

Suspending the application of the rules on extended producer responsibility for waste, waste electrical and electronical equipment and single use plastic waste (Omnibus VIII on environmental legislation)

2025/0396(COD) - 10/12/2025 - Legislative proposal

PURPOSE: to suspend the application of the rules on the appointment of an authorised representative for extended producer responsibility for waste, waste electrical and electronical equipment and single use plastic waste.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: in its Communication on a Strategy for the Single Market, 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 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**.

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.

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.

CONTENT: this proposed Directive aims to **reduce the administrative burden for producers** established in one Member State of the Union selling their products in other Member States, in relation to the participation of these producers in the extended producer responsibility schemes in those other Member States, set up under the following EU instruments:

- Directive 2008/98/EC on waste;
- Directive 2012/19/EU on waste electric and electronic equipment;

- Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment.

Specifically, the proposal aims to **suspend, until 1 January 2035**, the provisions of Directives 2008/98/EC, 2012/19/EU and (EU) 2019/904 which make the appointment of an authorised representative for extended producer

responsibility mandatory.

The proposal would provide **additional flexibility** by allowing producers established in the Union and selling products in another Member State to choose whether they appoint an authorised representative for EPR.

Provisions regarding the appointment of authorised representatives for EPR for producers based in third countries should remain as they currently are contained in sectoral legislation.