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General Secretariat

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
N° Cion doc.:	ST 16754/25
Subject:	Environment Omnibus (STC Directive): Consolidated comments from delegations

Following the written consultation launched on 20 January 2026, delegations will find below the final consolidation of MS Comments on Omnibus VIII (Environment) as received from: AT, BE, BG, CZ, DE, DK, EE, ES, FI, IE, LV, MT, SE and SK.

Proposal for a Directive of the European Parliament and of the Council suspending the application of the rules on the appointment of authorised representatives for extended producer responsibility for waste, waste electrical and electronic equipment and single use plastic waste

From: AT, BE, BG, CZ, DE, DK, EE, ES, FI, IE, LV, MT, SE, SK

Deadline: 26 January 2026

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Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).

To make it feasible to consolidate all contributions, the structure of the table must not be changed, so **no rows can be added or deleted**.

New provisions may only be added in any of the '**existing cells**'.

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments ondocx**

Thank you for your cooperation!

Commission proposal	Drafting suggestions and Comments
General Comments	BG (Comments): Bulgaria draws attention to the potential risks in relation to the proposals to suspend the application of the requirement for an authorised representative for the purposes of extended producer responsibility (EPR) and shares the concerns expressed by France, Austria, Romania and other Member States. We maintain our support on the non-paper by France and Austria on the rules on the appointment of an authorised representative. The requirement for an authorised representative is a key practical tool for ensuring effective implementation and monitoring of EPR compliance, especially in the context of international and online trade for producers established outside the territory of the relevant Member State. This entity ensures that the enforcement mechanism allows competent authorities to

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	obtain information, carry out inspections and, if necessary, apply administrative measures and impose penalties. The repeal or long-term suspension of this requirement could create additional prerequisites for some traders, including e-traders, to partially meet their obligations under the EPR, without an effective mechanism for influence by the competent authorities. Bulgaria notes that the suspension of the requirement for an authorized representative creates a risk of weakening the application of the polluter pays principle, of increasing cases of unfair competition and of undermining the financial sustainability of the existing EPR schemes. In this context, compliant producers who fulfill their obligations could be disadvantaged compared to producers and platforms that can avoid these obligations, especially in international and online sales. Bulgaria is aware of the need for simplification of environmental legislation and reducing the administrative burden, and stresses that such measures should be carefully balanced, ensuring the recovery of costs for separate collection, transport and treatment of waste and not leading to a weakening of effective control and enforcement. In this sense, the lack of a comprehensive impact assessment on the consequences of suspending the requirement for an authorised representative is an additional element of concern. In view of the above, Bulgaria considers that maintaining the requirement for the appointment of an authorised representative is a necessary condition for the effective implementation of extended producer responsibility mechanism. CZ (Comments): <u>We recognize the need to reduce the administrative burden on businesses in the EU internal market, however, given the EC's announced plan to submit comprehensive legislation on extended producer responsibility (as part of the Circular Economy Act) in 2026, we do not consider the current proposal as systemic – given that it deals exclusively with one measure (the appointment of an authorized representative)</u>

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	<u>We point out to the fact, that some legislative acts, which are to be simplified by this package, were only adopted last year. In general, rapid changes to recently adopted legislation are not in line with the overarching legal clarity objective.</u> The proposal is unclear in terms of both implementation and the scope of entities to which it would apply. In its explanatory memorandum, the European Commission briefly states that the repeal of the obligation will only apply to European companies because the obligation negatively impacts SMEs. However, it will continue to apply to companies from third countries (see recital 6 of the preamble). <u>However, this exemption is not mentioned in the text of the amending directive itself, which states that the suspension of the obligation will apply to all manufacturers. For the obligation to continue to apply exclusively to companies from third countries outside the EU, this must be explicitly stated in the binding part of the directive.</u> If the Commission states that it is preparing a legislative proposal for comprehensive reform of the extended producer responsibility system, the Czech Republic believes that all aspects must be included in a single proposal. Changes to extended producer responsibility must be implemented in a conceptual and comprehensive manner. <u>Why is the Commission proposing a partial proposal when it has also declared that a comprehensive proposal on the EPR will be presented this year as part of the Circular Economy Act?</u> <u>Why was no regulatory impact assessment prepared for the proposal?</u> Given the focus of the proposal, an impact assessment should have been prepared. We do not consider the proposal to be a significant simplification of the obligations arising from the aforementioned regulations (specifically single-use plastic directive). <u>Will the Commission submit further proposals that would, for example, reflect the suggestions made by Member States as part of various simplification initiatives last year?</u> DE (Comments):

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	Given the short time since publication and the technical details, we have a general scrutiny reservation. We reserve the right to submit additional comments. General Comments on the authorized representative The authorized representative was introduced as an instrument for the first time by Directive 2012/19/EU. The background to its introduction has always been to ensure compliance with the extended producer responsibility requirements in the individual Member States. This is because effective enforcement requires a contact person in the respective Member State. Instead of requiring producers to establish themselves in each Member State, the authorized representative enables producers in other EU countries and in third countries to fulfil extended producer responsibility obligations more easily, while ensuring compliance with the rules in each Member State. If Member States are now deprived of the possibility of mandatory designation, many problems arise in the practical implementation and enforcements of extended producer responsibility schemes. Mandatory designation of an authorized representative for producers in third countries should therefore in any case continue to be possible for Member States. There are no other equally suitable means of ensuring compliance with the obligations. To ensure proper implementation of extended producer responsibility schemes the appointment of an authorized representative should be maintained. Otherwise and in the case of infringements of extended producer responsibility, no contact person is available in Germany. Therefore, a violation of the law cannot be punished directly. This applies both to producers based in another Member State and to producers based in a third country. Nevertheless, both cases must be assessed separately:

