Warsaw, 16.09.2026

PIPC/118/2026

PIPC POSITION ON EQUIVALENCE AND VERIFICATION REQUIREMENTS FOR IMPORTED RECYCLED CONTENT UNDER THE PPWR

The Polish Chamber of Chemical Industry (PIPC) welcomes the opportunity to contribute to the European Commission's work on the secondary legislation required under Article 7 of Regulation (EU) 2025/40 on packaging and packaging waste (PPWR).

The rules governing recycled content originating from post-consumer plastic waste collected or recycled outside the European Union will be a key element determining the credibility and practical functioning of the recycled-content obligations established by the PPWR. They will also directly influence the competitive conditions under which European recyclers, polymer producers, converters and packaging manufacturers operate.

PIPC considers that recycled content used for compliance with mandatory PPWR targets should be subject to an **equivalent level of environmental protection, traceability, calculation and verification requirements irrespective of its geographical origin and irrespective of the stage at which it enters the Union market**.

The future framework should therefore:

- apply equivalent requirements to recycled content placed on the Union market, irrespective of origin;
- cover all relevant entry points into the EU value chain, including secondary raw materials, recycling intermediates, polymers, converted components and finished packaging;
- ensure coherence between the methodology for calculating recycled content, sustainability criteria for recycling technologies and the rules governing equivalence;
- establish a harmonised EU verification and certification framework based on independent and appropriately accredited verification;
- prevent double counting and ensure reliable chain-of-custody information;
- support customs controls through certificate-linked declarations and auditable evidence rather than relying primarily on dedicated customs classifications;
- ensure that compliance obligations remain proportionate, technology-neutral and workable for complex industrial value chains;
- ensure the use of recyclates meeting the quality requirements specified for the packaged products.

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This approach would protect the integrity of the PPWR recycled-content targets, provide legal certainty for operators and authorities and ensure a level playing field between recycled content produced within the EU and recycled content imported from third countries.

EQUIVALENT REQUIREMENTS FOR RECYCLED CONTENT PLACED ON THE UNION MARKET

The implementing measures under Article 7 PPWR concerning recycled-content calculation and verification, sustainability criteria for recycling technologies and equivalence of requirements applicable to recycled content originating from third countries should form **one coherent regulatory framework**, supported by consistent rules on traceability, verification, certification and enforcement.

Equivalence should extend beyond confirmation of the numerical percentage of recycled content. Where recycled content originating from post-consumer plastic waste collected or recycled outside the EU is used for compliance with PPWR targets, it should be possible to demonstrate the eligibility and origin of the waste, environmentally sound collection and treatment, relevant environmental and human-health safeguards, compliance with applicable sustainability criteria, the methodology used to calculate recycled content, reliable chain of custody and the absence of double counting.

The same principle should apply irrespective of the form in which recycled content enters the Union market. The framework should cover secondary raw materials and recycling intermediates, as well as polymers, converted components and finished packaging. Regulatory assurance should therefore not depend solely on the stage of the value chain at which a material crosses the EU border.

PIPC supports an **outcome-based approach to equivalence**. Third countries should not be required to reproduce the EU regulatory or administrative system in an identical manner, provided that an equivalent level of environmental and human-health protection, traceability and regulatory assurance can be demonstrated through objective and auditable evidence.

Country-level conditions should be complemented, where appropriate, by independent verification of relevant operators and recycling installations. Eligibility should not depend exclusively on formal bilateral agreements or arrangements where equivalent outcomes can be reliably demonstrated through other appropriate means.

A HARMONISED AND CREDIBLE VERIFICATION AND CERTIFICATION FRAMEWORK

PIPC considers that the PPWR should establish a **harmonised European framework for verification and certification**, applicable to recycled content produced both within and outside the Union.

Verification should be carried out by independent and appropriately competent bodies, while certification should provide documented evidence of compliance that can be transmitted through the supply chain and made available to competent authorities.

The Commission should establish harmonised requirements for verification, accreditation and certification, as well as a transparent procedure for the recognition and supervision of certification schemes. Existing voluntary certification and chain-of-custody schemes may provide useful infrastructure and experience, but their existing market use should not in itself result in automatic recognition under the PPWR.

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Recognition should apply only to the materials, recycling technologies, chain-of-custody models and geographical scope for which a scheme has demonstrated compliance with the applicable PPWR requirements. Certificates issued by appropriately accredited certification bodies under EU-recognised schemes should be accepted across Member States for the requirements covered by that recognition.

The framework should also clearly allocate responsibilities between the different economic operators in the value chain. Each operator should be responsible for information and evidence within its effective control. In particular, downstream operators should not be required to independently establish technical information relating to upstream recycling operations where they do not have access to the underlying data.

Effective safeguards against **double counting** are also essential. The same recycled-content attribute should not be used more than once to support compliance claims relating to different products, operators, markets or accounting periods. The applicable calculation, chain-of-custody and certification rules should therefore ensure sufficient traceability and reconciliation of relevant inputs and outputs.

