

Joint reaction to the Environmental Omnibus: call to maintain Authorised Representatives' obligation for EPR

Key message

Following the European Commission's proposal for an Omnibus package targeting the simplification of administrative burdens in environmental legislation (Environmental Omnibus), a particular point has raised worries across European industry and civil society. The signatories of this joint statement hereby express their collective concerns about the proposed suspension of the mandatory appointment of an Authorised Representative for Extended Producer Responsibility (EPR) in the Environmental Omnibus.

[We unite our voices to ask EU co-legislators to remove the suspension, until 2035, of the Authorised Representative obligations from the Environmental Omnibus \(Regulations 2025/0396 and 2025/0395\)](#) and call on the European Commission to address the EPR scheme's refinement, including the Authorised Representatives, within the upcoming Circular Economy Act.

The importance of Authorised Representatives

Without a legally responsible entity stationed within a Member State, national authorities and/or PROs lose their **primary lever for ensuring compliance** with registration, reporting, and financial contribution mandates, hindering the ability of PROs to fulfil their obligations. EPR schemes are fundamentally designed to finance waste management and recycling through producer contributions. Any increase in unregistered or non-compliant producers thus translates into a loss of revenue, **undermining PROs' capacity to finance collection, treatment and recycling operations**. In a context already of high non-compliance, this erosion of oversight shifts the environmental and financial burden even more onto compliant market players, thereby distorting competition and creating a situation of underfunding of waste management.

The mandatory role of the Authorised Representatives for EPR serves as the essential legal connection between non-established producers and national enforcement authorities. By suspending these requirements, the proposed regulations would **weaken the enforceability of EPR obligations**, particularly for third-country producers, making it easier to bypass their duties.

The Authorised Representatives system is also important for **product and material traceability** throughout the value chain. Weakening this link risks a rise of non-compliant products entering the European market, which directly complicates waste processing and increases the systemic costs of the circular economy. We believe that the complexities inherent in market surveillance require a structural and long-term approach rather than the suspension currently suggested.

Our recommendations

The provisions outlined in Article 1 of the proposed Regulation 2025/0396, as well as Articles 1 and 2 of Regulation 2025/0395, pose a significant threat to the integrity of the EU's circular economy objectives by undermining a cornerstone of environmental accountability. We therefore call to **maintain Authorised Representative obligations across all sectors addressed by the Omnibus and oppose their proposed suspension.**

While reducing administrative burdens may appear, at first glance, as a low-hanging fruit to support industry, we believe that **effective enforcement of existing rules is even more critical.** A robust and credible European legal framework should therefore be firmly grounded in consistent and harmonised enforcement, ensuring a level playing field and delivering on its intended objectives.

The undersigned organisations ask for the Authorised Representative framework to be **addressed comprehensively in the Circular Economy Act (CEA)**, together with the broader EPR functioning. It is crucial that the time left until the establishment of the CEA is used for a rigorous assessment of enforcement gaps. The use of the Authorised Representatives for EPR can be **better harmonised, defined and improved rather than being sidelined.**

This statement is supported by the undersigned organisations.