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	• DE welcomes the possibility of introducing an obligation to appoint an authorized representative for producers established in third countries. The future design of this obligation as a right to vote must be assessed in a neutral manner. An effective measure comparable to the obligation to appoint an authorized representative for producers established in third countries is currently not apparent. DE will therefore maintain the obligation to appoint an authorized representative for producers from third countries in the extended producer responsibility schemes. The requirement has been reinforced in practice. • With regard to the suspending of an obligation to appoint an authorized representative for producers in another Member State, the regulations are viewed critically. In principle, the legal privilege vis-à-vis producers from third countries is comprehensible, as the exercise of extended producer responsibility is introduced in all Member States due to the uniform European requirements. However, the rules may lead to circumvention if, for example, producers from third countries declare an establishment in a European headquarters, the obligation to appoint an authorized representative in each Member State would also become obsolete for them. The regulations also lead to some challenges in the implementation of the regulations. Enforcing fines in other EU Member States is difficult and time-consuming. Although mutual assistance by the other Member State is possible in the case of a producer established in another Member State, the competent authorities in the respective Member States must be aware of this, the documents must be translated and there is no possibility of further investigation in the event of delivery problems in the other Member State. In addition, the effort required cannot be refinanced through sanctions. In this respect, this may lead to non-execution in this area. In addition to these general remarks, with regard to the regulations COM (2025) 982 and 983, the following questions arise:

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	• What is the relationship between the rules in the proposal? Should the additional provisions only apply until 1 January 2035? This is not clear from the proposal. • Why are partial regulations being implemented now by suspending the existing regulations when the extended producer responsibility is to be completely re-evaluated through the Circular Economy Act? It seems more appropriate to consider such proposals more specifically in this context. • The proposal in the Battery regulation is not clear in this regard. By suspending the provision in Article 56(3), a mandatory designation for producers in third countries is no longer possible. However, the rules adopted suggest that a corresponding obligation is still possible. Why hasn't a similar rule been chosen as in the PPWR? • The suspension of the obligation to appoint an authorized representative for producers in other Member States also creates difficulties in the enforcement of extended producer responsibility schemes. There is an immense administrative and bureaucratic burden in the Member States (translation of the letters, identification of the competent authority in the other Member State) without this expense being refinanced through sanctions. Enforceability in this area would therefore no longer take place. This would ultimately be to the detriment of national producers. How does the Commission envisage proper implementation? With regard to regulation COM (2025) 983 DE has two additional questions: • Mandatory designation of an authorized representative for third-country producers should in any case continue to be possible for Member States. There are no other equally suitable means of ensuring compliance with the obligations. There is no separate provision in the WEEE Directive for this purpose. Is it true that the Commission proposal continues to allow for the national possibility of requiring the designation of an authorized representative for producers in third countries?

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	In addition, DE proposes the introduction of a volume threshold of 500 t/a for extended producer responsibility in accordance with Article 8(8) and (9) of the Single-Use Plastics Directive, below which extended producer responsibility for fishing gear is not required. The background to this is that fishing has declined significantly in recent years and has more than halved since 2000. Furthermore, only three manufacturers actively place fishing gear containing plastic on the market in Germany. The waste stream for fishing gear is low compared to other waste streams. It is disproportionate to introduce a complex EPR system for separately collected waste quantities of 20-50 tons per year. The benefits and costs are out of proportion. The volume threshold would eliminate unnecessary bureaucracy and relieve the burden on the economy and administration. How does the Commission see it? EE (Comments): General scores, preliminary comments and proposals. Proposal for the regulation still being analysed and consultation ongoing. ES (Comments): On suspension, we understand that the entire article of each of the above-mentioned directives is suspended. In the case of the Waste Framework Directive, it does not only concern European textile producers but also non-EU producers and, in addition, it seems that a paragraph is added to maintain the obligation for producers in third countries, but we consider that for this second paragraph it seems to us that the following wording at the start is missing: "the second paragraph of Article 22a.3 is replaced by that text".

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	On the other hand, Directive 2025/1892 is being amended and has not yet entered into force in the Member States. This can alter and delay the administrative procedures being adopted by countries transposing Directive 2025/1892, which generates a lot of legal uncertainty, because as it is a suspension, it would force countries to set up "alternative methods", which do not specify what they are, for a specific period, generating possible economic impacts linked to it. Finally, we understand that Article 8a(5) of the WFD is still in force because it leaves it to the producer to decide whether to appoint an authorised representative or not. Can the Commission confirm that this is the case? MT (Comments): The suspension of the provisions being raised in the Proposal for a Directive suspending the application of the rules on the appointment of an authorised representative for extended producer responsibility for waste, waste electrical and electronic equipment and single use plastic waste is <u>a red line</u> for Malta. Firstly, the issue of authorised representative for extended producer responsibility (EPR) purposes might be best addressed as part of the broader reform of EPR expected to be one of the main pillars of the forthcoming Circular Economy Act. In addition, it should be noted that at present, EPR producers who place their products on more than one market must engage an authorised representative in all the respective Member States. To simplify procedures to the producers, through this proposal, the Commission is proposing to remove the requirement of an authorised representative on other member states.

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	In doing so, compliance and enforcement against non-complaint producers without an authorised representative may be very difficult to carry out unless the Competent Authority where the producer is located assist in such investigations. The suspension of the application of the rules on the appointment of an authorised representative for extended producer responsibility may impact Malta, as legal jurisdiction on foreign producers is limited. If this proposal moves forward, more cooperation in enforcing the registration of authorised representatives between MSs is necessary SE (Comments): As a preliminary position, Sweden is in favour of the Commission's proposal to suspend the obligation to appoint an authorised representative.
Proposal for a	AT (Drafting suggestions): Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	AT (Drafting suggestions): DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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suspending the application of the rules on the appointment of authorised representatives for extended producer responsibility for waste, waste electrical and electronic equipment and single use plastic waste	AT (Drafting suggestions): suspending the application of the rules on the appointment of authorised representatives for extended producer responsibility for waste, waste electrical and electronic equipment and single use plastic waste AT (Comments): We suggest to delete the proposal in regard to the authorised representative. AT refers to the non paper on the authorised representative, which demonstrates the necessity of the appointment of an authorized representative for the EPR.
(Text with EEA relevance)	AT (Drafting suggestions): (Text with EEA relevance)
THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	AT (Drafting suggestions): THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,	AT (Drafting suggestions): Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,
Having regard to the proposal from the European Commission,	AT (Drafting suggestions): Having regard to the proposal from the European Commission,

