

Question for written answer E-003399/2026
to the Commission
Rule 144
Virginie Joron (PfE)

Subject: Packaging: the Commission tells the Member States not to apply its Regulation on packaging and packaging waste the day after the regulation's official date of application

Regulation (EU) 2025/40 on packaging and packaging waste became applicable on 12 August 2026.

The following day, at a press conference, a senior official at the Commission told the German daily newspaper *Die Welt*: 'We encourage Member States not to apply the new rules and not to impose penalties', calling the text 'clearly disproportionate'¹. At the same time, French e-commerce microenterprises have warned about the red tape, including as regards apostilles and the costs imposed² for representation in each country. Those costs can exceed EUR 600 – and even EUR 2 000 – per country per year for companies with minimal turnover, forcing them to cease operations in several European countries. On 24 June 2026, due to the lack of a majority, the Council supposedly abandoned the proposal to suspend Article 45(3) of the regulation. An exemption for small businesses will be debated in the European Parliament in October³.

1. Can the Commission confirm that the 'pragmatic approach' recommended by the Commission official means that no fines should be imposed and clarify whether the instructions to not apply the regulation have been formalised in writing to the national supervisory authorities?
2. Has the Commission made written representations to major intermediaries, such as Amazon, to confirm that this 'pragmatic approach' is actually applied in their dealings with small European businesses?

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¹ <https://audiovisual.ec.europa.eu/en/media/video/I-293384?language=EN&start=2664&end=2750>; <https://brusselssignal.eu/2026/08/commission-tells-member-states-to-ignore-its-own-new-packaging-rules-and-skip-penalties/>.

² Article 45(3) of the Regulation on packaging and packaging waste.

³ <https://www.consilium.europa.eu/en/press/press-releases/2026/06/24/simplification-council-agrees-negotiating-stance-to-simplify-and-streamline-environmental-rules/>; <https://expira.eu/2026/06/29/parliament-takes-a-more-targeted-approach-to-the-epr-authorised-representative-suspension/>.