

IVSH Feedback on the Draft Implementing Regulation on National Producer Registers under the PPWR

A harmonised format is not yet a harmonised system

The German Association of the Cutlery and Housewares Industry, IVSH, supports the environmental objectives of Regulation (EU) 2025/40, including packaging prevention, improved circularity and the effective implementation of Extended Producer Responsibility.

IVSH also supports the Commission's intention to establish common electronic formats for registration and reporting. Standardised datasets, information requirements and reporting structures are preferable to entirely different national formats.

However, the present initiative addresses only a very part of the problem.

The principal burden for companies does not arise solely from different data fields or reporting templates. It results from the obligation to interact with separate national producer registers, national Extended Producer Responsibility systems, competent authorities, over-compliance and gold-plating within the value chain, Producer Responsibility Organisations, reporting procedures and, depending on the circumstances, authorised representatives in each relevant Member State.

The draft implementing regulation may therefore harmonise the format of registration and reporting without establishing a genuinely harmonised registration and reporting system.

This distinction is essential. Common forms provide only limited relief if the same company must still establish and maintain separate administrative relationships in every Member State in which it places packaged products on the market.

Regulation (EU) 2025/40 itself recognises that fragmented rules and unclear requirements create uncertainty and additional costs for economic operators. At the same time, the Regulation is intended to contribute to the efficient functioning of the internal market through greater harmonisation. A system retaining parallel national compliance structures should therefore be assessed not only according to the consistency of its forms, but also according to its cumulative impact on cross-border trade.

From IVSH's perspective, harmonising the appearance of national registration systems is not sufficient. What companies need is a single, reliable and proportionate European compliance process.

National registration structures risk becoming barriers to cross-border trade

IVSH has received feedback indicating that small companies and online sellers are considering restricting or discontinuing supplies to customers in other Member States because they cannot manage multiple national registrations and the possible involvement of additional service providers or authorised representatives, especially for countries where only small number of shipments are happening.

The available feedback does not allow IVSH to quantify how many companies have already withdrawn from individual markets. It nevertheless provides a concrete warning signal that the fixed administrative cost of national EPR compliance can directly influence decisions on whether to serve customers in another Member State.

This effect is particularly relevant for small enterprises supplying limited quantities to several European markets.

A company may have to:

- identify the relevant national register;
- determine the applicable producer status;
- complete a national registration;
- understand national packaging classifications;
- contract with a national system or service provider;
- monitor national deadlines;
- maintain national registration data;
- submit recurring national reports;
- appoint an authorised representative where required;
- where applicable use national labelings;
- monitor changes in the national procedure.

Many of these are fixed compliance costs. They do not decrease proportionately with the amount of packaging/products placed on the respective market.

Consequently, the administrative cost per kilogram of packaging can become particularly high for a small enterprise entering a limited export market. This can make low-volume

cross-border trade commercially unattractive or practically impossible, especially for SME.

The relevant question is not whether producers should be subject to clear packaging requirements. The question is whether fulfilling those requirements requires a separate administrative relationship in every Member State and whether SME should be treated like large multinational corporates.

In IVSH's view, it does not and they should not.

The PPWR has not created a sufficiently uniform EPR environment

Practical feedback from companies shows that the PPWR has not yet created a sufficiently uniform EPR environment across the European Union.

This practical experience shows that the challenge extends far beyond the technical design of national forms.

Companies must determine:

- which economic operator is responsible;
- which packaging level is covered;
- in which Member State the relevant obligation arises;
- which data must be provided;
- how the national register interacts with existing EPR systems;
- whether the obligation applies to the supplier, distributor, importer or direct seller.

A harmonised reporting template cannot resolve these questions if the underlying national procedures, allocation rules and administrative practices remain different.

Simplified reporting below 10 tonnes is not sufficient

IVSH welcomes the recognition that lower-volume producers require proportionate reporting arrangements.

However, a simplified reporting format for producers placing less than 10 tonnes of packaging on the market in a Member State per calendar year does not address the

underlying problem. It simplifies the information to be reported but leaves the national registration architecture in place.