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After transmission of the draft legislative act to the national parliaments,	AT (Drafting suggestions): After transmission of the draft legislative act to the national parliaments,
Having regard to the opinion of the European Economic and Social Committee ¹ , 1 OJ C , , p. .	AT (Drafting suggestions): Having regard to the opinion of the European Economic and Social Committee¹, 1 OJ C , , p. .
Having regard to the opinion of the Committee of the Regions ² , 2 OJ C , , p. .	AT (Drafting suggestions): Having regard to the opinion of the Committee of the Regions², 2 OJ C , , p. .
Acting in accordance with the ordinary legislative procedure,	AT (Drafting suggestions): Acting in accordance with the ordinary legislative procedure,
Whereas:	AT (Drafting suggestions): Whereas:
(1) The political guidelines for the Commission's 2024-2029 term ³ point to the goal of simplifying, consolidating and codifying legislation to eliminate	AT

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any overlaps and contradictions while maintaining high standards and staying the course on the goals set out in the European Green Deal. 3 Europe's Choice, Political Guidelines for the next European Commission 2024–2029, Ursula von der Leyen.	(Drafting suggestions): (1) — The political guidelines for the Commission's 2024–2029 term³ point to the goal of simplifying, consolidating and codifying legislation to eliminate any overlaps and contradictions while maintaining high standards and staying the course on the goals set out in the European Green Deal. 3 — Europe's Choice, Political Guidelines for the next European Commission 2024–2029, Ursula von der Leyen.
(2) In its Communication of 11 February 2025 entitled 'A simpler and faster Europe: Communication on implementation and simplification',⁴ the European Commission set out a vision for an implementation and simplification agenda that delivers fast and visible improvements for people and business on the ground. That requires more than an incremental approach and the Union is to take bold action to achieve that goal. The European Parliament, the Council, the Commission, the Member States' authorities at all levels and stakeholders need to work together to streamline and simplify Union, national and regional rules and implement policies more effectively. 4 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 February 2025, 'A simpler and faster Europe: Communication on implementation and simplification', COM/2025/47 final.	AT (Drafting suggestions): (2) — In its Communication of 11 February 2025 entitled 'A simpler and faster Europe: Communication on implementation and simplification',⁴ the European Commission set out a vision for an implementation and simplification agenda that delivers fast and visible improvements for people and business on the ground. That requires more than an incremental approach and the Union is to take bold action to achieve that goal. The European Parliament, the Council, the Commission, the Member States' authorities at all levels and stakeholders need to work together to streamline and simplify Union, national and regional rules and implement policies more effectively. 4 — Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 February 2025, 'A simpler and faster Europe: Communication on implementation and simplification', COM/2025/47 final.

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(3) In its Communication on a Strategy for the Single Market ⁵, the Commission identified as a barrier to the internal market that businesses face inconsistent national regulations which makes it harder to sell, scale or move goods and services across borders. The Commission committed to focus on the ten most harmful barriers as a priority. The Communication identified certain features of extended producer responsibility schemes as one of the barriers most frequently reported by companies operating cross-border in the Union. While extended producer responsibility schemes are derived from Union legislation, a lack of uniformity of principles and requirements has led to a large diversity of extended producer responsibility schemes set up in Member States as well as to regulatory complexity and high administrative burden for companies. This Directive is a first stepping stone to more profound simplification of the extended producer responsibility schemes in the area of waste, while the upcoming Circular Economy act should provide for further simplification. 5 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The Single Market: our European home market in an uncertain world A Strategy for making the Single Market simple, seamless and strong', COM(2025) 500 final	AT (Drafting suggestions): (3) — In its Communication on a Strategy for the Single Market 5, the Commission identified as a barrier to the internal market that businesses face inconsistent national regulations which makes it harder to sell, scale or move goods and services across borders. The Commission committed to focus on the ten most harmful barriers as a priority. The Communication identified certain features of extended producer responsibility schemes as one of the barriers most frequently reported by companies operating cross-border in the Union. While extended producer responsibility schemes are derived from Union legislation, a lack of uniformity of principles and requirements has led to a large diversity of extended producer responsibility schemes set up in Member States as well as to regulatory complexity and high administrative burden for companies. This Directive is a first stepping stone to more profound simplification of the extended producer responsibility schemes in the area of waste, while the upcoming Circular Economy act should provide for further simplification. 5 — Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The Single Market: our European home market in an uncertain world A Strategy for making the Single Market simple, seamless and strong', COM(2025) 500 final IE (Comments):

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	IE does not support this change. Our common law system traditionally requires a presence within the Member State for the serving of enforcement notices. The removal of the requirement for authorised representative means there is no enforcement mechanism to ensure EPR obligations are met by producers outside the MS, encouraging free-riding and running counter the idea of a level-playing field. It may be possible to address this issue through the establishment of a network of focal points and a central repository, but IE feels any issues around AR in each MS should be dealt with holistically under the proposed Circular Economy Act.
(4) In particular, due to that lack of harmonisation, in particular regarding the current provisions in sectoral legislation for the appointment of an authorised representative for extended producer responsibility, the fulfilment of the obligations related to the appointment may result in an unnecessary administrative burden on producers operating in multiple Member States where they are not established. Particularly for small and medium-sized enterprises, the obligation to appoint authorised representatives separately for every Member State where the producer places products on the market poses a significant challenge in terms of costs. With a view to ensuring equal conditions for producers established in the Union, it is important that the rules for appointing an authorised representative for extended producer responsibility in Directives 2008/98/EC⁶, 2012/19/EU⁷ and (EU) 2019/904⁸ of the European Parliament and of the Council have the same content. The currently fragmented legal framework for different products and the significant administrative burden associated with fulfilling the requirement to appoint an authorised representative for extended producer responsibility in up to 26 Member States is hampering the competitiveness of producers established in the Union. It is thus crucial to harmonise the existing rules effectively and promptly, reducing the associated burdens on producers. To this effect, the Commission is currently reviewing the effectiveness, the administrative burden entailed and the unintended barriers for the internal market, of the	AT (Drafting suggestions): (4) — In particular, due to that lack of harmonisation, in particular regarding the current provisions in sectoral legislation for the appointment of an authorised representative for extended producer responsibility, the fulfilment of the obligations related to the appointment may result in an unnecessary administrative burden on producers operating in multiple Member States where they are not established. Particularly for small and medium-sized enterprises, the obligation to appoint authorised representatives separately for every Member State where the producer places products on the market poses a significant challenge in terms of costs. With a view to ensuring equal conditions for producers established in the Union, it is important that the rules for appointing an authorised representative for extended producer responsibility in Directives 2008/98/EC⁶, 2012/19/EU⁷ and (EU) 2019/904⁸ of the European Parliament and of the Council have the same content. The currently fragmented legal framework for different products and the significant administrative burden associated with fulfilling the requirement to appoint an authorised representative for extended producer responsibility in up to 26 Member States is hampering the competitiveness of producers established in the Union. It is thus crucial to harmonise the existing rules

