

Documentation Types for Eco-Modulation

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Declaration of Conformity

What is a declaration of conformity?

A declaration of conformity is a formal document in which your company declares that a specific type of packaging complies with all relevant legal requirements, technical requirements, and design criteria imposed by the authorities when you report your packaging at either green or yellow level, contact-sensitive packaging, etc.

Its purpose is, in particular, to document that the packaging has been designed in accordance with the requirements in Annex 14 – for example, requirements relating to recyclability, material selection, labelling, and the use of recycled plastic – as well as with regard to NIR sortability and the separability of packaging.

The declaration serves as an overall basis of proof and an alternative to presenting the full technical documentation for each individual criterion.

Why is a declaration of conformity used?

It serves as:

- Proof that the packaging is compliant
- An alternative to submitting extensive technical documentation
- A document that we, as the authority, may require to be produced during inspections
- A requirement in connection with annual reporting in Returportalen, as part of Emballageretur's self-monitoring procedure
- An alternative to full documentation of the packaging's compliance with the requirements under the Packaging Executive Order

Who must prepare it?

It is the responsibility of the company, as the producer-responsibility-obligated business, to prepare the declaration and be able to vouch for its accuracy.

Requirements for the declaration of conformity

- **Identification of packaging**

All packaging types reported at green or yellow level must be clearly identifiable in the declaration. For example, if you have two packaging types at green level, both must be listed separately.

- **Recycled plastic (PCR)**

For packaging containing recycled plastic, the declaration must state which third party has verified the PCR content in accordance with DS/EN 15343 or an equivalent standard.

- **Documentation**

The underlying documentation must already exist and must be capable of being provided within a reasonable time upon request from us or the relevant authorities.

Submission

The declaration of conformity must be uploaded digitally in Returportalen in connection with the annual reporting/annual correction.

Technical Documentation

Technical documentation in relation to the Packaging Executive Order and PPWR

As a producer-responsibility-obligated company, you are required to prepare technical documentation demonstrating that your packaging complies with the applicable legal requirements.

According to the Danish Environmental Protection Agency's current guidance, there are not yet any formal requirements regarding how technical documentation must be structured. However, the upcoming EU regulation PPWR (Packaging and Packaging Waste Regulation) will introduce a common and more standardised documentation requirement across the EU.

Until PPWR enters into force

Until the EU requirements are implemented, the guidance issued by the Danish Environmental Protection Agency applies.

This means that the producer-responsibility-obligated company must use the design criteria in Annex 14 of the Packaging Executive Order as its basis.

These criteria determine which data and documentation basis must be available in order to assess whether packaging complies with the requirements.

Emballagereturs vejledning som støtte

Emballageretur has developed the guidance document “**Data for Eco-Modulation**”, which provides an overall overview of the necessary data points, analyses, and information that must be included in the assessment of whether packaging complies with the design criteria.

The guidance can be used as a practical framework for structuring the technical documentation – but:

- there is no requirement to use a specific template,
- and companies are free to adapt the structure, as long as the documentation is complete, systematic, and professionally substantiated.

The key point

Regardless of format, one fundamental principle applies:

Your technical documentation must be sufficiently comprehensive to clearly demonstrate why and how the packaging complies with the relevant design criteria for the material group to which it belongs.

What must the technical documentation contain?

Under the Packaging Executive Order and the Danish Environmental Protection Agency’s guidance, the technical documentation must contain all relevant information clearly showing that the packaging complies with the specific design criteria for the material and packaging category to which it belongs.

As a minimum, the documentation must include:

- **Description of the packaging**
Materials, construction, function, and use.

- **Review of each relevant design criterion in Annex 14**
Including documentation of how the packaging meets the requirements applicable to the specific material category.
If you are unsure which data points are required, you may use our guidance document **“Data for Eco-Modulation”**.
- **Methods and test basis**
For example, relevant standards, analyses, supplier data, or test results supporting compliance with the criteria.
- **Recycled plastic (PCR)**
For packaging with recycled plastic, the documentation must include information on third-party verification of the PCR content in accordance with DS/EN 15343 or an equivalent standard.
- **Supporting documentation**
All underlying evidence that the company must be able to provide upon request from Emballageretur or the authorities.
- **Traceability and responsibility**
Date, responsible person, and an unambiguous link to the packaging to which the documentation relates.

Accordingly, the technical documentation must be so precise and professionally substantiated that it can be clearly assessed why and how the packaging complies with the design criteria for the relevant material group.

Relationship with Emballageretur and inspections

The Packaging Executive Order requires producers to be able to provide documentation showing that the reported packaging complies with the design criteria.

As part of Emballageretur’s self-monitoring procedure, companies may therefore, both on a sample basis and in special circumstances, be asked to submit the technical documentation.