A simplified report does not remove the need to:

- determine the applicable national obligation;
- identify and access the relevant register;
- complete the initial registration;
- maintain company information in the national system;
- monitor national deadlines and procedural changes;
- clarify the need for an authorised representative;
- interact with national EPR structures.

All factors mostly harming SMEs, that most often simply do not have the internal or external resources at hand to comply with all of those requirements.

The proportionality of the proposed system must therefore be assessed at two separate levels.

Data proportionality

How much information must a producer provide?

System proportionality

How many separate administrative relationships must the producer establish and maintain?

The draft primarily addresses data proportionality. From the perspective of small enterprises engaged in cross-border trade, system proportionality is at least equally important.

A shorter form in each Member State remains a separate form, a separate account, a separate deadline and a separate compliance risk.

IVSH therefore considers simplified reporting insufficient. A genuine exemption from separate national procedures is required.

General exemption for small enterprises and low-volume supplies

IVSH calls for a general exemption from separate national registration, reporting and authorised-representative obligations where either of the following conditions is met:

1. the producer qualifies as a small enterprise within the meaning of Commission Recommendation 2003/361/EC; or
2. the producer places less than 500 kg of packaging on the market in the respective Member State during a calendar year.

Under the established EU definition, a small enterprise employs fewer than 50 persons and has an annual turnover or annual balance-sheet total not exceeding EUR 10 million. Using this established category avoids creating a new PPWR-specific company classification.

The two criteria should apply independently.

The company-size criterion recognises that small enterprises generally do not have the personnel, legal departments, environmental departments or compliance structures required to monitor and operate numerous national registration systems.

The quantity criterion recognises that even a medium-sized or larger company should not have to establish a complete national compliance structure merely because it places less than 500 kg of packaging on the market in a particular Member State during a calendar year.

The exemption must apply automatically and uniformly throughout the European Union. It should not require a separate application, approval or registration in every Member State.

Companies should only be required to retain appropriate documentation demonstrating that the applicable company-size or packaging-volume threshold has been met.

A supposed exemption that requires separate applications in every national system would reproduce the administrative burden it is intended to remove.

National allocation does not require separate national administration

Packaging quantities may need to be allocated to the Member States in which the respective packaging is placed on the market. However, such an allocation does not require every producer to operate separate national registration processes.

A European administrative interface could:

1. receive a single registration;
2. issue a single European producer identifier;
3. collect one consolidated report;
4. allocate the reported quantities to the relevant Member States;
5. transmit the necessary data to national authorities and EPR systems.

The Commission should therefore distinguish clearly between:

- the geographical allocation of packaging quantities;
- the administrative process through which producers provide the relevant information.

National allocation may remain necessary. Separate national administration is not.

This distinction is fundamental to a proportionate and Single Market-compatible system.

Multiple authorised representatives create disproportionate fixed costs

The possible need to appoint authorised representatives in several Member States is a particular concern for small enterprises and low-volume cross-border suppliers.

For companies supplying relatively small quantities to individual markets, representative fees and related administrative costs may bear no reasonable relationship to the quantities concerned.

Multiple representative requirements may lead companies to:

- withdraw from smaller markets;
- limit direct cross-border sales;
- consolidate distribution through larger intermediaries;
- reduce the range of products offered in individual Member States.

IVSH therefore recommends that separate national representative requirements be removed.

Where an authorised representative remains legally necessary outside the proposed exemption, one appointment should be valid throughout the European Union.

Alternatively, the European registration interface should serve as the central administrative and enforcement contact point.

The purpose of an authorised representative should be to ensure accessibility and effective enforcement. It should not become a mandatory commercial service and a recurring fixed market-entry cost in every Member State.

Late and changing guidance undermines legal certainty

The practical implementation of the PPWR has also demonstrated the importance of timely and stable guidance.

The Commission's FAQ document was initially completed in March 2026 and updated in August 2026. The updated document was available only one week before the general application date of the PPWR on 12 August 2026.

The Commission's guidance acknowledges that a significant number of interpretative questions have been raised by stakeholders and Member State authorities. It also confirms that further implementing measures, delegated acts, standardisation requests and guidelines will follow.