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obligation to appoint authorised representatives as a safeguard for the producers' compliance with the 'polluter pays' principle. This review is likely to lead to alternative solutions which are more effective and less burdensome. 6 Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3) ELI: http://data.europa.eu/eli/dir/2008/98/oj 7 Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE); OJ L 197, 24.7.2012, p. 38, ELI: http://data.europa.eu/eli/dir/2012/19/oj. 8 Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment, OJ L 155, 12.6.2019, p. 1 ELI: http://data.europa.eu/eli/dir/2019/904/oj.	effectively and promptly, reducing the associated burdens on producers. To this effect, the Commission is currently reviewing the effectiveness, the administrative burden entailed and the unintended barriers for the internal market, of the obligation to appoint authorised representatives as a safeguard for the producers' compliance with the 'polluter pays' principle. This review is likely to lead to alternative solutions which are more effective and less burdensome. 6 — Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3) ELI: http://data.europa.eu/eli/dir/2008/98/oj 7 — Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE); OJ L 197, 24.7.2012, p. 38, ELI: http://data.europa.eu/eli/dir/2012/19/oj. 8 — Directive (EU) 2019/904 of the European Parliament and of the Council of 5 June 2019 on the reduction of the impact of certain plastic products on the environment, OJ L 155, 12.6.2019, p. 1 ELI: http://data.europa.eu/eli/dir/2019/904/oj.
(5) With a view to simplifying requirements on producers, and reducing the administrative burden, producers of textile, textile-related or footwear, electrical and electronic equipment and single use plastic products ('producers') should be able to choose whether they appoint an authorised representative for extended producer responsibility when making available products on the market of another Member State where they are not established. Therefore, Member States should not make the appointment of an authorised representative for extended producer responsibility mandatory for producers established in the Union, but the option for producers to appoint an	AT (Drafting suggestions): (5) — With a view to simplifying requirements on producers, and reducing the administrative burden, producers of textile, textile-related or footwear, electrical and electronic equipment and single use plastic products ('producers') should be able to choose whether they appoint an authorised representative for extended producer responsibility when making available products on the market of another Member State where they are not

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authorised representative for extended producer responsibility at their discretion should be maintained. This allows producers who have already appointed an authorised representative for extended producer responsibility to retain their existing arrangements, while immediately alleviating the costs and administrative burden for producers who wish to not appoint an authorised representative for extended producer responsibility.	established. Therefore, Member States should not make the appointment of an authorised representative for extended producer responsibility mandatory for producers established in the Union, but the option for producers to appoint an authorised representative for extended producer responsibility at their discretion should be maintained. This allows producers who have already appointed an authorised representative for extended producer responsibility to retain their existing arrangements, while immediately alleviating the costs and administrative burden for producers who wish to not appoint an authorised representative for extended producer responsibility. FI (Drafting suggestions): We would prefer to add the possibility to choose whether appoint an authorised representative or not (as explained in recital 5), also in the text of articles. Otherwise this possibility is not clearly stated in the legislative text.
(6) Ensuring traceability and enforcement with regards to producers established in third countries is more challenging compared to those operating within the Union, as such producers fall outside the territorial scope of Member States' enforcement powers and are not covered by the Union administrative and judicial cooperation mechanisms that facilitate the enforcement of obligations and judgments within the internal market. Making the appointment of an authorised representative for extended producer responsibility voluntary for producers established in third countries could thus increase the risk of freeriding, where producers do not fulfil their legal obligations such as registration, reporting, providing a guarantee or participating in a collective scheme, and could create loopholes for non-compliant producers established in third countries. Thus, the provision in Directive 2008/98/EC that allows Member States to provide that a producer established in a third country and making textile, textile-related or footwear products available for the first time on their territory by means of distance contracts directly to end-users is to	AT (Drafting suggestions): (6) — Ensuring traceability and enforcement with regards to producers established in third countries is more challenging compared to those operating within the Union, as such producers fall outside the territorial scope of Member States' enforcement powers and are not covered by the Union administrative and judicial cooperation mechanisms that facilitate the enforcement of obligations and judgments within the internal market. Making the appointment of an authorised representative for extended producer responsibility voluntary for producers established in third countries could thus increase the risk of freeriding, where producers do not fulfil their legal obligations such as registration, reporting, providing a guarantee or participating in a collective scheme, and could create loopholes for non-compliant producers established in third countries. Thus, the provision in

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appoint, by written mandate, a legal or natural person established on their territory as its authorised representative for the purpose of fulfilling the obligations of a producer related to the extended producer responsibility scheme on their territory should remain applicable. However, Member States should be allowed to ensure traceability and enforcement with regard to producers established in third countries through alternative means.	Directive 2008/98/EC that allows Member States to provide that a producer established in a third country and making textile, textile-related or footwear products available for the first time on their territory by means of distance contracts directly to end-users is to appoint, by written mandate, a legal or natural person established on their territory as its authorised representative for the purpose of fulfilling the obligations of a producer related to the extended producer responsibility scheme on their territory should remain applicable. However, Member States should be allowed to ensure traceability and enforcement with regard to producers established in third countries through alternative means.
(7) The provisions in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 which make the appointment of an authorised representative for extended producer responsibility mandatory should be suspended until 1 January 2035.	AT (Drafting suggestions): (7) The provisions in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 which make the appointment of an authorised representative for extended producer responsibility mandatory should be suspended until 1 January 2035. EE (Drafting suggestions): A) The provision in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 which makes the appointment of an authorised representative for extended producer responsibility for producers established in the Union and selling batteries by means of distance contracts directly to end-users in another Member State mandatory should be suspended only when a single European Union-wide register for extended producer responsibility has been established and is fully operational. B) Where a producer is established in another Member State, the obligation to appoint an authorised representative may be suspended only if the

