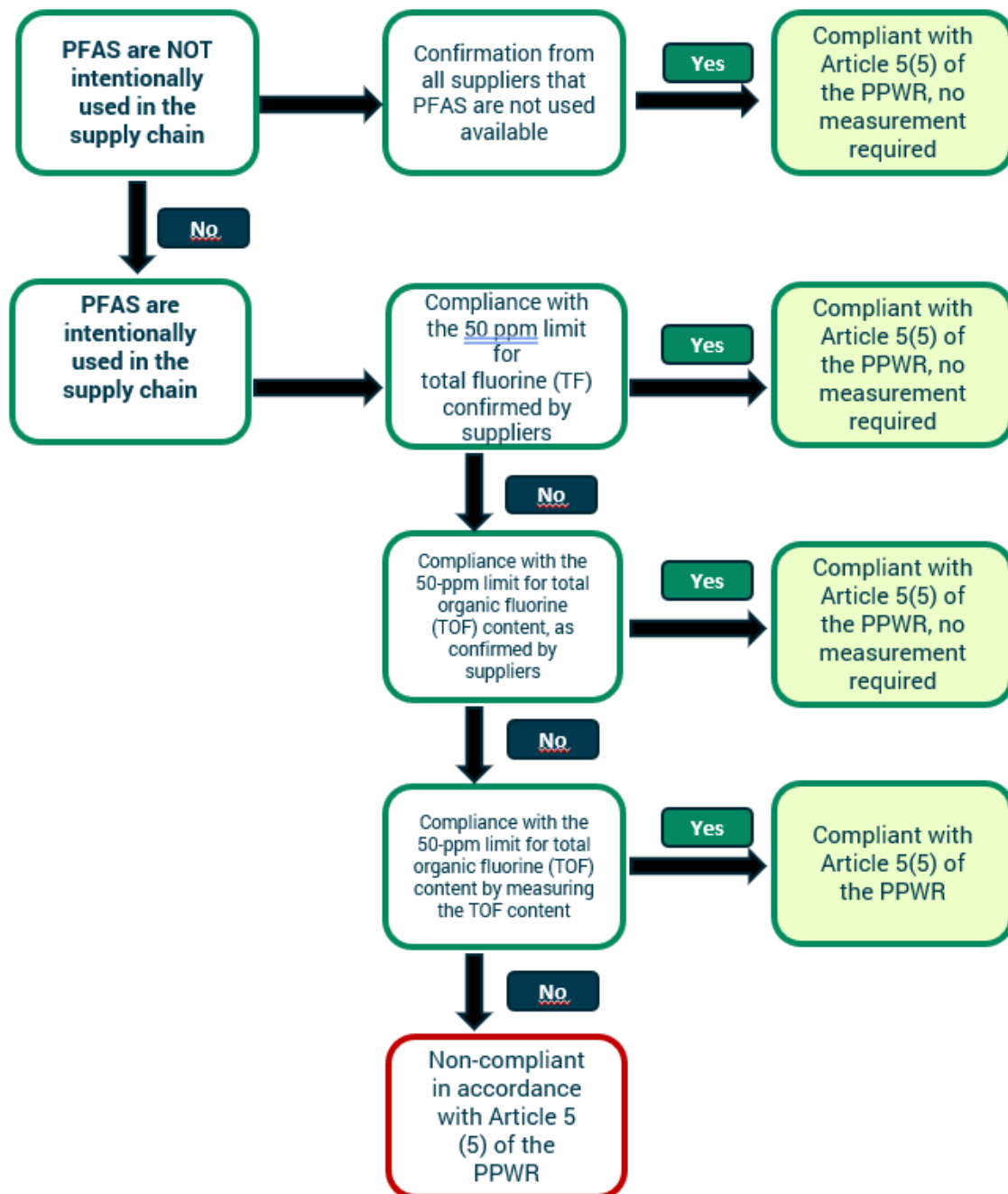
An approach favoured by the industry associations is a structured and proportionate risk-based approach within supply chains to establish and, where necessary, demonstrate compliance. Such an approach, which is currently being discussed with the Commission, would be based on three complementary pillars:

- **Verification of intentional use (PFAS NI)**
Use of supplier declarations confirming that PFAS are not intentionally added at any stage of the value chain.
- **Assessment of specific risks associated with unintentional presence (NIAS)**
Consideration of realistic sources of cross contamination (e.g., PFAS containing lubricants or cleaning agents, legacy PFAS in recycled inputs) and process related factors (carry-over from one production to another)
- **Assessment of the material-intrinsic likelihood of PFAS occurrence**
Evaluation of whether PFAS would have any known technical function or persistence in a given material category.
For example, for materials such as glass or metal - where PFAS have no known functionality and will decompose during high temperature processing - the intrinsic risk is expected to be negligible

On the basis of these three elements, economic operators could develop a risk matrix and define verification activities proportionate to the identified risk, including the nature of documentation to be collected, the need for supplier audits, and whether analytical testing is necessary, and at what frequency.



