



Packaging law bites now, passports wait

The EU's two big product-compliance regimes are at opposite ends of their lifecycle: the **Packaging and Packaging Waste Regulation (PPWR, Regulation (EU) 2025/40)** has applied in full legal force across all 27 member states since **12 August 2026** and already obliges a UK Shopify seller shipping fabrics or home goods into the EU to register as an EPR "producer" and appoint a local authorised representative in every member state it ships to, with no minimum-volume exemption ([PPWR Article 45 guide](#)). The **Digital Product Passport (DPP)**, by contrast, is a framework concept under the Ecodesign for Sustainable Products Regulation (ESPR, Regulation (EU) 2024/1781, in force since 18 July 2024) that has no product-specific bite yet for textiles — the delegated act that would actually require a passport on apparel is still in preparatory drafting, with formal adoption expected around **Q4 2027** and real compliance obligations unlikely before **2028–2029** ([ESPR Registry](#)). For Managed Cloud Solutions' TotallInvoice, this split matters enormously: it means the pressing, build-now gap is packaging EPR data capture and per-market compliance configuration, not DPP/QR functionality, which can be deferred to a watch-and-prepare posture. The one thread connecting both regimes to TotallInvoice's existing commercial-invoice core is that the EU's planned DPP registry will store the same customs commodity (HS) code, country-of-origin and material-composition data that invoices already carry ([JRC preparatory study](#), p.14), so a well-structured product-data layer built today for PPWR and invoicing purposes would also shorten the path to DPP support later.

PPWR already requires EU-wide EPR registration, with no small-seller exemption

PPWR replaced the old Packaging and Packaging Waste Directive 94/62/EC and was deliberately converted from a Directive into a directly-applicable Regulation specifically to force identical rules across all member states rather than 27 different national transpositions ([KHLaw summary](#)). It entered into force on 11 February 2025 and became generally applicable on **12 August 2026** ([PPWR Timeline](#)). Three obligations are already binding and enforceable today, in October 2026: substance restrictions capping combined lead, cadmium, mercury and hexavalent chromium at 100 mg/kg and banning PFAS above set thresholds in food-contact packaging; a mandatory **EU Declaration of Conformity** with a retained technical file for every packaging type; and, most relevant for an invoicing-software vendor, EPR **producer registration** in each member state where a seller first makes packaged goods available ([Intertek bulletin](#)). Crucially, "producer" is defined functionally — whoever first places the packaging on the market in a given country, not who manufactured it — which squarely catches a UK Shopify seller shipping direct-to-consumer ([Who Becomes a Producer Under](#)

[the PPWR in 2026?](#)). Under Article 45, any producer not established in a member state must appoint, by written mandate, a local authorised representative there to handle EPR duties, and there is **no EU-wide single-window mechanism** comparable to a one-stop-shop: a seller shipping to France, Germany and Italy needs three separate country mandates, filed into that country's own register (LUCID in Germany, CITEO in France, Ecoembes in Spain) ([PPWR Article 45 guide](#)). There is also **no de minimis threshold** — "even a single package sent to a Member State is enough to trigger the registration requirement" — and the narrow relief that does exist is limited to micro-enterprises (under 10 employees, under €2m turnover) and only shifts the technical-documentation burden, not EPR registration itself, so a mid-size exporter gets no exemption at any shipment volume ([ppwroblications.com](#)). Declarations required from the producer are consistently described as packaging material type and weight/volume, broken down per material and per destination market, filed through the local representative into that country's producer register or PRO ([Coolset Academy](#)).

Several of PPWR's more visible headline duties, however, are *not yet* binding, because the Commission has fallen behind on the implementing acts the Regulation itself requires. The harmonised, pictogram-based packaging labelling scheme was due to be defined by 12 August 2026 but the Commission **missed that deadline**, with adoption now expected only in Q4 2026 followed by a 24-month compliance window for producers ([Packaging Europe](#)). Recyclability design grades (A/B/C, with D and E banned), recycled-content minimums for plastic packaging, and the empty-space/minimisation rules for e-commerce parcels are all phased in mostly from **1 January 2030** through **2040**, and several depend on methodology acts the Commission has not yet published ([PPWR Timeline](#)). Even the registration format itself is running late: the Commission was due to standardise how national producer registers capture data by 12 February 2026 but only released a draft on 6 August 2026, and member states were still negotiating over it as of the Environment Council meeting on 12 October 2026 — meaning harmonised PPWR-native registers likely won't all exist before October 2027, with pre-existing national schemes like Germany's LUCID continuing to serve as the practical registration point in the interim ([PPWR current status](#)). Enforcement against UK sellers today is concrete but uneven: France has a documented penalty regime of fines up to €30,000 plus daily penalties up to €20,000 for non-compliant distance sellers ([Dreyfus law firm](#)), and marketplaces such as Amazon and eBay must now verify a seller's EPR registration number before listing them, but no publicly documented fine against a UK direct-to-consumer Shopify store has surfaced yet.

