

## Reaction to the proposed suspension of the mandatory appointment of an authorised representative for EPR in the Environmental Omnibus

Recycling Europe welcomes the Commission's objective to facilitate the implementation of existing laws and the achievement of environmental objectives, while simultaneously reducing unnecessary bureaucracy for businesses and boosting the single market. The implementation of well-functioning Extended Producer Responsibility (EPR) schemes is key to supporting the EU's circularity objectives across all waste streams, and the forthcoming **Circular Economy Act** presents a valuable opportunity to tackle existing shortcomings. However, **we would like to share our concerns about the proposal to suspend, until 2035, the obligation for producers to appoint an authorised representative in Member States where they are not established.**

While fully supporting the Commission's simplification efforts to reduce administrative burden and regulatory obstacles for companies – which are flagged as the biggest challenge for 55% of SMEs<sup>1</sup> - **Recycling Europe supports that the national authorised representative (AR) requirement for foreign producers in EPR schemes should be maintained**, as currently outlined in the Batteries and Waste Batteries Regulation (EU 2023/1542), Packaging and Packaging Waste Regulation (EU 2025/40), and the targeted revision of Waste Framework Directive for Textile waste (EU 2025/1892).

The AR plays a key role by ensuring legal accountability for foreign producers in Member States where they lack a physical presence. **It guarantees compliance with EPR obligations** - registration, reporting, financial contributions, and technical requirements - **while simplifying enforcement for authorities**. By acting as a bridge between foreign producers and local markets, the AR reduces bureaucratic hurdles and fosters compliance.

Without the mandatory appointment of an authorised representative, producers not established in the countries where they sell their products could more easily circumvent the declaration obligations imposed by EPR schemes, creating significant competitive distortions that disadvantage compliant companies. **This would further contribute to free riding**, which creates an uneven level playing field by placing an additional financial burden on compliant market actors and leaves waste management for products covered by EPR underfunded, ultimately undermining the achievement of environmental objectives.

For recyclers, the impact would be equally concerning. Without the AR, traceability of products and materials would become more difficult, increasing the risk of poorly designed, non-reusable or non-recyclable products entering the market. This would directly affect the quality of waste streams, making reuse and recycling processes more costly and less efficient.

**Consequently, Recycling Europe calls for the appointment of an authorised representative – which is proposed to be made optional under the Environmental Omnibus – to remain mandatory and urges the Commission and co-legislators to reconsider this approach.**

Note to editor: Recycling Europe (formerly EuRIC) is the voice of Europe's recycling industry, including 80 national federations & companies across 24 EU & EFTA countries. From metals and paper to plastics, textiles, tyres, ships, construction & demolition waste, WEEE and ELVs, our members transform waste into resources, powering Europe's circular economy, ensuring resource autonomy, and boosting competitiveness and sustainable industrialisation across the continent. For press-related enquiries, please contact Zoi Didili, Recycling Europe's Senior Communications Advisor at [zdidili@recyclingeurope.org](mailto:zdidili@recyclingeurope.org) or at +32 (0) 489 09 46.

<sup>1</sup> [European Commission](#) - Q&As on the 2025 overview report on simplification, implementation and enforcement of EU rules