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Subject:	ANNEX to the COMMISSION REGULATION (EU) .../... amending Regulation (EU) 2022/1616 as regards the management of the Union register, compliance documentation, test methods, and documents to be presented upon release for free circulation

Delegations will find attached document D115839/02 annex.

Encl.: D115839/02 annex

Brussels, XXX
ANNEX PLAN/2025/1217
[POOL/E2/2025/1217/1217-EN
ANNEX.docx] D115839/02
[...] (2026) XXX draft

ANNEX

ANNEX

to the

COMMISSION REGULATION (EU) .../...

**amending Regulation (EU) 2022/1616 as regards the management of the Union register,
compliance documentation, test methods, and documents to be presented upon release
for free circulation**

ANNEX

Annexes I and III to Regulation (EU) 2022/1616 are amended as follows:

1. Annex I is amended as follows:
 - (a) Table 1 is replaced by the following:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Recycling technology number	Technology name	Polymer type (detailed specification in Table 2)	Short description of the recycling technology (detailed specification in Table 3)	Specification of plastic input	Specification of output	Subject to the authorisation of individual processes	Specifications and requirements (reference to Table 4)	Derogations (reference to Table 5)	Recycling scheme applies	Documentation requirement upon release for free circulation (reference to Table 6)
1	Post-consumer mechanical PET recycling	PET (2.1)	Mechanical recycling (3.1)	Washed and dried PET PCW containing maximum 5 % of materials and articles that were used in contact with non-food materials or substances. The test results of a test in accordance with Annex A of ISO-12418-2:2012 or with a method where equivalent or higher performance can be demonstrated shall be: m1/m0 ≤ 500ppm, m2/m0 ≤ 200 ppm, and m3/m0 ≤ 500 ppm.	Decontaminated PET, final materials and articles not to be used in microwave and conventional ovens; additional specifications may apply to output from individual processes	Yes	-	-	No	Yes (6.1)

2	Recycling from product loops which are in a closed and controlled chain	All polymers manufactured as primary materials in compliance with Regulation (EU) No 10/2011	Basic cleaning and microbiological decontamination during remoulding (3.2)	Chemically uncontaminated plastic materials and articles produced from a single polymer or from compatible polymers which were used or intended for use under the same conditions of use and solely obtained from a product loop which is in a closed and controlled chain, and excludes collection from consumers	Remoulded materials and articles intended to be used for the same purpose and under the same conditions of use as the materials and articles circulated in the recycling scheme from which the plastic input was obtained	No	4.1	-	Yes	No
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(b) the following table is added:

Table 6

Documentation requirement upon release for free circulation in accordance with Article 5a(4)

Reference number 6.1 CN codes applicable to PET			Declaration of compliance
	ex 3907 61 00	Poly(ethylene terephthalate) having a viscosity number of 78 ml/g or higher, recovered from waste, <i>suitable or intended for food contact use</i>	Declaration P, A or B
	ex 3907 69 00	Other poly(ethylene terephthalate), recovered from waste, <i>suitable or intended for food contact use</i>	Declaration P, A or B
	ex 3915 90 20	Waste of poly(ethylene terephthalate), <i>intended for food contact use</i>	Declaration P
	ex 3923 30 10	Carboys, bottles, flasks and similar articles: of a capacity not exceeding two litres, of poly(ethylene terephthalate), <i>with recycled content suitable for food</i>	Declaration C

	<i>contact use</i>	
ex 3923 30 90	Carboys, bottles, flasks and similar articles: of a capacity exceeding two litres, of poly(ethylene terephthalate), <i>with recycled content suitable for food contact use</i>	Declaration C
ex 3920 62 19	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials, of poly(ethylene terephthalate) of a thickness not exceeding 0,35 mm, <i>with recycled content suitable for food contact use</i>	Declaration C
ex 3920 62 90	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials, of poly(ethylene terephthalate) of a thickness exceeding 0,35 mm, <i>with recycled content suitable for food contact use</i>	Declaration C
ex 3919 10 80	Self-adhesive plates, sheets, film, foil, and other flat shapes, of plastics, in rolls of a width not exceeding 20 cm, of poly(ethylene terephthalate) with recycled content suitable for food contact use	Declaration C
ex 3919 90 80	Self-adhesive plates, sheets, film, foil, and other flat shapes, of plastics, of poly(ethylene terephthalate), with recycled content suitable for food contact use	Declaration C
ex 3923 10 90	Articles for the conveyance or packing of goods, of plastics; boxes, cases, crates and similar articles, of poly(ethylene terephthalate), with recycled content suitable for food contact use	Declaration C
ex 3923 90	Other articles for the conveyance or packing of goods, of plastics; of poly(ethylene terephthalate) with recycled content suitable for food contact use	Declaration C

ex 3924 10 00	Tableware and kitchenware, of poly(ethylene terephthalate) with recycled content suitable for food contact use	Declaration C
ex 3924 90 00	Other household articles, of plastics, of poly(ethylene terephthalate) with recycled content suitable for food contact use	Declaration C

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- Annex III is replaced by the following:

‘ANNEX III

Templates for Declarations of compliance

Information given in Part A to Part C and in Part P in *italic* font is for explanation only and shall be left out of any fillable field in a Declaration issued in accordance with this Regulation.