**Recommendations for demonstrating compliance throughout the supply chain
for PFAS-relevant food-contact packaging within the meaning of the PPWR**

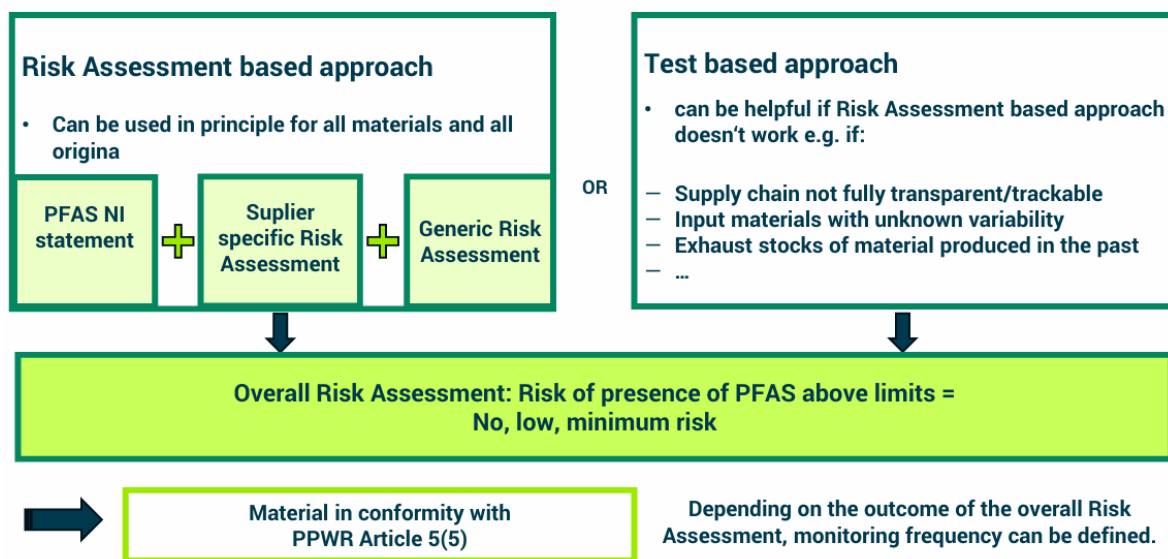


*Based on „IK-Information und Vorschlag zur Umsetzung der Anforderungen an PFAS-Grenzwerte in der PPWR“
(version 20 May 2026)*



Overall approach to demonstrating PFAS compliance

In summary, in agreement with the Commission, there are two fundamental, pragmatic approaches available for determining PFAS compliance for PFAS-relevant materials. The relevant stages of the supply chains thus have a set of tools at their disposal that enables individually appropriate, effective procedures. Stakeholders should make use of these tools in a restrictive manner. The aim is to be able to provide documentation and information on PFAS compliance in a timely manner should a request be made by the competent authorities.



Based on "FoodDrinkEurope: PPWR Art. 5(5) – Proposal for the acknowledgement of a risk-assessment-based approach to enable compliance documentation" (May 2026)

Who is responsible for providing evidence?

The determination of PFAS compliance is a task that extends across the entire supply chain, including manufacturers of raw materials and intermediate products. Questions regarding PFAS contributions may arise in various components of PFAS-relevant packaging or in packaging elements. In this respect, communication and a willingness to share information and responsibility are important.

The respective 'producer' who manufactures empty packaging or a packaged product is obliged to provide a declaration and is responsible for PFAS compliance under the PPWR. The roles of the various parties can sometimes be difficult to clarify within a complex supply chain. In most scenarios, it is not the actual packaging manufacturer but the producer who has the packaging or the packaged product developed or manufactured under their own brand or name.