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	Member State of destination has effective and legally binding mechanisms in place to ensure full compliance with extended producer responsibility obligations, including registration, reporting, financial responsibility and enforcement directly vis-à-vis the producer established in another Member State. Producers established in another Member State remain directly responsible for fulfilling their extended producer responsibility obligations in the Member State where products are placed on the market. C) An operator established in Member State that sells products falling within the scope of producer responsibility directly to users in another state by distance selling shall be responsible for fulfilling its producer responsibility obligations in the state in question. D) Obligation to appoint an authorised representative may be suspended where a contractual arrangement with a producer responsibility organisation is in place. The obligation to appoint an authorised representative may be suspended where a producer has concluded a binding contractual arrangement with a producer responsibility organisation, duly authorised in accordance with applicable legislation in the Member State where the products are placed on the market. E) Member States shall ensure that authorities responsible for implementing this regulation cooperate with each other, in particular to establish an adequate flow of information to ensure that producers comply with the provisions of this Directive and, where appropriate, provide each other and the Commission with information in order to facilitate the proper implementation of this Directive. The administrative cooperation and

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	exchange of information, in particular between national registers, shall include electronic means of communication. Cooperation shall include, inter alia, granting access to the relevant documents and information including the results of any inspections, subject to the provisions of the data protection law in force in the Member State of the authority which is requested to cooperate. EE (Comments): a) Single European Union-wide register shall ensure the registration and identification of producers placing products on the market in one or more Member States, enable competent authorities to verify compliance with extended producer responsibility obligations, and support effective enforcement, including in cross-border and distance-selling situations. Until such a Union-wide register is in place, the obligation to appoint an authorised representative shall remain applicable. <u>B and C) Cross-border enforcement, Finnish approach</u> How to ensure cross-border enforcement of extended producer responsibility regarding producers established in another Member State and in third countries, in the absence of an authorised representative? If we suspend AR then there is a need to establish a clear legal basis enabling Member States to ensure the registration of producers selling into another Member State, and to effectively enforce EPR obligations where producers are not established on the territory concerned. If the authorised representative requirement is to be suspended, it is essential to ensure that producers established in another Member State fully comply

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	with extended producer responsibility obligations in the Member State where their products are placed on the market. In this context, we would like to draw attention to the Finnish approach, which provides a strong and practical legal mechanism to ensure EPR compliance by producers established in another Member State without requiring the appointment of an authorised representative. This approach allows the authorised representative obligation to be waived, provided that effective legal tools are in place to ensure registration, reporting, financial responsibility and enforcement vis-à-vis the producer established in another Member State. Such provision could be incorporated into the simplification legislation, it would allow flexibility where enforcement is effective, while still safeguarding compliance and preventing free-riding. Without such safeguards, removing or suspending the authorised representative requirement would, in our view, undermine compliance, increase free-riding risks and negatively affect the level playing field for compliant producers. Any suspension of the authorised representative obligation should be conditional upon the availability of equivalent enforcement mechanisms, such as those applied in Finland. D) Obligation to appoint an authorised representative may be replaced by a contractual arrangement with a producer responsibility organisation. Where producers fulfil their extended producer responsibility obligations through a producer responsibility organisation, duly authorised in accordance with applicable legislation, and entrust that organisation to fulfil EPR obligations on their behalf, the core EPR requirements are effectively met. In such cases, the appointment of an authorised representative could not be required, as the producer responsibility organisation ensures registration, reporting, fee payment and the financing of waste management.

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	This approach may ensure effective compliance with extended producer responsibility obligations, reduce administrative burden for producers operating cross-border, avoid duplication of roles between authorised representatives and producer responsibility organisations, and maintain traceability and enforceability through an established compliance structure. E) In order to ensure effective enforcement of extended producer responsibility obligations, a horizontal and cross-cutting requirement for administrative cooperation should be established across relevant EPR legislation. Article 18 of the WEEE Directive, which has effectively ensured administrative cooperation and information exchange between Member States, particularly for enforcement purposes. This approach has demonstrated clear added value in supporting compliance in cross-border situations. Such a provision should require that: authorities responsible for implementing EPR legislation cooperate with each other, there is an adequate and timely flow of information to ensure producer compliance, national EPR registers cooperate and exchange information, including through electronic means of communication, and Member States grant access to relevant documents and enforcement-related information, including inspection results, subject to applicable data protection rules. Embedding a similar mandatory cooperation obligation across EPR regulations would strengthen enforcement, support traceability, and ensure consistent application of EPR requirements across the internal market. Without such cooperation mechanisms, simplification measures risk weakening compliance and increasing free-riding.
(8) The Commission is preparing a legislative proposal for a comprehensive reform of the extended producer responsibility system. The proposal is expected to be tabled by the Commission, in accordance with its	AT (Drafting suggestions):

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Work Programme, in 2026. The legislative proposal will be subject to the ordinary legislative procedure and, if adopted by the European Parliament and by the Council, the Member States and the producers will have to take the necessary measures to align their regulatory and organisational measures, as well as their conduct to the new rules with regard to the extended producer responsibility.	(8) — The Commission is preparing a legislative proposal for a comprehensive reform of the extended producer responsibility system. The proposal is expected to be tabled by the Commission, in accordance with its Work Programme, in 2026. The legislative proposal will be subject to the ordinary legislative procedure and, if adopted by the European Parliament and by the Council, the Member States and the producers will have to take the necessary measures to align their regulatory and organisational measures, as well as their conduct to the new rules with regard to the extended producer responsibility.
(9) The provisions in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 that currently set out that Member States are to allow producers established in the Union to appoint an authorised representative for extended producer responsibility leave a margin of discretion to Member States. Member States should not make the appointment of an authorised representative for extended producer responsibility mandatory in their national legislation.	AT (Drafting suggestions): (9) — The provisions in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 that currently set out that Member States are to allow producers established in the Union to appoint an authorised representative for extended producer responsibility leave a margin of discretion to Member States. Member States should not make the appointment of an authorised representative for extended producer responsibility mandatory in their national legislation. SK (Comments): This is absolutely essential for SK to ensure monitoring and verification of compliance with the obligations of producers in relation to extended producer responsibility systems. We consider the appointment of a legal or natural person in a Member State as an authorized representative for the purposes of fulfilling the obligations of a producer from another Member State who places products on the market to be a fundamental legally binding basis for control measures and the implementation of enforcement procedures to enforce compliance with extended producer responsibility obligations.