IVSH recognises that guidance may need to be updated as practical experience develops. Nevertheless, companies cannot be expected to adapt compliance systems, packaging documentation, supplier arrangements and national registrations immediately where significant interpretations are published or materially revised shortly before enforcement.

This concern is reinforced by the practical PPWR work of IVSH.

Members have required repeated clarification concerning:

- the definition and responsibility of the producer;
- the treatment of transport packaging;
- packaging identifiers;
- the applicable documentation;
- the treatment of existing packaging stocks;
- the requirements already applicable compared with future PPWR requirements;
- national EPR registration and reporting obligations.

The situation is particularly difficult for small enterprises, which must translate late regulatory clarifications into operational changes without dedicated legal and compliance departments.

Therefore, in our view new or materially revised interpretations that substantially affect company obligations should not serve as a basis for sanctions, product blocking or market-access restrictions until companies have been given an adequate implementation period following official publication.

Where national interfaces, registers or official guidance are incomplete or materially changed close to the relevant application date, coordinated enforcement restraint should apply.

Companies acting transparently and in documented good faith should not be penalised for administrative uncertainty created by late guidance, incomplete public infrastructure or inconsistent national implementation.

Regulatory uncertainty creates private over-compliance

IVSH's practical work with member companies shows that PPWR uncertainty is not confined to public registration systems. It is multiplied throughout supply chains.

IVSH has examined company requests involving:

- extensive packaging questionnaires far exceeding PPWR requirements;
- detailed Excel templates;
- requests combining PPWR obligations with requirements arising from other regulatory frameworks;
- and many more.

In an internal IVSH briefing of 24 August 2026, three recurring types of customer request were assessed.

IVSH distinguished between:

- information that may reasonably be required, including relevant packaging materials and weights;
- information that should be limited to currently applicable requirements;

- demands requesting complete documentation or evidence relating to future requirements;
- requests mixing PPWR requirements with obligations from other regulatory regimes, or even made up regulatory regimes.

This points to a broader trickle-down effect under which regulatory uncertainty leads customers, distributors and marketplaces to request information or assurances that may go beyond the applicable legal requirements.

A fragmented registration system risks reinforcing this effect.

Wherever distributors, customers and online marketplaces cannot easily verify a producer's status through an authoritative and interoperable European system, they may develop their own parallel questionnaires, documentary requirements and contractual assurances.

To prevent such uncertainty from turning into unlimited private over-compliance, the Commission should define clear cut-offs for information requests along the supply chain. Information that is not required for public registration, enforcement or the fulfilment of a clearly identifiable legal obligation of another economic operator should not routinely be requested as a condition for market access, listing or continued supply.

Commission-endorsed SME templates, standard declarations or verification formats should therefore be deemed sufficient where they are duly completed. Comparable to the function of declarations of conformity in other product-regulatory contexts, they should confirm the relevant compliance status without triggering open-ended requests for underlying technical, commercial or supply-chain documentation.

Report once, verify many times.

Once legally required information has been submitted to a recognised register, competent authorities, distributors and online marketplaces should be able to verify the relevant registration status without routinely requesting the same corporate or packaging information again.

In the medium term, the same principle should also apply to information made available through a Digital Product Passport (DPP) or comparable authoritative digital compliance infrastructure. Where legally required and standardised information is provided in such a

system (in best case using standardized templates), economic operators should be able to rely on it instead of launching individual, duplicative and often divergent information requests throughout the supply chain.

The Commission should more clearly distinguish between:

- information required only by public authorities for registration and enforcement;
- information needed by another economic operator to fulfil its own legal obligations;
- additional information requested solely for contractual or commercial risk management.

Public registration requirements should not unintentionally legitimise unlimited private data requests throughout the supply chain.

Companies need reliable and accessible EU-wide information

The absence of a single authoritative overview of national registration systems is itself an administrative burden.

Companies need reliable information on:

- the competent national register;
- whether the register is operational;
- the registration process;
- the required information;
- applicable languages;
- reporting deadlines;
- available exemptions or simplified procedures;
- authorised-representative requirements;
- contact details for unresolved cases.

This information should not have to be reconstructed from individual national websites, commercial service providers or non-binding country summaries.

