

(English version)

**Question for written answer E-001780/24
to the Commission
Tomáš Zdechovský (PPE)
(23 September 2024)**

Subject: Harmonisation of packaging legislation and the administrative burden on small enterprises in the EU

Small businesses in the EU that export their products abroad face significant obstacles on account of different national rules for packaging legislation. Having to appoint an authorised representative and comply with onerous administrative requirements places a disproportionate financial burden on small businesses. This is contrary to the principles of free trade and may prevent small businesses from exporting to some Member States.

1. Does the Commission plan to harmonise the rules for packaging legislation within the EU in order to reduce the administrative and financial burden on small businesses trading between Member States?
2. Is the Commission considering introducing a single European system for recording packaging, which would make it easier for businesses to comply with their obligations without having to appoint representatives in each country?
3. Is the Commission prepared to propose exemptions for small businesses using a minimum amount of packaging so that they are not burdened with excessive fees and red tape?

Submitted: 23.9.2024

**Answer given by Ms Roswall on behalf of the European Commission
(10 January 2025)**

1. The provisionally agreed Packaging and Packaging Waste Regulation strives for maximum harmonisation across the EU, focusing on increasing the sustainability and circularity of packaging, while leaving certain areas for Member States to adapt to national systems. For example, the regulation provides for harmonised packaging labelling to improve consumer sorting, EU criteria for assessing recyclability based on a standardised design-for-recycling approach, and common rules on deposit and return systems for plastic bottles and cans.
 2. The regulation harmonises criteria for eco-modulation of fees under extended producer responsibility (EPR) schemes and streamlines national registration rules, reducing differences across Member States. It requires Member States to establish linked producer registers across the EU to simplify registration, reduce burdens and improve compliance for businesses selling packaging across the EU. The regulation does harmonise EPR registration throughout the EU and introduces a system based on authorised representatives for fulfilling EPR obligations in Member States other than those where the producer is established, which is the case for other waste streams as well.
 3. The requirements laid down in the regulation take due account of the specificities of small and medium-sized enterprises, especially micro-enterprises. In addition, Article 44(8) provides that producers who have placed on the market less than ten tonnes of packaging in a given year, or their EPR representatives, can submit a simplified set of information to the authority responsible for the register, as outlined in Annex IX to the regulation.
-