All fields in these templates shall be filled, unless stated otherwise in the field.

PART P

Declaration P: Declaration to be used by operators in accordance with Article 6(1)

DECLARATION of COMPLIANCE in accordance with Article 6(1) of REGULATION (EU) 2022/1616 (‘Declaration P’)

I, the undersigned, declare in name of [ADD NAME OF OPERATOR] as identified in Section 1.1, that the partially pre-processed plastic or plastic input identified in Section 1.2 was produced in accordance with Regulation (EU) 2022/1616. Hereby I declare that the contents of this declaration are correct to the best of my knowledge and in compliance with Regulation (EU) 2022/1616.

Section 1: Identification		
1.1.1	Identity of the operator issuing the declaration	
1.1.2	Address of the operator issuing the declaration	
1.2.1	Identity of the product to which the declaration applies	
1.2.2	Batch Number	
1.2.3	Polymer type*	
1.3	Commodity code used for release into free circulation of the product to which declaration applies, if it was imported	
Section 2: Compliance (see instructions below this template)		
2.1	Origin	☐ EU ☐ Non-EU
2.2	Mode of collection <i>(In case the collected material is a mixture of DRS, PCW and 'novel technology' the percentages of each fraction shall be provided)</i>	...% DRS
	...% ...%	PCW NTC system, NTN number (if any):
2.3.1	The plastic waste subject to this declaration complies with all requirements of Article 6 of Regulation (EU) 2022/1616	YES / NO [†]

2.3.2	Certification of the quality assurance system in accordance with Article 6(3) of Regulation (EU) 2022/1616	<i>(Please specify the certifying body and provide the proof of certification of the applied quality assurance system)</i>
Section 3: Instructions and information to users of the product		
3.1	Pre-processing stage: <i>(Please specify the current stage of the material on the basis of the processing steps performed)</i>	☐ partially pre-processed plastic but not yet suitable as plastic input ☐ plastic input
3.3	Other specific instructions, if any	
Section 4: Signature		
4.1	Signature and company stamp	
4.2	Name of person signing	
4.3	Role/position of person signing	
4.4	Date and place	

* Polymer type shall be one of the following: PET (Polyethylene Terephthalate), HDPE (High-Density Polyethylene), LDPE (Low-Density Polyethylene), PP (Polypropylene), PS (Polystyrene), PA (Polyamide), PLA (Polylactic acid), PVC (Polyvinyl chloride) or O (other).

† cross out which does not apply.

Instructions for section 2; for the purposes of fields 2.1 and 2.2 of this Declaration:

- (1) The origin shall be either: 'EU'; or 'non-EU'.

'Non-EU' shall be used for plastic input containing at least 10% plastic originating from waste that was collected or pre-processed in a third country.

In case the origin indicated in field 2.1, is 'non-EU', the commodity code under which the plastic material is imported shall be included in field 1.3 of that Declaration.

(2) The mode of collection shall be either one or more of the following:

- ‘DRS’, meaning ‘Deposit Return System’ as defined in Article 3(1), point (62), of Regulation (EU) 2025/40 of the European Parliament and of the Council¹, to be used if the plastic input was collected in accordance with Article 6 or Article 9, as appropriate, and by using a deposit return or refund system;
- ‘PCW’, meaning ‘Post-Consumer Waste’ as defined in the introductory part of Annex I to this Regulation, to be used if the mode of collection is not ‘DRS’, but the plastic input originates from post-consumer waste and was collected in accordance with Article 6; or
- ‘NTC’ (Novel technology collection), if the mode of collection of the plastic input is neither ‘DRS’ or ‘PCW’, but it was collected in a way specific to a novel technology being developed in accordance with Article 10(1).

In the case of ‘NTC’, the declaration of compliance shall provide the novel technology number as referred to in Article 24(3), if any.

In case the collected material is a mixture of DRS, PCW or ‘novel technology’, the percentages of each fraction shall be provided.