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	Otherwise, we have serious concerns that the enforcement of compliance will be very complicated and will cause legal uncertainty, which may fragment other producers on the market. We would therefore like to refer to the non-paper signed by several delegations as a common position on this proposal.
(10) Suspending the application of the requirement for producers established in a Member State to appoint authorised representatives for extended producer responsibility when selling products in other Member States serves as a preliminary measure to immediately alleviate burdens and costs for producers who wish to not appoint an authorised representative for extended producer responsibility. This approach paves the way for the implementation of a comprehensive reform of the extended producer responsibility system.	AT (Drafting suggestions): (10) Suspending the application of the requirement for producers established in a Member State to appoint authorised representatives for extended producer responsibility when selling products in other Member States serves as a preliminary measure to immediately alleviate burdens and costs for producers who wish to not appoint an authorised representative for extended producer responsibility. This approach paves the way for the implementation of a comprehensive reform of the extended producer responsibility system. SK (Comments): We do not believe that the wording of this recital is adequate for the reasons set out below. We believe that the principle of a preliminary instrument to alleviate the burden will create more legal uncertainty and may also have negative environmental impacts on ensuring the end-of-life status of products.
(11) Since the objectives of this Directive, namely to provide flexibility to producers established in the Union as to whether they appoint an authorised representative for extended producer responsibility, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt	AT (Drafting suggestions): (11) Since the objectives of this Directive, namely to provide flexibility to producers established in the Union as to whether they appoint an authorised

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measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,	representative for extended producer responsibility, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,
(12)	AT (Drafting suggestions): (12) —
HAVE ADOPTED THIS DIRECTIVE:	AT (Drafting suggestions): HAVE ADOPTED THIS DIRECTIVE:
<i>Article 1</i>	AT (Drafting suggestions): Article 1 DE (Comments): See general comments on the authorized representative above.
<i>Suspension</i>	AT (Drafting suggestions): Suspension DK (Comments):

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	It is unclear whether there is a mistake in COM(2025) 983 final regarding EPR for textiles (Article 1), as the wording does not match the text of the Waste Framework Directive. We are unsure if this is an error in the proposal or if the proposal is intentionally meant to replace the existing wording of Article 22a(3) in the Waste Framework Directive. <i>Question: Could the Commission clarify whether the proposed text is intended as a correction or as a substantive amendment?</i>
The application of the following provisions is suspended until 1 January 2035:	AT (Drafting suggestions): The application of the following provisions is suspended until 1 January 2035: EE (Drafting suggestions): A) The provision in Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 which makes the appointment of an authorised representative for extended producer responsibility for producers established in the Union and selling batteries by means of distance contracts directly to end-users in another Member State mandatory should be suspended only when a single European Union-wide register for extended producer responsibility has been established and is fully operational. B) Where a producer is established in another Member State, the obligation to appoint an authorised representative may be suspended only if the Member State of destination has effective and legally binding mechanisms in place to ensure full compliance with extended producer responsibility obligations, including registration, reporting, financial responsibility and enforcement directly vis-à-vis the producer established in

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	another Member State. Producers established in another Member State remain directly responsible for fulfilling their extended producer responsibility obligations in the Member State where products are placed on the market. C) An operator established in Member State that sells products falling within the scope of producer responsibility directly to users in another state by distance selling shall be responsible for fulfilling its producer responsibility obligations in the state in question. D) Obligation to appoint an authorised representative may be suspended where a contractual arrangement with a producer responsibility organisation is in place. The obligation to appoint an authorised representative may be suspended where a producer has concluded a binding contractual arrangement with a producer responsibility organisation, duly authorised in accordance with applicable legislation in the Member State where the products are placed on the market. E) Member States shall ensure that authorities responsible for implementing this regulation cooperate with each other, in particular to establish an adequate flow of information to ensure that producers comply with the provisions of this directive and, where appropriate, provide each other and the Commission with information in order to facilitate the proper implementation of this Regulation. The administrative cooperation and exchange of information, in particular between national registers, shall include electronic means of communication. Cooperation shall include, inter alia, granting access to the relevant documents and information including the results of any inspections, subject

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	to the provisions of the data protection law in force in the Member State of the authority which is requested to cooperate. EE (Comments): A. Single European Union-wide register shall ensure the registration and identification of producers placing products on the market in one or more Member States, enable competent authorities to verify compliance with extended producer responsibility obligations, and support effective enforcement, including in cross-border and distance-selling situations. Until such a Union-wide register is in place, the obligation to appoint an authorised representative shall remain applicable. <u>B and C) Cross-border enforcement, Finnish approach</u> How to ensure cross-border enforcement of extended producer responsibility regarding producers established in another Member State and in third countries, in the absence of an authorised representative? If we suspend AR then there is a need to establish a clear legal basis enabling Member States to ensure the registration of producers selling into another Member State, and to effectively enforce EPR obligations where producers are not established on the territory concerned. If the authorised representative requirement is to be suspended, it is essential to ensure that producers established in another Member State fully comply with extended producer responsibility obligations in the Member State where their products are placed on the market. In this context, we would like to draw attention to the Finnish approach, which provides a strong and practical legal mechanism to ensure EPR compliance by producers established in another Member State without

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	requiring the appointment of an authorised representative. This approach allows the authorised representative obligation to be waived, provided that effective legal tools are in place to ensure registration, reporting, financial responsibility and enforcement vis-à-vis the producer established in another Member State. Such provision could be incorporated into the simplification legislation, it would allow flexibility where enforcement is effective, while still safeguarding compliance and preventing free-riding. Without such safeguards, removing or suspending the authorised representative requirement would, in our view, undermine compliance, increase free-riding risks and negatively affect the level playing field for compliant producers. Any suspension of the authorised representative obligation should be conditional upon the availability of equivalent enforcement mechanisms, such as those applied in Finland. D) Obligation to appoint an authorised representative may be replaced by a contractual arrangement with a producer responsibility organisation. Where producers fulfil their extended producer responsibility obligations through a producer responsibility organisation, duly authorised in accordance with applicable legislation, and entrust that organisation to fulfil EPR obligations on their behalf, the core EPR requirements are effectively met. In such cases, the appointment of an authorised representative could not be required, as the producer responsibility organisation ensures registration, reporting, fee payment and the financing of waste management. This approach may ensure effective compliance with extended producer responsibility obligations, reduce administrative burden for producers operating cross-border, avoid duplication of roles between authorised representatives and producer responsibility organisations, and maintain traceability and enforceability through an established compliance structure.

