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Answer given by Ms Roswall
on behalf of the European Commission
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The Commission is aware that the costs and administrative burden for selling relatively small quantities across several Member States can be significant for small businesses.

To minimise administrative burdens and costs for small businesses, the Commission proposed, in December 2025, in its Environmental Omnibus[1], to suspend the obligation for producers to appoint an authorised representative when the producer sells packaged products directly to consumers in Member States other than the one where it is located. The proposal is currently being examined by the European Parliament and the Council.

The Commission encourages Member States to make use of the national flexibilities they have to avoid disproportionate regulatory burden on producers, of small quantities of packaging, including small and medium-sized enterprises, in line with the Waste Framework Directive and the Packaging and Packaging Waste Regulation[2].

As part of the work on the upcoming proposal for a Circular Economy Act, the Commission is looking more broadly at how Extended Producer Responsibility schemes can be improved focusing on simplification, harmonisation and digitalisation, using the full potential of the Single Market.

[1] https://environment.ec.europa.eu/publications/simplification-administrative-burdens-environmental-legislation_en.

[2] Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (‘Member States shall ensure equal treatment of producers of products regardless of their origin or size, without placing a disproportionate regulatory burden on producers, including small and medium-sized enterprises, of small quantities of products’) and Regulation (EU) 2025/40 of the European Parliament and of the Council of 19 December 2024 on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC (‘Producer responsibility organisations shall ensure equal treatment of producers regardless of their origin or size, without placing a disproportionate burden on producers of small quantities of packaging, including packaging of packaged products, including small and medium-sized enterprises’).