This means that the documentation:

- must already exist at the time of reporting, and must not be prepared afterwards,

- must be capable of being provided within a reasonable time upon request,
- must be sufficiently detailed for both Emballageretur and the authorities to make a professional assessment.

Interaction between technical documentation and the declaration of conformity

A declaration of conformity summarises that the requirements have been met, whereas the technical documentation shows **how**.

The two are therefore closely connected, but the technical documentation is the actual basis of proof that must support the declaration.

Documentation of Separate Components

What is documentation of separate components?

Documentation of separate components is the evidence showing that part of the packaging genuinely functions as an independent component and must therefore be assessed separately in relation to the design criteria in Annex 14 of the Packaging Executive Order.

This applies, for example, to:

- Lids, caps, clips
- Pumps, dosing units, dispensers
- Inserts, dividers, blister parts
- Films, sleeves, or labels that can be removed completely
- Any other part that can be physically separated from the main part of the packaging

For a part to be classified as an independent component, the company must be able to document that the component satisfies the conditions for actual separation.

Why must this documentation be prepared?

A component is not considered an independent packaging component until it can be documented that it can be separated from the main packaging in a way that complies with the Packaging Executive Order and the current guidance from the Danish Environmental Protection Agency.

The documentation must be prepared for three main reasons:

1. Korrekt miljøgradering og designkriterievurdering

The design criteria are assessed for each individual packaging component, not for the packaging as a whole.

The company must therefore be able to prove which parts are in fact independent components – otherwise the reporting will be incorrect.

This directly affects:

- Environmental level (green/yellow/red)
- Compliance with design requirements
- Future marketing after 12 August 2026

2. Compliance with the documentation requirements of the Packaging Executive Order

The Executive Order requires that documentation for all reported components must already exist at the time of reporting and must be capable of being provided upon request.

Documentation of separate components forms part of this requirement.

3. Emballageretur's self-monitoring

Emballageretur carries out spot checks, during which companies may be asked to submit documentation showing:

- that the components have been correctly identified,
- that they are independent and genuinely separable,
- that the design criteria have been assessed correctly.

Lack of documentation or insufficient documentation may result in a requirement to re-report or in a changed eco-modulation classification.

This means that documentation of separate components is the concrete proof showing either:

- that the component is physically separable,
- that it must be removed in order to use the product,
- that it cannot be reattached,
- and that it must therefore be environmentally assessed separately.

It is necessary in order to:

- ensure correct reporting,
- comply with the requirements of the Packaging Executive Order and the Danish Environmental Protection Agency's guidance,
- and document compliance during audits.

The documentation may be with or without testing requirements.

Documentation Without Testing Requirements

For components where no testing requirement applies, the following documentation requirements apply:

1. The separation must be clear and unambiguous

It must be documented that the component can be loosened or removed in a way that clearly shows that it constitutes an independent part. The separation must be so significant that the component no longer functions as an integrated part of the packaging.

2. The component must be completely removed before the product can be used

For a part to be classified as an independent component, it must be capable of being removed completely before the packaged product can be used.

This follows from the Danish Environmental Protection Agency's principle that only genuinely separated parts can be assessed separately for environmental purposes.

3. The component must not be capable of being reattached

A component that can be removed but can subsequently be reattached is still considered an integrated part of the packaging.

The documentation must therefore show that the component is either deformed upon removal or otherwise cannot be returned to its original function.

4. The documentation must be in writing and visually substantiated

The documentation must consist at least of:

- a written (prose) description that precisely explains how the component is separated,
- as well as photo documentation showing the component in a loosened or deformed state, making it clear that it cannot be reattached.

Documentation of Separate Components with Testing Requirements

Where testing is required

For documentation where testing is required, the following applies:

- Components that are not certain to be separated by the consumer, during transport, or during mechanical sorting must undergo testing to document whether they can in practice be separated.
- This is particularly relevant for composite packaging, complex material combinations, and components whose separability is not obvious, such as tethered lids, sleeves, labels, or inner inserts.

The testing requirement arises from the Packaging Executive Order's focus on correct data reporting, material documentation, and the producer responsibility requirements relating to sortability.

Requirements for the documentation

The documentation must contain the following elements:

1. Test protocol

A clear description of the test method, including:

- standards used (if relevant),
- test setup,
- test parameters (for example vibration level, mechanical processing, simulated consumer behaviour),
- criteria for when separation has been achieved.

Where possible, the test protocol should be based on methods recommended or recognised in an EU context, as the Danish Environmental Protection Agency generally follows EU-harmonised practices.

2. Test facility and justification of representativeness in Denmark

The documentation must describe:

- which laboratory or test facility was used,
- which technology the facility has available (for example NIR, ballistic sorting, screening, optical sorting),
- why the test facility can be regarded as representative of how the packaging will be handled in Denmark.