Material originating from a DRS would also be PCW, however, for the purpose of this section only the designation ‘DRS’ shall be used for material originating from a deposit return system, and it shall not be included in the ‘PCW’ content, if any.

PART A

Declaration A: Declaration of compliance to be used by recyclers in accordance with Article 29(2)

RECYCLERS DECLARATION of COMPLIANCE in accordance with Article 29(2) of REGULATION (EU) 2022/1616 (‘Declaration A’)
I, the undersigned, declare in name of [ADD NAME OF RECYCLER] as identified in Section 1.1, that the recycled plastic identified in Section 1.2 was produced in accordance with Regulation (EU) 2022/1616. The recycled plastic to which this Declaration applies is suitable for use in contact with food only if it is used in accordance with the instructions and restrictions set out Section 3 of this Declaration, and with the labelling on the product. Hereby I declare that the contents of this declaration are correct to the best of my knowledge and in compliance with Regulation (EU) 2022/1616.
Section 1: Identification

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 (OJ L, 2025/40, 22.1.2025, ELI: <http://data.europa.eu/eli/reg/2025/40/oj>).

1.1 Recycler		1.2 Recycled product		1.3 Competent authority	
1.1.1 Entity name		1.2.1 Tradename / designation		1.3.1 Entity name	
1.1.2 FCM- RON*		1.2.2 Batch No.		1.3.2 Address	
1.1.3 Country		1.2.3 FCM-RIN*		1.3.3 Country/ region	
1.1.4 FCM-RFN*		1.2.4 Other information, if any		1.3.4 assigned Registration Number, if any	
		1.2.5 registration status of installation	☐ newly registered ☐ being established ☐ active <i>(indicate one)</i>		
		1.2.6 Polymer type****			
		1.2.7 Commodity code(s) used for release into free circulation of the product to which the declaration applies if it has content originating from imported			

		material			
Section 2: Compliance					
2.1 Basis for authorisation or permission to operate (<i>tick one box only</i>)					
2.1.1	☐	Authorisation Decision	RAN*	<i>(add reference to EFSA Q number if authorisation is applied for and still in progress)</i>	
2.1.2	☐	Recycling scheme	RSN*		
2.1.3	☐	Authorisation or recycling scheme not required	<i>(explain reason)</i>		
2.1.4	☐	Novel technology	NTN*		
2.2 Results of compliance assessment as listed in the compulsory quality assessment stages in Table 3.1 of Annex II; compulsory only if field 2.1.1 is ticked					
Important: Fields 2.2.2 to 2.2.4 may be left blank, provided that in field 2.2.5 'Yes' is ticked					
Stage**	Decision criteria and outcome(s)			Batch Number(s)	
2.2.1 Exit					
2.2.2 Entry					
2.2.3 Input					
2.2.4 Output					
2.2.5 The undersigned will make the information required in fields 2.2.2 to 2.2.4 available to the competent authority upon its request, within 10 working days				☐ Yes ☐ Not applicable, the information is provided in fields 2.2.2 to 2.2.4	
Section 3: Instructions and information to users of the product					
3.1	Instructions to converters				
3.1.1	Maximum recycled content (w/w%)	%			
3.1.2	Present recycled content (w/w%)	%			

3.1.3	Restrictions of use***	
3.1.4	Other instructions, if any	
3.2	Instructions to users further down the supply chain, including end users	
3.2.1	Restrictions of use***	
3.2.2	Summary of labelling, if any	
3.2.3	Other instructions, if any	
Section 4: Signature		
4.1	Signature and company stamp	
4.2	Name of person signing	
4.3	Role/position of person signing	
4.4	Date and place	

* RAN – recycling authorisation number; RON – recycling operator number (recyclers); RIN – recycling installation number; RSN – recycling scheme number; NTN – novel technology number; RFN – Recycling facility number.

** Filling out the fields for the exit stage (the batch that is placed on the market and which is accompanied by this declaration) is compulsory. The completion of the other fields is voluntary, but in case this information is not provided by means of this declaration, it shall be made available to the competent authority, upon its request, within ten working days.

*** Restrictions of use shall correspond to any applicable conditions as regards application of the recycled plastic, in accordance with Annex I for the applied technology, with Articles 7, 8, or 9 of this Regulation, with the Authorisation of the recycling process, if any, or with any other restriction the recycler deems necessary. If none, please leave blank.

**** Polymer type shall be one of the following: PET (Polyethylene Terephthalate), HDPE (High-Density Polyethylene), LDPE (Low-Density Polyethylene), PP (Polypropylene), PS (Polystyrene), PA (Polyamide), PLA (Polylactic acid), PVC (Polyvinyl chloride) or O (other).