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	E) In order to ensure effective enforcement of extended producer responsibility obligations, a horizontal and cross-cutting requirement for administrative cooperation should be established across relevant EPR legislation. Article 18 of the WEEE Directive, which has effectively ensured administrative cooperation and information exchange between Member States, particularly for enforcement purposes. This approach has demonstrated clear added value in supporting compliance in cross-border situations. Such a provision should require that: authorities responsible for implementing EPR legislation cooperate with each other, there is an adequate and timely flow of information to ensure producer compliance, national EPR registers cooperate and exchange information, including through electronic means of communication, and Member States grant access to relevant documents and enforcement-related information, including inspection results, subject to applicable data protection rules. Embedding a similar mandatory cooperation obligation across EPR regulations would strengthen enforcement, support traceability, and ensure consistent application of EPR
(a) Article 22a(3) of Directive 2008/98/EC.	AT (Drafting suggestions): (a) — Article 22a(3) of Directive 2008/98/EC. CZ (Comments): The provision of Article 22a(3) of the WFD is one of the essential tools for ensuring the enforceability of the obligations of manufacturers who place textile products and footwear on the EU market through distance selling

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	from third countries. Therefore, CZ does not support the suspension of the obligation to appoint an authorised representative in their case. FI (Drafting suggestions): Addition to the directive 2008/98/EC: <u>Each Member State shall ensure, that a producer as defined in Article 3(4b), point (d) established on its territory, fulfills its producer responsibility obligations [and join a producer responsibility organisation], in another Member State where it sells its products direct to end users.</u> FI (Comments): This addition would be necessary for the supervision of distance sellers and their EPR obligations, especially concerning the request for executive assistance from the supervisory authority in another Member State. If we suspend the requirements of Member States to ensure that a distant seller appoints an authorised representative in that other Member State it would cause that the Member States would no longer be obliged to check that distance sellers established on their territory fulfil their producer responsibility obligations in another Member States. It is important that it is required in national legislation that distance sellers have to fulfill EPR obligations in other Member States where they sell their products direct to end users. This is necessary, when a supervisory authority of other Member State asks their assistance in supervision of those producers who are established in their territory. We have found it very effective in terms of supervision that we require all producers to join the producer responsibility organisation, which ensures

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	registration, reporting, fee payment and the financing of waste management on behalf of distance seller.
Member States may either provide that a producer as defined in Article 3(4b), point (d), of that Directive established in a third country and making textile, textile-related or footwear products listed in Annex IVc of that Directive available for the first time on their territory is to appoint, by written mandate, a legal or natural person established on their territory as its authorised representative for the purpose of fulfilling the obligations of a producer related to the extended producer responsibility scheme on their territory or ensure traceability and enforcement with regard to producers established in third countries through alternative means;	AT (Drafting suggestions): Member States may either provide that a producer as defined in Article 3(4b), point (d), of that Directive established in a third country and making textile, textile-related or footwear products listed in Annex IVc of that Directive available for the first time on their territory is to appoint, by written mandate, a legal or natural person established on their territory as its authorised representative for the purpose of fulfilling the obligations of a producer related to the extended producer responsibility scheme on their territory or ensure traceability and enforcement with regard to producers established in third countries through alternative means; BE (Comments): Article 1 explicitly allows producers established in third countries to comply with EPR obligations under the WFD through “alternative means”. This explicit reference does not appear for the WEEE Directive (Article 2) or the SUP Directive (Article 3), although they also establish EPR schemes. COM(2025) 982 also explicitly refers to “alternative means” for third country producers selling batteries (Article 1) and packaging or packaged products (Article 2). Could the Commission clarify the rationale for this difference in approach? CZ (Comments):

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	It is unclear what the possible 'alternative means' are, i.e. what measures a Member State can implement. <u>What specific procedures are meant by the term "alternative means"?</u> ES (Drafting suggestions): <u>The second paragraph of Article 22a.3 is replaced by the following provision:</u> Member States may either provide that a producer as defined in Article 3(4b), point (d), of that Directive established in a third country and making textile, textile-related or footwear products listed in Annex IVc of that Directive available for the first time on their territory is to appoint, by written mandate, a legal or natural person established on their territory as its authorised representative for the purpose of fulfilling the obligations of a producer related to the extended producer responsibility scheme on their territory or ensure traceability and enforcement with regard to producers established in third countries through alternative means; IE (Comments): IE does not support this change. Our common law system traditionally requires a presence within the Member State for the serving of enforcement notices. The removal of the requirement for authorised representative means there is no enforcement mechanism to ensure EPR obligations are met by producers outside the MS, encouraging free-riding and running counter the idea of a level-playing field. It may be possible to address this issue through the establishment of a network of focal points and a central repository, but IE

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	feels any issues around AR in each MS should be dealt with holistically under the proposed Circular Economy Act. LV (Comments): Regarding suspension of the Article 22a(3) of Directive 2008/98/EC we would like to clarify if it is really meant the Member States should not require a textile manufacturer established in another Member State to appoint an authorised representative for EPR, while producers from the third country are allowed to appoint their authorised representative. We would like to seek clarification why there is such different approach regarding producers from the third country and producers from other Member State. Please explain what alternatives are available to Member States for obtaining information on a manufacturer established in another MS who places textile products on their market and on the manner in which that manufacturer fulfils the manufacturer's responsibility. We are in particularly concerned, how these amendments will affect compliance with requirements of the proposal for a Council Decision on the system of own resources of the European Union and repealing Decision (EU, Euratom) 2020/2053 regarding E-waste. SK (Comments): This is absolutely essential for SK to ensure monitoring and verification of compliance with the obligations of producers in relation to extended producer responsibility systems. We consider the appointment of a legal or natural person in a Member State as an authorized representative for the purposes of fulfilling the obligations of a producer from another Member State who places products on the market to be a fundamental legally binding basis for