The definitions set out in the PPWR apply:

- *'Placing on the market'* means the first making available of packaging, whether empty or with a product, on the Union market (Article 3(1)(10))
- *'Making available on the territory of the Member State'* means any supply of packaging, whether empty or with a product, for distribution, consumption or use on the territory of the Member State in the course of a commercial activity, whether in return for payment or free of charge. (Article 3(1)(11))
- *'Manufacturer'* means any natural or legal person that manufactures packaging or a packaged product; (...). (Article 3(1)(13))

According to the Central Packaging Register Foundation (ZSVR) [4], the following interpretation applies:

- ***'Producers'** are companies that commission third parties to develop or manufacture products under their own name or brand (contract manufacturing). The commissioning companies are regarded as producers and bear responsibility for drawing up the technical documentation and the declaration of conformity for this packaging.'*
- ***'Manufacturers'** within the meaning of extended producer responsibility are either the producer, the importer or the distributor. In the case of own-brand products, the brand name establishes that the retail company is the producer of the packaged products. Consequently, the retail company also bears the manufacturer's responsibility for this packaging.'*
- *'Where an economic operator places packaging on the market that is marked with a brand attributable to a company (e.g. a private label), that economic operator is regarded as the producer, regardless of who physically manufactured or filled the packaging.'*

Who is responsible for regulatory oversight?

The supervisory authorities specified in the PPWR are responsible for market surveillance and verifying compliance with the PFAS requirements; in the local market, these are the regulatory and environmental authorities.

The authorities responsible for monitoring food and consumer goods have no jurisdiction in this regard; whilst sampling or laboratory tests may be carried out where necessary by way of administrative assistance, they cannot enforce the PPWR.

Given the different target audiences for the declarations among the authorities, it is not advisable for suppliers to complement the declaration of conformity required under food law with PPWR requirements; instead, the documents should be kept separate, i.e. PFAS compliance – where required – should be addressed separately in the 'PPWR Declaration of Conformity'.



Clearance and transitional scenarios –

The PFAS requirements set out in Article 5(5) will apply from 12 August 2026.

In the guidelines, the Commission emphasises that the PPWR does not provide for a transition period for the phasing out of existing stocks of food contact packaging containing PFAS that was manufactured before 12 August 2026. Consequently, packaging that comes into contact with food and is placed on the market after 12 August 2026 – whether empty or filled – must have a PFAS compliance assessment.

- Packaging or materials placed on the market before 12 August 2026 may remain on the market and do not need to be recalled in the event of PFAS non-compliance.
- Packaging or materials manufactured before 12 August 2026 but filled and placed on the market after 12 August 2026 must comply with PFAS requirements, regardless of when they were manufactured or acquired.
- There are no exceptions for packaging containing recycled material.

For pre-packaged foodstuffs and their movement through supply chains, various scenarios arise; the interpretation of the deadlines depends on the relevant date on which the transfer takes place or has taken place.

EXAMPLE: Stock filled before 12 August 2026

Filled, ready-to-sell containers are already physically present in a warehouse prior to 12 August 2026, but have not yet been collected by the B2B customer, although they have already been sold under supply or purchase agreements.

Provided that the filled packaging was made legally available before 12 August 2026 (e.g. through a transfer or a contract of sale), it would be regarded as having been placed on the market before the cut-off date and could therefore remain on the market and continue to be sold after that date.

EXAMPLE: Imported pre-packaged products

Pre-packaged products are imported from a third country and released for free circulation in the EU before 12 August 2026 but remain in stock after that date.

For imported, pre-packaged products, the relevant date is the date of release for free circulation. Accordingly, such products would be regarded as having been placed on the EU market before 12 August 2026 and could continue to be sold after that date.



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Sources:

[1] Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904 and repealing Directive 94/62/EC (PPWR)

<https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=CELEX:32025R0040>

[2] European Commission: *Guidelines on the Packaging and Packaging Waste Regulation (PPWR)*
5 June 2026; C(2026) 3702 final

[https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=PL_COM:C\(2026\)3702](https://eur-lex.europa.eu/legal-content/DE/TXT/?uri=PL_COM:C(2026)3702)

[3] European Commission: *Packaging and Packaging Waste Regulation (PPWR) – Frequently Asked Questions*, 2026,

<https://data.europa.eu/doi/10.2779/6056528>

[4] The Central Packaging Register Foundation (ZSVR)

<https://www.verpackungsregister.org/ppwr/abgrenzung-erzeuger-hersteller>

Further information:

- IK-Information und Vorschlag zur Umsetzung der Anforderungen an PFAS-Grenzwerte in der PPWR (version 20 May 2026)
- FoodDrinkEurope: PPWR Art. 5(5) – Proposal for the recognition of a risk-assessment-based approach to enable compliance documentation (May 2026)
- VCI Handreichung PPWR -Konformitätserklärung für die chemische Industrie (11 March 2026)
<https://www.vci.de/ergaenzende-downloads/vci-handreichung-konformitaet.pdf>
- EuPIA Customer Information Note on PFAS and Printing Inks in the Context of Article 5(5) of the PPWR
<https://www.eupia.org/wp-content/uploads/2026/04/2026-04-08-EuPIA-Information-Note-on-PFAS-and-Printing-Inks-in-the-context-of-PPWR.pdf>

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III Appendix containing extracts from relevant documents

Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC

Article 3 Definition

(1) For the purposes of this Regulation, the following definitions apply:

1. 'packaging' means an item, irrespective of the materials from which it is made, that is intended to be used by an economic operator for the containment, protection, handling, delivery or presentation of products to another economic operator or to an end user, and that can be differentiated by packaging format based on its function, material and design, including:

(a) an item that is necessary to contain, support or preserve a product throughout its lifetime, without being an integral part of the product, and which is intended to be used, consumed or disposed of together with the product;

(b) a component of, and ancillary element to, an item referred to in point (a) that is integrated into the item;

(c) an ancillary element to an item referred to in point (a) that is hung directly on, or attached to, the product and that performs a packaging function, without being an integral part of the product, and which is intended to be used, consumed or disposed of together with the product;

(d) an item that is designed and intended to be filled at the point of sale in order to dispense the product, which is also referred to as 'service packaging';

(e) a disposable item that is sold and filled or designed and intended to be filled at the point of sale and which performs a packaging function;

(f) a permeable tea, coffee or other beverage bag, or soft after-use system single-serve unit that contains tea, coffee or another beverage, and which is intended to be used and disposed of together with the product;

(g) a non-permeable tea, coffee or other beverage system single-serve unit intended for use in a machine and which is used and disposed of together with the product;

Article 5 Requirements for substances in packaging

(5) From 12 August 2026, food-contact packaging shall not be placed on the market if it contains per- and polyfluorinated alkyl substances (PFAS) in a concentration equal to or above the following limit values to the extent that the placing on the market of packaging containing such a concentration of PFAS is not prohibited pursuant to another Union legal act:

(a) 25 ppb for any PFAS as measured with targeted PFAS analysis (polymeric PFAS excluded from quantification);

(b) 250 ppb for the sum of PFAS measured as the sum of targeted PFAS analysis, where applicable with prior degradation of precursors (polymeric PFAS excluded from quantification); and

(c) 50 ppm for PFASs (including polymeric PFAS); if total fluorine exceeds 50 mg/kg the manufacturer, importer or downstream user as defined respectively in Article 3, points (9), (11) and (13) of Regulation (EC) No 1907/2006 shall, upon request, provide to the manufacturer or the importer as defined respectively in Article 3(1), points (13) and (17), of this Regulation proof of the quantity of fluorine measured as content of either PFAS or non-PFAS in order for them to draw up the technical documentation as referred to in Annex VII to this Regulation.



'PFAS' means any substance that contains at least one fully fluorinated methyl (CF₃-) or methylene (-CF₂-) carbon atom (without any H/Cl/Br/I attached to it), except substances that only contain the following structural elements: CF₃-X or X-CF₂-X' where X = -OR or -NRR' and X' = methyl (-CH₃), methylene (-CH₂-), an aromatic group, a carbonyl group (-C(O)-), -OR'', -SR'' or -NR''R'''; and where R/R'/R''/R''' is a hydrogen (-H), methyl (-CH₃), methylene (-CH₂-), an aromatic group or a carbonyl group (-C(O)-).

By 12 August 2030, the Commission shall carry out an evaluation to assess the need to amend or repeal this paragraph in order to avoid overlaps with restrictions or prohibitions on the use of PFAS laid down in accordance with Regulations (EC) No 1935/2004, (EC) No 1907/2006, or (EU) 2019/1021.

Commission Notice

Guidance document for Regulation (EU) 2025/40 on packaging and packaging waste [2]

5. Enforcement of PFAS restrictions in food contact packaging and exhaustion of stocks

Legal provisions:

Article 3(1), point (13), defines 'manufacturer' as 'a natural or legal person' that '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 (...)'.¹

Article 3(1), point (10), defines 'placing on the market' as the first making available of packaging, whether empty or with a product, on the Union market'. Article 3(1), point (11), defines 'making available on the territory of the Member State' as 'any supply of packaging, whether empty or with a product, for distribution, consumption or use (...) whether in return for payment or free of charge.'

