



Extended Producer Responsibility Frequently Asked Questions

Updated July 2024



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Frequently Asked Questions



These FAQs are intended as a guide only. They were last updated in July 2024, in line with Government guidance on the Extended Producer Responsibility scheme at the time. As this is a new and evolving piece of legislation, it is recommended you check this document regularly for updates, as well as the UK Government website.

What is the Extended Producer Responsibility (EPR) scheme?

Extended Producer Responsibility (EPR) is a new signature piece of legislation that will see the full cost of managing household packaging waste shift from taxpayers to producers. It is a reform of the existing UK Packaging Waste Regulations that were established in 1997 and, whilst fees do not commence until 2024, businesses are now legally obliged to be collecting new, relevant data and reporting on the data to the appointed EPR scheme administrator.

Producers will be taxed to pay the full costs of managing household packaging waste. Fees will be modulated over time. This is to further incentivise the use of recycled packaging. EPR levies will be collected in addition to Packaging Waste Recycling Note (PRN or PERN) fees.

Why is Extended Producer Responsibility being introduced?

Extended Producer Responsibility forms part of the Government's strategy to protect the climate, drive green growth, and reduce unnecessary waste. Shifting the cost of processing waste from households to producers is set to encourage a more circular economy, where producers will reuse and recycle more packaging throughout its lifecycle. The overarching principle behind Extended Producer Responsibility is that the polluter should pay for the waste that they create.

What are the differences between Extended Producer Responsibility (EPR) and current Packaging Waste Regulations?

There are some key differences between EPR and historic Packaging Waste Regulations. At the moment, responsibility for packaging waste is spread across multiple points in the supply chain. However, under new Extended Producer Responsibility regulations, the responsibility is placed on one producer. In addition, the financial burden of processing packaging waste will move from council tax waste systems to the responsible producers. Funds raised by the EPR scheme will be redistributed to local authorities by the scheme's appointed administrator.

Funds raised by the current Packaging Waste Regulations are only used to partially subsidise UK recycling. Under the new EPR scheme, the full net cost of all elements of packaging processing will be covered. This will include everything from collection, sorting and treatment of packaging waste. The new scheme will also introduce lower compliance thresholds, meaning more businesses will have responsibilities under the scheme.

How does Extended Producer Responsibility work?

The concept of EPR is about ensuring the companies that put packaging into the UK market bear responsibility for the environmental impact of the packaging they produce. At its core, EPR legislation encourages responsible producers to consider the whole lifecycle of packaging. This includes how packaging is managed at end of life.

The scheme will work by making responsible businesses report on the packaging they produce, and they will pay fees based on their impact. The fees are set to be modulated over time depending on the type of packaging material and how easy the material is to recycle. The scheme will apply to responsible businesses, depending on the volume of packaging they handle and their annual turnover. Businesses will be classed as small or large businesses, and how they comply with the scheme will differ based on this classification.

What packaging materials will the EPR scheme apply to?

The scheme will apply to all packaging that is likely to be destined for a UK household. The Government have introduced new definitions of packaging to help with identification of this sort of packaging, namely:

- Primary Packaging – Packaging that is used to contain a single 'sales unit' to sell to customers.
- Shipment or Ecommerce Packaging – Packaging that is used to ship single or multiple sales units directly to customers or that is collected by the purchaser from a shop or collection point after it has been purchased.
- Secondary Packaging – Packaging for grouping several sales units for selling, shipping or display purposes. This packaging can be removed from the product without affecting the products characteristics.
- Tertiary or Transit Packaging – Packaging that is used to group secondary packaging units together to protect them while being transported or handled through the supply chain.

Primary and shipment (Ecommerce) packaging will be assumed to be household unless the responsible organisation can evidence that it does not end up in household waste streams. Secondary and tertiary packaging will be assumed as non-household.

Who will the EPR scheme apply to?

The regulations will apply to all UK organisations that import or supply packaging – this is sometimes referred to as packaging activities. Packaging activities can include any of the following...

- Supplying packaged goods to the UK market under your own brand.
- Pacing goods into packaging that's unbranded when it's supplied.
- Importing products in packaging.
- Owning an online marketplace.
- Hiring or loaning out reusable packaging and/or supplying empty packaging.

You will need to collect and report your packaging data if your business conducts any of the above packaging activities and meets the below criteria...

- You're an individual business, subsidiary or group (but not a charity).
- You have an annual turnover of £1 million or more (based on your most recent annual accounts).
- You were responsible for more than 25 tonnes of packaging on the market during the last calendar year.

Will different size businesses have to do different things to comply with the Extended Producer Responsibility scheme?

Yes – the actions you need to take to comply with the scheme will depend on if your business is classed as a small organisation or a large organisation.

The key differences are that large organisations will bear a more significant responsibility. They will need to comply with the scheme sooner, report more regularly and are primarily responsible for paying fees.

How will small and large organisations be defined under the Extended Producer Responsibility scheme?

You are classed as a **large organisation** if you are undertaking packaging activities, putting more than 50 tonnes of packaging on the UK market annually and have an annual turnover greater than £2m. In this scenario, you will have full responsibility under the scheme, including paying the new EPR fees, which are expected to commence from October 2025.

You are classed as a small organisation if you are undertaking packaging activities, putting more than 25 tonnes of packaging on the UK market annually and have an annual turnover greater than £1m. In this scenario, you will have partial responsibility under the scheme, primarily around reporting your packaging data.

If you supply less than 25 tonnes of packaging or your turnover is less than £1m annually you will be exempt from the scheme.

Who will be the Extended Producer Responsibility scheme administrator?

The Department for Environment, Food & Rural Affairs (DEFRA) is expected to appoint an administrator to oversee the scheme. It is anticipated that this will be a public body.

What are the EPR scheme fees expected to be?

As this legislation is new EPR fees for packaging are evolving and being agreed. EPR for packaging fees have been deferred for 1 year. Fees were starting in October 2024. They are now expected to start in October 2025.

The Government published illustrative EPR fees in August 2024, in brackets of Lower, Intermediate and Higher fees by reporting material. As expected, fees vary depending on how easily the packaging can be recycled. An example of this is the comparison of paper or board, which has an intermediate fee of £260 per tonne, whilst plastic has an intermediate fee of £515 per tonne.