

Toxics in Packaging Declaration Acceptance Criteria

IMPORTANT – These guidelines are for informational purposes only and do not constitute legal advice. This guide provides Assent’s standard checklist for reviewing inbound supplier declarations regarding compliance with the substance restriction requirements of EU Packaging Regulation (Directive 94/62/EC Article 11) and U.S. Model Toxics in Packaging Legislation (formerly known as the CONEG/TPCH Legislation). An acceptable declaration must:

1. Be on company letterhead.

This indicates that the declaration is an official company communication of the employee making the declaration.

2. Include the proper legislative reference.

Include the actual titles of the legislation the declaration is being produced to comply with, in this case listing both EU Directive 94/62/EC (amendment 2018/852) and U.S. Model Toxics in Packaging Legislation.

a. Acceptable alternative names for the EU directive:

- i.** The European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste last amended by Directive 2018/852.
- ii.** Directive 94/62/EC.
- iii.** Directive 94/62/EC and amendment 2018/852.

b. Acceptable alternative names for the U.S. standard:

- i.** U.S. Toxics in Packaging Clearinghouse Standard.
- ii.** U.S. TPCH Standard.
- iii.** U.S. CONEG/TPCH Standard.
- iv.** The Model Toxics in Packaging Legislation.

3. Reference the packaging material(s) covered by the declaration.

4. Declare compliance status. For each of the two directives listed, either:

- a.** State that the packaging material(s) does not include a sum total of heavy metal substances above the 100ppm limit defined by the directive, or
- b.** State that the packaging material(s) does include substances that exceed the restriction limit defined by the directive, and identify the substance(s) creating non-compliance and the associated packaging material(s).

For any packaging materials compliant by exemption, the declaration must identify the material(s) and cite the relevant exemption.

5. Be signed by an authorized individual.

Name, contact details, and position must be included.

6. Be dated, and current.

Declarations are likely to be rejected if they are more than one year old.