Article 5(5) states: 'From 12 August 2026, food-contact packaging shall not be placed on the market if it contains per- and polyfluorinated alkyl substances (PFAS) in a concentration equal to or above the following limit values to the extent that the placing on the market of packaging containing such a concentration of PFAS is not prohibited pursuant to another Union legal act: [...]

Commission's interpretation:

Food contact packaging is packaging which is intended to be brought into contact with food or is already in contact with food and was intended for that purpose, as per the scope of EU food legislation.

The surveillance authorities as referred to in PPWR, based on Regulation (EU) 2019/1020 on market surveillance rules, are competent to verify compliance with the PFAS limits.

Several protocols and methodologies to test the presence of PFAS in different matrices exist, but there is no harmonized methodology for PFAS in food contact packaging at EU level. In this context, the following stepwise approach, based on state-of-the-art analytical capacities and a meta-analysis of PFAS testing of the relevant matrices, is recommended to enforce the PFAS limits as of their application date, i.e. 12 August 2026:

1. Total Fluorine (TF) quantification (step 1): If TF is below 50 mg/kg, sample could be considered compliant.
2. If TF is above 50 mg/kg, methods such as pyrolysis-GC/MS can be used to confirm whether the fluorine is organic (PFAS) or inorganic in step 2. If the organic fluorine is below 50 mg/kg, the sample could be considered compliant.
3. Direct TOP (total oxidizable precursors) analysis is recommended to check compliance with the 25 µg/kg and 250 µg/kg concentration limit in step 3.

On the basis of the evidence currently available to the Commission, all samples compliant with test (1) are also compliant with tests (2) and (3).



This is without prejudice to the application of Regulation (EU) 2017/625 to the controls performed for the verification of compliance with the rules on materials and articles intended to come into contact with food, including the rules laid down in Article 5(5) of the PPWR.

As regards packaging containing PFAS, which has been produced before 12 August 2026, the PPWR does not foresee a transitional period for the exhaustion of stocks. Therefore, food-contact packaging placed on the market after 12 August 2026 must comply with the PFAS limits laid down in this Regulation, while packaging placed on the market before 12 August 2026 may remain on the market and does not need to be withdrawn. There are no exceptions regarding packaging containing recycled material.

In general, sales and grouped food-contact packaging are placed on the market when they are filled, insofar as the final processing steps such as the sealing processes, may influence compliance of the packaging, while transport and service packaging are placed on the market empty.

In line with the Blue Guide on the implementation of EU product rules, placing on the market occurs when there is an offer or an agreement between parties regarding 'the transfer of ownership, possession or any other property right'. This can be done 'for payment or free of charge' once a manufacturing stage of the product is completed. Consequently, a manufacturer could place empty or filled food-contact packaging on the market by a mere transfer of the legal possession. For imported packaging or packaged products, the relevant timestamp is the 'release for free circulation' at the end of the customs procedure.

EU Commission: Packaging and Packaging Waste Regulation (PPWR) - Frequently asked questions [3]

13) Will Regulation (EC) 1935/2004 on food contact materials, Regulation (EU) 10/2011 on plastic articles intended to come into contact with food, Regulation (EU) 2019/1021 on persistent organic pollutants and the REACH regulation be amended by reference to the PPWR's ban on PFAS?

The PPWR does not establish a PFAS ban but rather sets maximum concentration levels. Also, it is not provided that the PFAS limits in the PPWR would be taken over into other, vertical, EU legislation. Based on Article 5(5), the Commission will carry out an evaluation to assess the need to amend or repeal the PFAS restriction in the PPWR in case of identified overlaps with restrictions or prohibitions on the use of PFAS under the FCM Regulation, the REACH Regulation or the POPs Regulation.

14) Do the PFAS restrictions in Article 5(5) apply both to intentionally added and unintentionally present PFAS?

The PFAS restriction adopted by the PPWR does not differentiate between intentionally added and unintentionally present PFAS. Therefore, the provisions in Article 5(5) apply to both. To be noted, preliminary PFAS laboratory analyses results on a number of selected packaging showed that in practice only packaging where PFAS have been intentionally added would give results above the PFAS limit values.

15) Do the restrictions apply only to materials used in packaging manufacturing or also to the materials and the associated inks, varnishes, glues and adhesives?

The limits apply to the packaging unit as a whole, including the associated inks, varnishes, glues and adhesives placed on the market by the manufacturer. The latter is the person responsible for drawing the technical documentation needed to prove compliance (for further information, see Commission guidance document).