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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	AOB for the meeting of the Council (Environment) on 12 October 2026 Packaging and Packaging Waste Regulation (PPWR) - A proportionate EPR framework for small producers and the Single Market – Information from Austria supported by Czechia and Estonia

The undersigned Member States support the objectives of Regulation (EU) 2025/40 on packaging and packaging waste (PPWR), including the principle of extended producer responsibility (EPR). However, the EPR framework of the PPWR is imposing administrative requirements and costs that are disproportionate to the small quantities of packaging placed on the market through cross-border trade.

Achieving the Union's environmental objectives must go hand in hand with proportionate rules that support competitiveness and deliver on the EU's simplification agenda.

Under Article 44 PPWR, producers are required to register in each Member State in which they make packaging or packaged products available for the first time. Article 45 establishes the corresponding EPR obligations and requires the appointment of an authorised representative to fulfil their EPR obligations. These requirements apply even where the quantities concerned are very small, as Article 45(1) attaches these obligations to any quantity of packaging placed on the market without any volume-based de minimis exemptions.

The Regulation recognises, in principle, that obligations should scale with the quantity of packaging placed on the market. Article 44(8), read together with Annex IX, Part B, point 2, provides for a reduced reporting data set below 10 tonnes per year, and Article 46(5) requires producer responsibility organisations not to impose a disproportionate burden on producers of small quantities. However, these provisions do not provide the targeted exemptions or simplified arrangements needed for registration, EPR contributions and the appointment of authorised representatives.

While an authorised representative remains a useful instrument for effective enforcement of EPR obligations, in particular for operators with substantial cross-border market activity, the obligation to appoint one should be proportionate to the quantity of packaging placed on the market.

The undersigned Member States therefore propose a proportionate EPR framework that provides tangible relief in particular for small businesses and maintains effective waste management. We invite the Commission to take forward the following proposals:

1. A tiered approach to simplification

- a) **A genuine de minimis exemption should be introduced for EU-established producers placing minimal amounts of packaging** on the market. These producers should be exempt from registration and EPR obligations, including participation in an EPR scheme, payment of EPR contributions and the appointment of an authorised representative. The exemption must be clear and straightforward, so that simplification does not itself create new administrative burdens.
- b) Above the de minimis threshold, **a simplified regime should apply to EU-established producers placing very small amounts** of packaging on the market. They should be exempt from the obligation to appoint an authorised representative under Article 45(3) and be able to pay a **simplified, proportionate flat-rate EPR contribution** instead of the ordinary quantity-based contribution. This would reduce administrative costs, while ensuring an appropriate financial contribution to waste management.

2. Stronger responsibility for online platforms

Given the scale of packaging placed on the market through sales via large online platforms, the Circular Economy Act should explore how online platforms could take greater responsibility for ensuring EPR compliance, as for instance by fulfilling the relevant obligations on behalf of producers selling through them.

Simplifications must go hand in hand with clear and enforceable responsibilities for platforms. Building on the existing obligations under the Digital Services Act (DSA) the upcoming Circular Economy Act provides an opportunity to establish further required responsibilities and ensure a level playing field.

3. A single European entry point

The requirement to register separately in each Member State remains a structural obstacle. A Single Market needs a simple European route to compliance. We therefore propose a single, central, EU-wide entry point for EPR registration for all relevant product groups subject to EPR (including packaging, batteries, electrical and electronic equipment and textiles). Producers should be able to provide the required information only once, primarily regarding basic company data during registration with the relevant data transmitted to the competent national registers. The Single-Entry Point should serve as the focal point and central information hub, which amongst other lists in a user-friendly manner all available authorised representatives for each product area.

We ask the Commission to present a concrete roadmap and timetable for establishing such a system. Furthermore, we urge that the planned implementing act regarding registration not to be issued at this stage, in order to avoid premature and unnecessary implementation efforts, before a single European Entry Point has been set up.

4. Immediate relief: Stop the clock

Building on the Commission's proposal under Omnibus VIII, we call for a "stop the clock" measure suspending the mandatory appointment of authorised representatives for producers established in the EU placing small packaging quantities on the market, under the first subparagraph of Article 45(3).

As a next step, we call for the swift adoption of the proposed tiered system to establish a predictable and simplified framework.

5. Further simplification through the Circular Economy Act

The Circular Economy Act should be used to deliver additional simplification. Together with Member States, the Commission should identify disproportionate administrative burdens arising from the PPWR and address them through targeted measures based on practical implementation experience.