One further wrinkle is that this EU obligation sits entirely separately from the UK's own domestic Packaging EPR scheme ("pEPR"). UK pEPR only captures packaging that becomes waste *inside* the UK — packaging on goods exported to the EU is excluded, but that exclusion is **evidence-based, not automatic**: an exporter must retain documentary proof (e.g., courier/customs data showing EU destination) for at least seven years to support excluding EU-bound shipments from their UK tonnage count ([gov.uk guidance](#)). Compliance with UK pEPR does nothing to satisfy PPWR, and vice versa — a UK seller doing both domestic and EU direct-to-consumer business is potentially in scope for both regimes at once, tracked by destination market ([datecpackaging.com](#)).

The Digital Product Passport is real law with no textile deadline yet

ESPR is a horizontal framework regulation — in force since 18 July 2024 — that extends ecodesign-style rules from energy products to almost all physical goods, with the Digital Product Passport as its signature new

tool: a structured, machine-readable record, reached via a physical data carrier such as a QR code, that follows a product through its life to support sustainability and compliance checks ([European Commission — Digital Product Passport](#)). The crucial structural point is that ESPR itself creates no product-specific obligations in isolation — nothing becomes mandatory for a given product category (textiles, furniture, tyres) until the Commission adopts a **delegated act** for that category, each with its own content requirements and timeline ([Digital-Link ESPR guide](#)). The Commission's first ESPR and Energy Labelling Working Plan (COM(2025) 187, published 16 April 2025) named textiles — with an initial focus on apparel — as one of six priority product groups, alongside iron and steel, aluminium, tyres, furniture and mattresses ([DPP-Tool](#), [ESPR Delegated Acts tracker](#)). As of October 2026, **no textiles delegated act has been adopted**. The preparatory JRC study — the same document underpinning most of what is currently known about likely textile DPP content — is explicitly marked draft and still subject to stakeholder consultation; formal adoption of the delegated act is targeted around Q4 2027, and because ESPR requires a minimum 18-month gap between a delegated act taking effect and its requirements applying, the earliest realistic date for mandatory textile DPPs is **late 2028 to 2029** ([ESPR Registry](#)). One binding ESPR obligation does already apply ahead of any textile-specific act, though it is unrelated to invoicing: since 19 July 2026, large enterprises are prohibited from destroying unsold textiles ([ESPR Registry](#)).

The DPP's infrastructure, however, is being stood up faster than its textile content. The Commission's central **DPP Registry** — required under ESPR Article 13 to hold each product's unique identifier, the location of its passport, and verification metadata (the actual passport data itself stays decentralised with the brand or its software vendor) — became operational on **20 July 2026** ([JRC preparatory study](#), p.14; [CIRPASS-2](#)). The clearest working precedent for how textiles will eventually be treated is the **battery passport**, which carries the first hard DPP deadline in EU law — mandatory for EV, light-transport and large industrial batteries by 18 February 2027 under the separate Battery Regulation (EU) 2023/1542 — and which the Commission has already defined with 71 data points, each flagged mandatory, optional, conditional or deferred ([European Commission battery FAQ](#)). Notably, carbon footprint and recycled-content data were excluded from the battery passport's mandatory fields at launch and pushed to a later phase — a plausible model for how textiles will roll out too: a hard date for the passport's existence, but a graduated field schedule rather than full data from day one. The data-carrier convention most likely to prevail is **GS1 Digital Link** — a QR code or Data Matrix encoding a persistent product-identifier URI that a scanning app resolves against the passport data, rather than storing the passport content directly in the code ([JRC preparatory study](#), p.14).

Both regimes share one unresolved question: who is responsible when there is no EU entity at all

The single most consequential open legal question for a UK direct-to-consumer exporter — relevant to both PPWR and DPP — is what happens when there is no EU-established importer, subsidiary or fulfilment entity anywhere in the supply chain, which is the normal Shopify-direct-to-consumer model. PPWR answers this cleanly: Article 45 requires the non-EU producer itself to appoint a written-mandate authorised representative in each destination member state, and marketplaces are expected to verify that registration before letting a seller trade through them ([PPWR Article 45 guide](#)). ESPR's answer is murkier. ESPR defines "importer" as a person *established in the Union* who places a third-country product on the market — so in a pure distance-

selling scenario with no EU entity anywhere, there is, by ESPR's own definition, no "importer" for the obligation to shift to; it appears to remain with the non-EU manufacturer/seller directly, who would need to make an EU-established contact visible on the listing, by analogy to the General Product Safety Regulation's Article 16 "responsible person" rule, though this analogy has not been confirmed against ESPR's primary text ([JRC preparatory study](#), p.6–7). An ESPR authorised representative, where one is appointed, can perform delegated tasks on the manufacturer's behalf but does **not** automatically absorb overall compliance responsibility unless the Regulation says so explicitly — a materially weaker liability transfer than PPWR's Article 45 model. Online marketplaces, distributors, dealers and fulfilment providers carry only secondary verification duties under both regimes (check a passport or registration exists, don't knowingly sell non-compliant goods), not primary creation responsibility ([JRC preparatory study](#), p.7).