PART B

Declaration B: Declaration of compliance to be used by converters in accordance with Article 29(3)

CONVERTERS' DECLARATION of COMPLIANCE in accordance with Article 29(3) of REGULATION (EU) 2022/1616 ('Declaration B')					
I, the undersigned, declare in name of [ADD NAME OF CONVERTER] as identified in Section 1.1, that the recycled plastic identified in Section 1.2 was produced in accordance with Regulation (EU) 2022/1616. The recycled plastic to which this Declaration applies is suitable for use in contact with food only if it is used in accordance with the instructions and restrictions set out Section 3 of this Declaration and with the labelling on the product. Hereby I declare that the contents of this declaration are correct to the best of my knowledge and in compliance with Regulation (EU) 2022/1616.					
Section 1 Identification					
1.1 Converter		1.2 Product with recycled plastic		1.3 Competent authority	
1.1.1 Entity name		1.2.1 Tradename / designation		1.3.1 Entity name	
1.1.2 Address		1.2.2 Batch No.		1.3.2 Address	
1.1.3 Country		1.2.4 Other info		1.3.3 Country/ region	
		1.2.6 Polymer type *		1.3.4 Reg. number, if any	
		1.2.7 Commodity code used for release into free circulation of			

		the product to which the declaration applies if it has content originating from imported material			
Section 2: Compliance					
2.1					
2.1.1	Origin of recycled plastic; RIN number				
2.1.2	Batch numbers recycled plastic from decontamination installation				
2.1.3	Maximum recycled content indicated by recycler (Declaration A, 3.1.1)			% w/w	
2.1.4	Actual recycled content of this product			% w/w	
2.1.5	Restrictions provided in the Declaration of compliance received from the recycler are met			☐ Yes ☐ Not Applicable	
2.1.6	Addition of additives or starting substances	☐ Added additives or starting substances are in accordance with Article 5 or Article 6 of Regulation (EU) No 10/2011		☐ No additions	
2.1.7	Registration status of installation	☐ newly registered ☐ being established ☐ active			
2.1.8	NTN number (if manufactured using a novel technology)				
Section 3: Instructions and information to users of the product					
3.2	Instructions to users further down the supply chain, including end users				
3.2.1	The product identified in Section 1.2 is:	(A) a recycled plastic for further conversion stages	☐	<i>(for instance, this will be the case if the actual recycled content in field 2.1.4 exceeds the maximum</i>	

	(tick one as applicable)			<i>recycled content in field 2.1.3, or if substances were added to the recycled plastic)</i>
		(B) a final plastic material or article suitable for contact with food without further processing.	☐	<i>(if (B) is ticked, operators receiving this declaration shall issue Declaration C with their products unless they modified the composition of the plastic)</i>
3.2.2	Type or types of food with which it is intended to be put in contact			
3.2.3	Time and temperature of treatment and storage in contact with the food			
3.2.4	The highest food contact surface area to volume ratio for which compliance has been verified			
3.2.5	List of added substances under point 2.1.6 with migration limits; if any, add rows as required (note: FCM Number and specific migration limit ('SML') may not exist for certain substances)	FCM No.**	Other designation (CAS No., chemical name)	SML** (mg/kg food)
3.2.6	Other relevant information and instructions, including in accordance with points 6 to 11 of Annex IV to Commission Regulation (EU) No 10/2011, if any			

3.2.7	The recycled plastic to which this Declaration applies is contained in a layer, in a multi-layer material or article subject respectively to Articles 13 or 14 of Regulation (EU) No 10/2011. In this case, for each layer a declaration of compliance issued in accordance with this Regulation, Regulation (EU) No 10/2011 or respective national legislation is kept as supporting documentation in accordance with Article 5a(3).	YES / NO
Section 4: Signature		
4.1 Signature and company stamp		
4.2 Name of person signing		
4.3 Role/position of person signing		
4.4 Date and place		

* Polymer type shall be one of the following: PET (Polyethylene Terephthalate), HDPE (High-Density Polyethylene), LDPE (Low-Density Polyethylene), PP (Polypropylene), PS (Polystyrene), PA (Polyamide), PLA (Polylactic acid), PVC (Polyvinyl chloride) or O (other).

** FCM number as specified in column 1 of table 1 to Regulation (EU) No 10/2011, and SML as specified in column 8 and 9 thereof, if any.

