

Frequently asked questions

Mandatory recycling labelling obligation for packaging supplied to UK market, under Packaging Extended Producer Responsibility requirements

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A mandatory recycling labelling obligation is being introduced under Packaging Extended Producer Responsibility (pEPR), with the aim of instructing consumers of how to correctly dispose of their used packaging at home.

To enable this, organisations will be required to label their primary and shipment packaging with the '[Recycle Now](#)' mark and relevant recycling instructions of 'Recycle' or 'Do Not Recycle'.

The BTHA has [guidance](#) for the incoming regulations that is available to full members.

Q) What are the recycling label requirements?

Organisations must label certain packaging placed on the UK market (for full description of which packaging it applies to, see next question) which indicates whether the packaging can be recycled or not.

Q) Which organisation in the supply chain has the obligation to label packaging?

The draft Main pEPR Regulations that were consulted on from July – October 2023, state that brand owners who determine what is displayed on packaging have the obligation to display a recycling label. If the packaging is unbranded, the packer/filler of the packaging must ensure the packaging displays a recycling label. Or if the packaged goods are imported to supply to the UK market, the importer must ensure their overseas supplier displays a recycling label on the packaging.

The draft Main pEPR Regulations also state that a distributor (of empty packaging, as defined by Defra) who supplies packaging to an organisation who is not a large producer must provide information in writing on the recyclability of the packaging supplied.

As these regulations were consulted on and are not yet in force, they may undergo change and the above may change.

Q) What packaging do I need to label?

All primary and shipment packaging must be labelled with recycling information. Defra define these types of packaging as:

Primary packaging: is packaging conceived so as to constitute a sales unit to the final user or consumer at the point of purchase. For example, a cardboard box with a plastic window used to package one toy, would be classed as primary packaging.

Shipment packaging: is packaging added in addition to primary packaging, on items which are sold online or by mail order which are either delivered direct to the purchaser or collected by the purchaser from a shop or other collection point after they have been purchased. For example, a plastic mail bag used to deliver a toy to a customer's home address, would be classed as shipment packaging.

Secondary and tertiary/transit packaging which are used within the supply chain, do not need to be labelled with recycling information.

Q) When will I be required to label my packaging?

From 31 March 2026: primary and shipment packaging being placed on the UK market, except plastic films and flexibles, must be labelled.

From 31 March 2027: all primary and shipment packaging being placed on the UK market, inclusive of plastic films and flexibles, must be labelled.

Packaging already on the UK market (e.g. on shop shelves) before these dates is not required to be labelled. The delay for plastic films and flexibles to be labelled is to reflect the expected increased capacity for recycling this material format from kerbside collections by March 2027.

Please note that these labelling requirement deadlines are still under consideration by Defra, following the deferral of other aspects of pEPR implementation. In particular, the Main pEPR Regulations coming into force, which contain the provisions for recycling labelling. Defra are due to be confirm the labelling dates as final in due course. Once confirmed, this guidance document will be updated.

Q) What are the labelling requirements?

There are two ways producers can meet the recycling labelling requirements:

- 1. Defra free-of-charge labels:** Defra has acquired a licence agreement with [WRAP](#), to use the [Recycle Now logo](#) in Defra-designed labels.

This licence agreement will come into force when 'The Main pEPR Regulations' come into force, which is expected in late-2024. Once in force, the provisions of these Regulations are UK law, which means that the labels become available to use, free of charge, for organisations.

Defra will only have 2 labelling options, which will simply state:

- 'Recycle'
- 'Do not recycle'

The label pictograms have not yet been published and cannot be used until 'The Main pEPR Regulations' come into force. Once in force, this guidance document will be updated.

- 2. On-Pack Recycling Label (OPRL) membership:** OPRL is a UK-wide recognised labelling scheme which utilises the Recycle Now logo, from an existing licence agreement with WRAP. An organisation can join this paid scheme as a member, in advance of the main pEPR Regulations coming into force and the Defra labels becoming available.