Where the two regimes concretely touch customs and commercial-invoice data is in the DPP Registry's design: Article 13 requires the registry to store the commodity (HS/TARIC) code for any product intended for release into free circulation, and the JRC's example mandatory-field list for a future textile passport already includes **origin of product** and **fibre composition** — fields that are standard commercial-invoice and customs-declaration content today ([JRC preparatory study](#), p.14, p.80). The JRC's own use-case design (UC2) envisions customs officers checking a shipment manifest's product identifiers and commodity codes against the DPP Registry and holding or denying entry on a mismatch — enforcing ESPR Article 15's market-access rule — while market surveillance authorities separately use the passport post-import for audits and recalls. Both are explicitly forward-looking designs, not live operational checks for textiles today, and no evidence was found of any software-level integration where DPP data already auto-populates a customs declaration or invoice. The practical reading is that the DPP and the commercial invoice will remain two separate documents drawing on **the same underlying product-data record** — which is the actionable insight for TotalInvoice's architecture.

What TotalInvoice should build now, and what to hold for later

Because PPWR is already binding and TotalInvoice already sits at the point where shipment, product and party data are assembled for customs purposes, four near-term additions would materially help sellers comply, without expanding TotalInvoice's remit into actually handling EPR filings:

Priority	Feature	Why it maps to PPWR
High	Per-shop, per-destination-country compliance settings: a config screen where each merchant stores its EPR producer/registration number and authorised-representative name/contact per EU member state it ships to	Registration and representation are per-member-state, not EU-wide, so a single "EU EPR number" field would be wrong — the data model needs a country-keyed table (eprrepresentative.com)
High	Packaging material/weight capture per shipment or per SKU, exportable as a periodic report broken down by material type and destination market	This is exactly the declaration data producers must file through their local representative into schemes like LUCID/CITEO/Ecoembes, and is also the evidence a seller needs to support excluding EU-bound parcels from

Priority	Feature	Why it maps to PPWR
		UK pEPR's tonnage count — one data capture point, two compliance uses (gov.uk guidance ; Coolset Academy)
Medium	Optional declaration-text blocks on generated documents (e.g., a configurable line showing the manufacturer/importer name and postal address, mirroring the PPWR Declaration-of-Conformity requirement that this information appear on packaging)	PPWR already requires this information to appear on the packaging itself from 12 August 2026, and TotalInvoice's merchant-detail fields already hold the raw data, so surfacing it on paperwork is a low-cost extension (Intertek bulletin)
Lower	Watch list / alerting for labelling and registration-format go-live (currently stalled, expected Q4 2026) so merchant-facing guidance can update the moment the harmonised label and registration formats are finalised	These obligations are legally due but not yet operational because the Commission is late; a hard-coded "comply by August 2026" message would already be stale, so this needs to be a monitored, updatable setting rather than a one-time build (Packaging Europe)

Note explicitly what the research did **not** establish: no source confirms that an EPR registration number or authorised-representative identity is legally required to appear *on the commercial invoice itself* (France's IDU identifier, for instance, is required in sellers' terms and conditions, not on the invoice) — so these fields should be built as optional, merchant-configurable additions that help a seller manage and demonstrate compliance, not framed as a legal requirement TotalInvoice is enforcing.

On the DPP side, the honest recommendation is to **not** build passport generation, QR-code issuance, or registry-integration features now — textiles obligations are a minimum 18–30 months out, scoped so far around apparel rather than raw fabric or home textiles, and the technical schema (GS1 Digital Link, CEN-CENELEC JTC 24 standards) is still moving. The useful investment today is structural: ensure TotalInvoice's product-data model captures **fibre/material composition percentages, country of origin, and HS code at the SKU level** in a clean, structured form, since these are exactly the fields the JRC's preparatory textile-DPP work lists as expected passport content and are also fields the commercial invoice already needs — building this once, well, means that whenever the textiles delegated act lands (watch for Commission action around Q4 2027) TotalInvoice can extend into DPP support by adding a data carrier and registry hook rather than re-architecting product data from scratch. Given the unresolved "who is responsible with no EU entity in the chain" question under ESPR, any forward-looking product messaging about DPP readiness should be framed cautiously and revisited once the textiles delegated act, or an EU Commission FAQ addressing pure distance-selling, actually clarifies the point.

Conclusion

The two regimes are often discussed together because they're both EU circular-economy law aimed at packaging and products, but they are at entirely different points in their legal life: PPWR is operative law today, with real per-country registration duties and documented enforcement in at least France, while the DPP is still an architecture without a textile mandate attached to it. The practical implication for TotalInvoice is a

sequencing decision rather than a scope decision — prioritize packaging-EPR configuration and reporting support now, where UK exporters have genuine, present compliance exposure and no small-seller exemption, while treating DPP as a data-modelling discipline to adopt early (clean composition/origin/HS fields) rather than a feature to ship. The biggest strategic risk is not under-building too early for DPP, but under-communicating the PPWR exposure that already exists for every client shipping fabric, textiles or home goods into the EU today, regardless of size.

