

PPWR Penalty Compass 2026

Who enforces, which breach triggers which range of fines, what hits harder than a fine and which documents have to be available when information is requested. Basis: Regulation (EU) 2025/40, the German VerpackDG of 13 July 2026 (Federal Law Gazette 2026 I No. 207), in force since 12 August 2026, and the German Administrative Offences Act. As at 26 September 2026.

1. Who checks what

Four bodies, four triggers

The Central Agency checks the figures, the states check the packaging and impose the fines.

Central Agency Packaging Register CHECKS Registration, data reports, declarations of completeness, authorisations TRIGGER Deviation between register, report and declaration CONSEQUENCE Order, withdrawal of registration, notice to the state authority	Market surveillance in the states CHECKS Packaging, declaration of conformity, technical documentation, labelling TRIGGER Spot check, tip-off, notification from another Member State CONSEQUENCE Correction, withdrawal, recall, fine under section 66 VerpackDG
Online marketplaces CHECKS Registration number and producer responsibility details TRIGGER Own duty under Article 45, sanctioned in section 66 CONSEQUENCE The listing is blocked before an authority asks	Competitors CHECKS Public producer list, labelling on the shelf and in the shop TRIGGER Missing registration or scheme participation CONSEQUENCE Warning letter; common practice under the previous packaging act

Legal basis at a glance

Provision	Content
Article 68 Reg. (EU) 2025/40	Member States lay down rules on penalties and notify the Commission by 12 February 2027
Section 6 VerpackDG	Registration with the Central Agency before first making available
Section 13 VerpackDG	Prohibition on making available without registration and without scheme participation
Sections 63 to 65 VerpackDG	Notification of the Commission via BAuA, handling of measures in other Member States
Section 66 VerpackDG	Offences in three ranges; subsection 1 for national duties, subsection 2 for breaches of the Regulation; the authority competent under state law imposes the fine
Section 68(17) VerpackDG	Section 66(2) only applies from 12 February 2027
Section 67 VerpackDG	Confiscation of objects and proceeds
Sections 17, 29a, 30, 130 OWiG	Fine above the economic benefit, confiscation of the value obtained, corporate fine, failure to supervise
Article 7 of the amending act	The previous packaging act expired on 11 August 2026

2. Offences by tier

Organisation expensive, design cheap

Section 66(3) VerpackDG allocates the offences to three ranges. Filled dot: applies since 12 Aug 2026. Open dot: fr

200.000 €

Organisation and targets

- No participation in a scheme
- Scheme or industry solution run without authorisation
- Collection or recovery not ensured
- Reuse targets under Article 29 missed
- No refill system, own containers refused

100.000 €

Registration, prohibitions, reporting

- Registration missing, incorrect or late
- Making available despite the prohibition in section 12 or 13
- Waste flow verification or declaration of completeness missing
- Deposit not charged or not refunded
- Enforceable order disregarded, marketplace duties

10.000 €

Requirements on the packaging

- Data reports by producers under section 9
- Substances of concern, recyclability, recycled content, compostability
- Labelling and details on manufacturer and batch
- Conformity assessment and technical documentation
- Empty space above 50 per cent, bans under Article 25

Under section 68(17) VerpackDG, section 66(2) only applies from 12 February 2027. The range is not a ceiling: under section 17(4) OWiG the fine is to exceed the economic benefit and may exceed the maximum.

Range	Offence (selection)	Provision and start
EUR 200,000	No scheme participation; fee or benefit for admission to a scheme; scheme, industry solution or other organisation without authorisation; collection or recovery not ensured	Sec. 66(1) nos. 3, 4, 10, 17, 18; since 12 Aug 2026
EUR 200,000	Reuse targets under Article 29 missed; no refill offer under Article 32; own containers refused under Article 33	Sec. 66(2) nos. 23, 25, 26, 29, 32; from 12 Feb 2027
EUR 100,000	Registration missing, incorrect or late; making available despite the prohibition in section 12 or 13; waste flow verification or declaration of completeness missing; deposit not charged or refunded	Sec. 66(1) nos. 1, 5, 6, 8, 9, 11-16, 19-23, 25, 27; since 12 Aug 2026
EUR 100,000	Reporting duties under Article 31 breached; online marketplace duties under Article 45 breached; enforceable order disregarded	Sec. 66(2) nos. 28, 33, 35-37; from 12 Feb 2027
EUR 10,000	Packaging does not meet the requirements on substances of concern, recyclability, recycled content, compostability, minimisation or labelling; conformity assessment or technical documentation missing; empty space above 50 per cent; bans under Article 25	remaining cases of sec. 66(1) (since 12 Aug 2026) and (2) (from 12 Feb 2027)

Under section 68(17) VerpackDG, section 66(2) only applies from 12 February 2027; the duties themselves have applied since 12 August 2026, as have the prohibition on making available and orders from market surveillance. The range is not a ceiling: under section 17(4) OWiG the fine is to exceed the economic benefit. Breaches are sanctioned per case.