The justification may, for example, be based on:

- consistency with Danish plant technology,
- similarity in process,
- the fact that the test conditions match Danish sorting criteria

3. Identification of the packaging and all components

The documentation must describe in detail:

- the type and function of the packaging,
- the materials of each component,
- weights, dimensions, and the presence of adhesives, colours, sleeves, or other elements that may affect sortability.

This is necessary in order to comply with the requirements for correct data reporting under producer responsibility.

4. Sample description

A description of the specific sample, including:

- production series or batch,
- number of units tested,
- any variations between the samples.

5. Testresultater

A clear and verifiable presentation of:

- the outcome of the test,
- whether the component was separated,
- to what extent and under what conditions,
- an assessment of whether the results can be transferred to actual sorting in Denmark.

The result must make it possible to determine whether the component can be reported as an independent packaging component or as part of the overall packaging unit.

The following requirements apply for sampling at the various stages of the waste-treatment chain:

1. Testing separation carried out by the user/consumer

When testing whether the consumer separates the components correctly, the following applies:

- As many individual items must be sampled as necessary to obtain 100 recovered main components.
- Each sample must undergo the action that an ordinary user is expected to perform under normal conditions.
- The result must document whether the component can in practice be expected to be separated by the consumer.

2. Testing separation during collection and transport

When testing whether components are separated during collection and transport, the following applies:

- 100 samples must be clearly marked and disposed of together with ordinary household waste in the collection container.
- The test may only be carried out on one collection vehicle, but that vehicle must complete three normal emptying/collection runs.
- Collection and transport must take place under normal operating conditions without special adjustments.
- The waste containing the marked samples must be kept separate until counting and registration have been completed.

3. Testing separation during sorting

When testing whether components are separated at a sorting facility, the following applies:

- The sample must be taken directly at the sorting facility.
- It must be ensured that the sample is not separated unintentionally during the actual sampling or in the time between the samples.
- As many individual samples must be taken as necessary to obtain 100 recovered main components after sorting.

Documentation requirement

- Documentation of the above tests may at any time be requested as part of Emballageretur's self-monitoring or by the authorities during inspections.

Documentation of NIR Sortability

Applies to the following material subcategories

- Flexible plastic
- Rigid plastic
- Rigid PET
- Glass

These material groups have been selected because their sortability depends to a large extent on the ability to be identified using NIR technology (Near Infrared) at a sorting facility.

The criterion for NIR sortability

The requirement for NIR sortability has been established to provide greater flexibility in the use of colours and design within these material categories.

NIR technology is the method primarily used by Danish and European sorting facilities to:

- identify plastic types,
- sort materials into fractions,
- ensure high recycling quality.

By focusing on NIR sortability rather than colour restrictions, producers are given greater design freedom, provided that the packaging can still be sorted and recycled effectively.

Basis for the documentation

Until an official CEN standard for NIR sortability and test methods is available, the documentation must be based on:

- current industry practice,
- test methods used by leading European sorting facilities,

- recognised guidelines from technology suppliers (for example Tomra, STADLER, etc.),
- best practice from other EU countries where similar requirements are already used.

The documentation must be sufficient to demonstrate that the packaging can be correctly identified and sorted into the intended fraction at a typical Danish sorting facility.

Requirements for the content of the documentation

Dokumentationen skal som minimum indeholde en beskrivelse af følgende elementer:

1. Test protocol

A detailed description of the test method used, including:

- the purpose of the test,
- test setup and equipment,
- the NIR scanner used and the wavelength range,
- criteria for approved sortability,
- how the samples are prepared (for example cleaning, size reduction, lighting conditions).

It must be clear how the result demonstrates the packaging's ability to be correctly identified by NIR technology as PET, PP, PE, or glass.

2. Test facility

A description of the test location, which may be:

- an accredited laboratory,
- a sorting technology test centre,
- a full-scale sorting plant.

The description should include:

- which technology the facility has available,
- equipment manufacturer and model,
- whether the equipment corresponds to or is representative of typical Danish sorting facilities.

3. Justification of representativeness

It must be explained why the test is considered representative of Danish conditions, for example:

- similar NIR technology is used at Danish facilities,
- the process flow (screening, ballistics, optical sorting) corresponds to Danish facilities,
- the test parameters correspond to ordinary operating conditions,
- the colour and material distribution in the test population reflects Danish market conditions.

4. Relevant information for identification of the packaging

The documentation must clearly describe the packaging that has been tested:

- material and subcategory (for example rigid PET, flexible PE, etc.),
- dimensions and weight,
- colour and degree of transparency,
- label type, sleeve, adhesive type, and other elements that may affect NIR recognition,
- other components included in the product (for example closures or inserts).

This ensures unambiguous identification of the exact packaging variant covered by the test.