

EN

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Answer given by Ms Roswall
on behalf of the European Commission
(19.2.2026)

Regulation (EC) 852/2004¹ obliges food business operators (FBO) to protect primary products from contamination², while Regulation (EC) 853/2004³ requires that equipment in contact with fishery products is easy to clean and disinfect, well maintained, and not a source of contamination when re-used.

Article 29 of the Packaging and Packaging Waste Regulation (PPWR)⁴ is the first EU legislative act establishing reuse targets for specific packaging types and formats. Paragraph 4 of Article 29 provides specific exemptions, notably for flexible packaging used for transport and in direct contact with food or feed. As single-use high-thermal-insulation fish boxes are not flexible packaging, they may therefore fall within the scope of the reuse obligations set out in Article 29.

The Commission notes an ongoing shift towards reusable fish boxes, as reflected in the PPWR Impact Assessment⁵ and recent technical information, provided that food safety is not compromised.

COM(2025)980⁶ refers to Article 29(18) of the PPWR, which set the conditions to establish exemptions from the scope of the reuse targets outlined in Article 29. The conditions to establish exemptions refer to a) situations where particular economic constraints encountered in a specific sector, b) exemptions for specific packaging formats covered by the targets where hygiene and food safety issues prevent the achievement of those targets and c) exemptions for specific packaging formats where environmental issues prevent the achievement of the reuse targets.

The Commission intends to publish guidance in the coming weeks to support pragmatic implementation of the new packaging rules.

¹ Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, OJ L 139, 30.4.2004, pp. 1.

² Such measures include taking adequate measures to keep clean and, where necessary, to disinfect, equipment, containers, crates, vehicles and vessels.

³ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin, OJ L 139, 30.4.2004, pp. 55.

⁴ Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC, OJ L, 2025/40, 22.1.2025.

⁵ <https://data.europa.eu/doi/10.2779/450320>, Section 1.2.1 entitled 'Overview'.

⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Simplifying for sustainable competitiveness, COM/2025/980 final.