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	control measures and the implementation of enforcement procedures to enforce compliance with extended producer responsibility obligations. Otherwise, we have serious concerns that the enforcement of compliance will be very complicated and will cause legal uncertainty, which may fragment other producers on the market. We would therefore like to refer to the non-paper signed by several delegations as a common position on this proposal
(b) Article 17(2) of Directive 2012/19/EU;	AT (Drafting suggestions): Article 17(2) of Directive 2012/19/EU; FI (Drafting suggestions): Addition to the directive 2012/19/EU: <u>Each Member State shall ensure, that a producer as defined in Article 3(1)(f)(iv) established on its territory, fulfills its producer responsibility obligations [and join a producer responsibility organisation], in another Member State where it sells its products direct to end users.</u> FI (Comments): Same reasoning than above concerning WFD: This addition would be necessary for the supervision of distance sellers and their EPR obligations, especially concerning the request for executive assistance from the supervisory authority in another Member State. If we suspend the requirements of Member States to ensure that a distant seller appoints an authorised representative in that other Member State it would cause that the Member States would no longer be obliged to check that

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From: AT, BE, BG, CZ, DE, DK, EE, ES, FI, IE, LV, MT, SE, SK

Deadline: 26 January 2026

Updated: 29/01/2026 09:35

Commission proposal	Drafting suggestions and Comments
	distance sellers established on their territory fulfil their producer responsibility obligations in another Member States. It is important that it is required in national legislation that distance sellers have to fulfill EPR obligations in other Member States where they sell their products direct to end users. This is necessary, when a supervisory authority of other Member State asks their assistance in supervision of those producers who are established in their territory. We have found it very effective in terms of supervision that we require all producers to join the producer responsibility organisation, which ensures registration, reporting, fee payment and the financing of waste management on behalf of distance seller. IE (Comments): IE does not support this change. Our common law system traditionally requires a presence within the Member State for the serving of enforcement notices. The removal of the requirement for authorised representative means there is no enforcement mechanism to ensure EPR obligations are met by producers outside the MS, encouraging free-riding and running counter the idea of a level-playing field. It may be possible to address this issue through the establishment of a network of focal points and a central repository, but IE feels any issues around AR in each MS should be dealt with holistically under the proposed Circular Economy Act. LV (Comments): 1) Regarding suspension of Article 17(2) of Directive 2012/19/EU we seek explanation why the suspension of Article 17(2) of Directive 2012/19/EU does not provide a similar explanations regarding duties of producers of EEE from third countries, and how Member States can obtain data from those

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	producers which are located in other Member State and does not have authorized representative.
(c) Article 8(7) of Directive (EU) 2019/904.	AT (Drafting suggestions): Article 8(7) of Directive (EU) 2019/904. FI (Drafting suggestions): Addition to the directive (EU) 2019/904: <u>Each Member State shall ensure, that a producer established on its territory and sells single-use plastic products listed in Part E of Annex and fishing gear containing plastic in another Member State in which it is not established, fulfills its producer responsibility obligations [and join a producer responsibility organisation], in that another Member State where it sells its products direct to end users.</u> FI (Comments): Same reasoning than above concerning WFD: This addition would be necessary for the supervision of distance sellers and their EPR obligations, especially concerning the request for executive assistance from the supervisory authority in another Member State. If we suspend the requirements of Member States to ensure that a distant seller appoints an authorised representative in that other Member State it would cause that the Member States would no longer be obliged to check that distance sellers established on their territory fulfil their producer responsibility obligations in another Member States.

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	It is important that it is required in national legislation that distance sellers have to fulfill EPR obligations in other Member States where they sell their products direct to end users. This is necessary, when a supervisory authority of other Member State asks their assistance in supervision of those producers who are established in their territory. We have found it very effective in terms of supervision that we require all producers to join the producer responsibility organisation, which ensures registration, reporting, fee payment and the financing of waste management on behalf of distance seller. IE (Comments): IE does not support this change. Our common law system traditionally requires a presence within the Member State for the serving of enforcement notices. The removal of the requirement for authorised representative means there is no enforcement mechanism to ensure EPR obligations are met by producers outside the MS, encouraging free-riding and running counter the idea of a level-playing field. It may be possible to address this issue through the establishment of a network of focal points and a central repository, but IE feels any issues around AR in each MS should be dealt with holistically under the proposed Circular Economy Act.
<i>Article 2</i>	AT (Drafting suggestions): <i>Article 2</i>
<i>Transposition</i>	AT (Drafting suggestions): <i>Transposition</i>

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Commission proposal	Drafting suggestions and Comments
1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [OP: please insert date 12 months after entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.	AT (Drafting suggestions): 1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [OP: please insert date 12 months after entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions. LV (Drafting suggestions): Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [OP: please insert date 18 months after entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions. LV (Comments): 2) Taking into account that there should be made amendments to national legal acts and to producer registration procedures, in Article 2 we would prefer a longer term for transposition – at least 18 month.
When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	AT (Drafting suggestions): When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	AT (Drafting suggestions): 2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.
<i>Article 3</i>	AT (Drafting suggestions): Article 3
<i>Entry into force</i>	AT (Drafting suggestions): Entry into force
This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	AT (Drafting suggestions): This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>.
<i>Article 4</i>	AT (Drafting suggestions): Article 4
<i>Addressees</i>	AT (Drafting suggestions): Addressees

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This Directive is addressed to the Member States.	AT (Drafting suggestions): This Directive is addressed to the Member States.
Done at Brussels,	AT (Drafting suggestions): Done at Brussels,
<i>For the European Parliament</i> <i>For the Council</i>	AT (Drafting suggestions): <i>For the European ParliamentFor the Council</i>
The President The President	AT (Drafting suggestions): The President The President