

**Question for written answer E-003785/2026
to the Commission**

Rule 144

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Subject: Implementation of Article 32 of Regulation (EU) 2025/40 on packaging and packaging waste

Article 32 of Regulation (EU) 2025/40 provides that, from 12 February 2027, final distributors in the hotel, restaurant and catering (HORECA) sector offering take-away sales of hot and cold beverages and ready-to-eat meals must allow consumers to bring their own containers to be filled. The provision does not, however, specify how this obligation is to be applied in practice.

In particular, it remains unclear under what circumstances a container may be refused on hygiene or safety grounds, where liability lies in the event that food served in a consumer-provided container subsequently gives rise to a food safety incident, whether the obligation to allow consumer-provided containers extends to delivery orders, and whether this obligation is limited to the HORECA sector notwithstanding the fact that certain other establishments also sell food for immediate consumption. In the absence of clarification, Member States and economic operators risk adopting divergent interpretations.

In the light of the above:

1. Does the Commission intend to issue guidance or an update Frequently Asked Questions document on the application of Article 32 prior to its date of application on 12 February 2027 and, if so, by when?
2. What measures does the Commission intend to take to ensure the uniform application of Article 32 across Member States, in view of the divergent national approaches that are emerging?

Submitted: 22.9.2026