3. The audit file per packaging type

Eight documents, one file

File these items per packaging type and a request for information takes one day to answer.

1 Registration Register number, extract, mandate of the authorised representative	2 Scheme participation Evidence per packaging type and year
3 EU declaration of conformity signed, referring to the packaging	4 Technical documentation under Annex VII of the Regulation
5 Test reports and supplier declarations Substances of concern, recycled content, composition	6 Labelling samples Material identification, sorting information, deposit marking
7 Data reports and declaration of completeness matching the register entries	8 Reuse System description and reports under Article 31

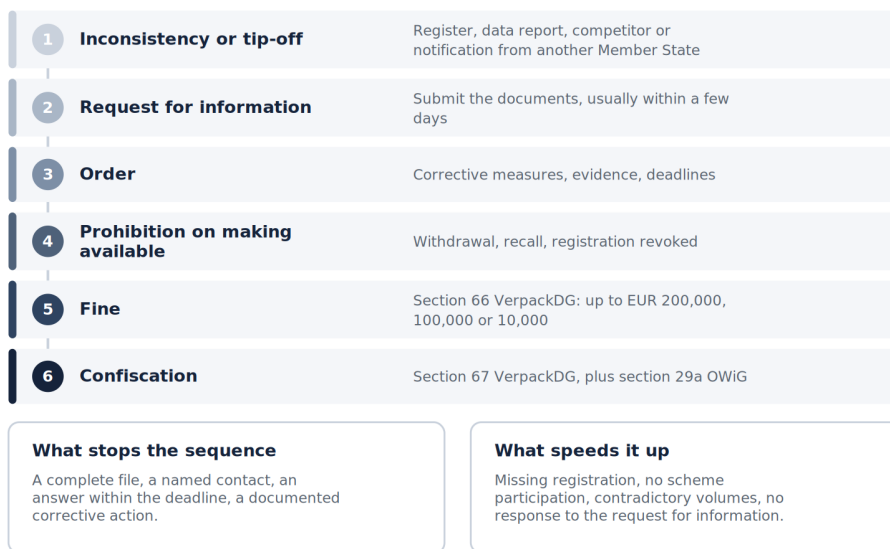
In addition: a named person who answers, and evidence of when packaging was first made available.

Document	Content	Who provides
Registration	Register number, extract, mandate of the authorised representative	own records
Scheme participation	Contract and volume report per packaging type and year	scheme
EU declaration of conformity	signed, clearly assigned to the packaging	manufacturer
Technical documentation	Annex VII of the Regulation, with the underlying tests	manufacturer
Test reports	Substances of concern, recycled content, composition	laboratory, supplier
Labelling samples	Material identification, sorting information, deposit and reuse marking	prepress
Data reports	Reports to the Central Agency and declaration of completeness	own records
Reuse	System description, reconditioning, reports under Article 31	own records

4. Escalation and roadmap

It rarely starts with the fine notice

The typical course of an inspection. Anyone who delivers at step two does not reach step five.



Step	What to do
This week	Reconcile registration, company name, brands and packaging types with what you actually place on the market; report deviations
By the end of October	Check scheme participation for all packaging subject to it; block or report articles without participation
By the end of November	Build the audit file per packaging type; assign responsibility for the declaration, reporting and contact with authorities
By the end of the year	Mind the transitional rule: scheme participation from before 12 August 2026 applies only until 31 December 2026 at the latest
From 12 February 2027	Section 66(2) becomes applicable: design, labelling, conformity assessment, empty space, bans, reuse targets and marketplace duties carry fines from then
Ongoing	Reconcile data reports and the declaration of completeness with the register; keep a per-country list of registrations and authorised representatives for exports

Fines are imposed by the authorities competent under state law. The Central Agency Packaging Register checks the register, reports and declarations and informs the states about unresolved irregularities. Not legal advice.