PART C

Declaration C: Declaration of compliance to be used by operators in accordance with Article 29(4)

DECLARATION of COMPLIANCE in accordance with Article 29(4) of REGULATION (EU) 2022/1616 ('Declaration C')
I, the undersigned, declare in name of [ADD NAME OF OPERATOR] as identified in Section 1.1, that the recycled plastic material or article identified in Section 1.2.1 was produced in accordance with Regulation (EU) 2022/1616. The recycled material or article to which this Declaration applies is suitable for use in contact with food only if it is used in accordance with the instructions and restrictions set out Section 3 of this Declaration, and with the labelling on the product.
Hereby I declare that the contents of this declaration are correct to the best of my knowledge and in compliance with Regulation (EU) 2022/1616.
Section 1: Identification

1.1.1	Identity of the operator issuing the declaration		
1.1.2	Address of the operator issuing the declaration		
1.2.1	Identity of the product to which the declaration applies		
1.2.2	Commodity code used for release into free circulation of the product to which the declaration applies if it has content originating from imported material		
Section 2: Compliance			
2.1.1	Total plastic content in product		gram <i>(total weight of all plastic parts with or without recycled content in product)</i>
2.1.2	Identity, and recycled plastic content in part, <i>including polymer type* (add rows as necessary to cover all parts with recycled content)</i>	Part Recycled content by weight <i>(weight of the recycled plastic in each plastic part comprising more than 5% of the total plastic in the product by weight)</i>	Origin <i>(only add RINs which contribute to more than 5% of the content recycled in accordance with Regulation (EU) 2022/1616, installations contributing to less than 5% of the content recycled shall be left out; add FCM number of substance(s) manufactured from waste, if the material also contains recycled content that is manufactured in accordance with Regulation (EU) No 10/2011)</i>

<i>e.g. HDPE Cap</i>	<i>A</i>		<i>RINs/ FCM No (e.g. FCM No 125)</i>
<i>e.g. PET bottle</i>	<i>B</i>		<i>RINs (e.g. EU1-123-012)</i>
2.2 Percentage of overall recycled plastic content in product			($\sum$ 2.1.2 / 2.1.1) x 100% [†]
2.3 All recycled plastic materials and articles in this product comply with Regulation (EU) 2022/1616 except parts manufactured with plastic manufactured from waste in accordance with Article 1(3) of that Regulation	YES / NO ^{††}		
2.4.1 All plastic materials and articles in this product comply with Regulation (EU) No 10/2011	YES / NO ^{††}	<i>Note that in accordance with Regulation (EU) 2022/1616 also recycled plastics must comply with Regulation (EU) No 10/2011. However, compliance may be assumed if the recycled plastic is fully manufactured in accordance with Regulation (EU) 2022/1616, and added substances/plastics (if any) comply with Regulation (EU) No 10/2011. Note that also Articles 11 and 12 of that Regulation must be met, but there is no obligation to verify such compliance.</i>	
2.4.2 Adequate information, specifications or statements required in accordance with points 6 to 10 of Annex IV to Commission Regulation (EU) No 10/2011; applicable only to parts manufactured fully in accordance with that Regulation, if any.	<i>(please provide information either here or in an annexed document)</i>		
2.4.3 Parts manufactured with substances that have been manufactured from waste are compliant	YES / NO ^{††}		

with paragraph 1 of Article 8 of Regulation (EU) 10/2011							
2.4.4 Substances added in accordance with Article 29(4); the total added amount at all subsequent production stages subject to Declaration C together ('out') may not exceed 1% (w/w) per part; w/w is expressed as the ratio of the weight of the added substance to the weight of the plastic part to which the substances were added.	Part (as in 2.1.2)	'In' column: Amount present in incoming material if subject to Declaration C, as specified in field 'out' in 2.4.4 of the received declaration.	In	+	Added	=	Out
	A		...% w/w		...% w/w		...% w/w
	(add lines as needed)						
Section 3: Instructions and information to users of the product							
3.1.1 Relevant instructions to the users of the product, if any (always include instructions in received compliance documentation if these are relevant for users further in the supply chain)							
Section 4: Signature							
4.1 Signature and company stamp							
4.2 Name of person signing							
4.3 Role/position of person signing							
4.4 Date and place							

[†] Here the sum of the weight of all recycled content in plastic parts comprising over 5% of the plastic in the product with recycled content is divided by the total weight of all plastic parts in the product to determine the overall recycled content percentage.

†† cross out or delete which does not apply

* Polymer type shall be one of the following: PET (Polyethylene Terephthalate), HDPE (High-Density Polyethylene), LDPE (Low-Density Polyethylene), PP (Polypropylene), PS (Polystyrene), PA (Polyamide), PLA (Polylactic acid), PVC (Polyvinyl chloride) or O (other).'