

Question for written answer E-003236/2026
to the Commission
Rule 144
Ivaylo Valchev (ECR)

Subject: Transitional application of Article 45(3) of the Packaging and Packaging Waste Regulation to small businesses

From 12 August 2026, Article 45(3) of Regulation (EU) 2025/40 will require producers established in the EU who sell directly to end-users in another Member State to appoint an authorised representative for extended producer responsibility in that Member State.

Fixed costs and administrative burdens may prove disproportionate for craftspeople and micro-producers who sell small quantities abroad, including through online platforms. This will apply even when they are registered with the relevant national schemes and comply with obligations to report and pay contributions.

COM(2025) 982 proposes that the application of this provision be suspended, but only from the date on which the amending regulation enters into force. If it is adopted after 12 August, businesses may be forced to hire representatives temporarily, only to terminate their contracts shortly afterwards.

1. How does the Commission intend to prevent the provisional application of this requirement and the resulting unnecessary costs?
2. Would it support the suspension of the measure, with effect from 12 August 2026, at least for micro and small enterprises established in the EU?
3. Until the amendment enters into force, will the Commission coordinate with the Member States to ensure a proportionate and consistent approach to enforcement, without prejudice to other obligations arising from extended producer responsibility?

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