OPRL have a recyclability tool to enable organisations to choose the right recycling label for their packaging, with a variety of labels available to help the consumer decide what to do with packaging, such as:

- 'Recycle'
- 'Do not recycle'
- 'Recycle with bags at large supermarket'
- 'Widely recycled at recycling centres'



Organisations can become a member of OPRL and use these labels on their packaging now, to provide the consumer with the most widely-recognised recycling information, and in turn meet the pEPR recycling labelling requirements well in advance of the deadlines.

Q) What about very small units of packaging? Is there a minimum packaging size that the labels apply to?

The draft main pEPR Regulations that were consulted on from July – October 2023, state that any packaging where the surface area of the largest surface of packaging is less than 25cm², does not need to be labelled. As these regulations were consulted on and are not yet in force, they may undergo change and this minimum size may change.

Q) What about if the primary packaging around a product contains multiple components?

The draft Main pEPR Regulations that were consulted on from July – October 2023, state that, the label can be displayed on the outer component or the main packaging component, indicating if each component is or is not recyclable. Or you can choose to display the label on each component indicating whether that component is or is not recyclable. As these regulations were consulted on and are not yet in force, they may undergo change and this position may change.

Q) Is there any official criteria now for packaging qualifying to be labelled as 'Recycle' or 'Do not recycle'?

Official criteria has not yet been published by Defra for determining if packaging can be labelled as 'Recycle' vs 'Do not Recycle'. Defra are currently developing a Recyclability Assessment Methodology (RAM) with consultancy firm Eunomia. Eunomia are due to hand over their work on RAM to Defra for sign off in Summer 2024. Beyond this 'Summer 2024' deadline of turning the work in to Defra, Defra/Eunomia have not indicated when this RAM tool will be public and free to use by organisations.

Organisations that are a member of OPRL can use the OPRL recyclability assessment tool to ascertain which label to apply to their packaging.

As mentioned earlier, the latest from Defra on the 2026/2027 labelling deadlines, is that they are still considering whether they should be delayed. Defra has indicated previously that they are well aware of the lead times to apply new labels to packaging,

of at least 2 years. As the RAM tool, which indicates how producers should label their packaging, is not public and readily available to use, Defra may decide to delay their introduction beyond March 2026. We will let members know when there is an update on this.

Q) Is there a threshold for businesses to display the recyclability label?

No, there is no threshold to be obligated for mandatory recyclability labelling, it applies to **all** organisations placing packaging on the UK market, even small and micro businesses.

As stated in an above question, the draft Main pEPR Regulations that were consulted on from July – October 2023, state that the distributor of empty packaging supplied to small and micro business, must provide information on the recyclability of the packaging, so they can display the correct label. As these regulations were consulted on and are not yet in force, they may undergo change and the above may change.

Q) Which organisation is responsible for enforcing labelling requirements?

The Office for Product Safety and Standards (OPSS) will be the organisation responsible for the monitoring and enforcement body of the labelling requirements.

Q) What are the uncertainties at this stage?

Defra have publicly acknowledged the lead time of 2-years minimum for producers to display a new recycling label and have confirmed with industry that this lead time will be considered with the deadlines written into the Main pEPR Regulations. Thus, the deadlines by which the labels are required are still uncertain as we have now passed the 2-year lead time required for the first deadline of 31 March 2026.

The criteria to determine which label 'Recycle' or 'Do not recycle' should be displayed on packaging.

Exactly when the Main pEPR Regulations will come into force and the recycling labels can be applied to packaging. The latest information shared by Defra is that they are on track to lay the regulations and bring them into force for 'late-2024'.

Guidance around the label sizing, font, spacing, and other specifics on actually applying the labels correctly to packaging. This information is due to be published in supplementary guidance alongside when the Main pEPR Regulations come into force.

If you have any questions on this guidance, please contact kerri@btha.co.uk