CUSTOMS ENFORCEMENT SHOULD BE BASED ON DECLARATIONS, CERTIFICATION AND AUDITABLE EVIDENCE

PIPC supports effective enforcement of recycled-content requirements at the EU border. However, the enforcement instrument should reflect the nature of the information being verified.

Recycled content is generally expressed as a **percentage by mass** and supported by production, chain-of-custody and certification records. A customs classification cannot in itself determine the actual percentage of recycled content represented by a consignment. A classification covering any material containing recycled content could overstate the actual volume of recyclate, while a classification limited to fully recycled material would fail to capture blended materials. Introducing multiple classifications based on recycled-content thresholds would add complexity without resolving the underlying verification challenge.

This issue is particularly relevant where recycled content is demonstrated through an audited chain-of-custody or accounting system rather than through a physical characteristic that can be identified in the final material.

For this reason, **customs nomenclature should not become a substitute for the PPWR verification framework**. Recycled-content claims should primarily be verified through declarations, certification and auditable supporting evidence.

PIPC therefore supports the principle of a **certificate-linked customs declaration mechanism**. Where recycled content is claimed in relation to imported materials or products, the relevant declaration should be capable of being linked to the certified operator or installation, the relevant certification or declaration reference and the recycled-content percentage attributed to the consignment.

Where possible, such a mechanism should make use of existing EU customs infrastructure, including the EU Customs Single Window environment, rather than creating parallel reporting systems.

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Where the evidence supporting a recycled-content claim is absent or invalid, the relevant quantity should not be recognised as recycled content for PPWR compliance purposes. This should not in itself prevent otherwise lawful goods from being imported under the applicable customs classification.

Verification at the border should be complemented, where relevant, by **risk-based ex-post controls and periodic reconciliation** between quantities of recycled content declared in relation to imports and the corresponding certified records. Material discrepancies should trigger appropriate follow-up and corrective measures.

TECHNOLOGY NEUTRALITY AND PROPORTIONALITY

The verification framework should remain **technology-neutral**. Mechanical and chemical recycling pathways may require different types of evidence due to their technical characteristics, but such differences should not result in discriminatory treatment of a particular technology where compliance with the applicable PPWR requirements can be reliably demonstrated through an auditable system.

Where the methodology adopted under Article 7 PPWR permits a particular chain-of-custody approach, the equivalence and verification framework should provide a workable method for verifying the resulting recycled-content claim for both EU and third-country supply.

At the same time, credible verification should not lead to unnecessary duplication of administrative requirements. Existing certification and accreditation structures, company traceability systems, standardised documentation and interoperable EU digital infrastructure should be used wherever they can provide the required level of assurance.

Information should, as far as possible, be reported once and subsequently made available to the relevant competent authorities through interoperable systems.

ENSURING A LEVEL PLAYING FIELD

European manufacturing value chains may require access to appropriately verified recycled feedstocks, and legitimate international trade can contribute to achieving the circularity objectives of the PPWR. At the same time, recycled content used to demonstrate compliance with mandatory EU requirements should not benefit from a lower level of regulatory assurance simply because it originates outside the Union.

EU-based operators invest in environmental compliance, waste-management standards, recycling capacity, traceability, verification and certification. Imported recycled content used for the same regulatory purposes should therefore demonstrate **equivalent conditions and an equivalent level of assurance**.

The objective should be equal regulatory conditions for all recycled content recognised for compliance with EU requirements, while maintaining access to legitimate and appropriately verified recycled materials.

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A credible and proportionate equivalence and verification framework is essential to safeguard the integrity of PPWR recycled-content targets, provide legal certainty for economic operators and authorities, and support investment in European circular-economy capacity.

ENSURING ACCESS TO MATERIALS OF APPROPRIATE QUALITY

The quality of packaging is often crucial for preserving the physicochemical properties of the packaged products. In addition to preserving the physicochemical properties of such products, packaging also serves a number of other functions; however, in the context of environmental protection and thus in line with the principles set forth in the PPWR Regulation, it is important to highlight its role in preventing the uncontrolled release of the product into soil or surface water. For this reason, the quality of packaging is often crucial.

Regardless of the packaging's function, maintaining quality requires the use of appropriate raw materials in production. With this in mind, to meet the requirements of the PPWR Regulation, we emphasize the importance of using recycled materials with appropriate parameters (including consistent and repeatable ones).

For example, in the case of certain types of stretch film, the addition of regranulates will affect their key properties, namely their stretchability and shrinkability. A challenge in the market may be securing sufficient quantities of post-consumer waste of appropriate quality and high purity for the production of high-quality regranulate. The proposed rules should therefore take this aspect into account and ensure the use of recycled materials with appropriate quality parameters in packaging production parameters that are at least comparable to those of packaging made from virgin materials.

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