The Commission should provide a publicly accessible and continuously updated EU register map. It should clearly indicate the legal and operational status of every national system.

Where a national registration process is not technically operational or does not support the harmonised requirements, companies should not face sanctions, product blocking or restrictions because they were objectively unable to complete the process.

IVSH Recommendations

Create a genuine EU EPR One-Stop-Shop

The preferred solution is a single European interface through which producers can:

- register once;
- receive one EU-recognised producer identifier;
- submit one consolidated report;
- allocate packaging quantities to the relevant Member States;
- update company data once;
- provide the necessary information to national authorities and EPR systems;
- manage cross-border obligations through one account.

A central administrative interface does not require the complete elimination of national EPR structures. It requires those structures to interact with producers through one European access point.

If national registers remain, require full interoperability

If separate national registers are retained, the implementing framework should require:

- one EU data standard;
- one European producer identifier, e.g. use auf EU Business Wallet for authorization;
- one authentication process;
- one multilingual access point;

- harmonised packaging categories and definitions;
- harmonised reporting periods and deadlines;
- harmonised procedures for corrections and updates;
- harmonized APIs
- machine-readable proof of registration;
- automatic transmission of information to the relevant national systems;
- no repeated submission of company information already held by another competent authority.

The objective must be substantive interoperability, not merely visually similar national forms.

Introduce a general exemption for small enterprises and low-volume supplies

The simplified reporting format below 10 tonnes does not provide sufficient relief because it leaves the underlying national registration architecture unchanged.

IVSH calls for a general exemption from separate national registration, reporting and authorised-representative obligations for:

- small enterprises within the meaning of Commission Recommendation 2003/361/EC, meaning enterprises with fewer than 50 employees and an annual turnover or annual balance-sheet total not exceeding EUR 10 million; or
- producers placing less than 500 kg of packaging on the market in the respective Member State per calendar year.

The exemption must apply automatically and uniformly throughout the European Union. It should not require a separate application or approval in every Member State.

The purpose of the exemption must be to remove separate administrative relationships, not merely to provide shorter national reporting forms.

Remove multiple authorised-representative requirements

Small enterprises and producers remaining below the 500 kg threshold should be exempt from authorised-representative requirements.

For other producers, one authorised representative should be permitted to act throughout the European Union.

At a minimum, producers should not be required to appoint multiple representatives merely because they supply limited quantities to several Member States.

Apply the “report once, verify many times” principle

Information submitted through a European or national registration system should be reusable by:

- competent authorities;
- EPR systems;
- distributors;
- online marketplaces;
- other economic operators with a legitimate legal need to verify registration.

Access should be limited to information necessary for the respective legal purpose and the protection of trade secrets is crucial.

A registration system should not become the basis for unrestricted requests for technical documentation, test reports or commercially sensitive supply-chain information.

Establish an EU helpdesk for cross-border cases

The Commission should establish a central helpdesk for unresolved questions concerning:

- producer allocation;
- cross-border B2B and B2C supplies;
- direct sales;
- distributor models;
- imports;
- transport packaging;

- overlapping national requirements;
- authorised representatives.

Answers to recurring questions should be incorporated into a public and continuously updated EU knowledge base.

Review the system against its actual Single Market impact

The Commission should review the operation of the national register system after an appropriate initial period.

The review should examine:

- the number and nature of separate procedures companies must complete;
- the cost of registration and authorised representatives;
- the accessibility and reliability of national registers;
- the impact on small enterprises;
- the impact on low-volume cross-border supplies;
- whether companies have restricted sales to individual Member States;
- the extent of duplicative public and private reporting requirements.

The assessment should focus not only on whether the electronic forms function technically, but also on whether the registration architecture facilitates or restricts access to the Single Market.

Conclusion

The draft implementing regulation is a useful step towards common registration and reporting formats. Common formats alone, however, will not resolve the fragmentation experienced by companies.

IVSH's practical work with its members shows that companies continue to face uncertainty concerning national registers, responsible economic operators, authorised representatives, reporting intervals, packaging categories, transport packaging and the allocation of obligations in cross-border supply chains.

A reporting system should collect the information necessary for effective enforcement. It should not create separate administrative gateways to the Single Market, or even do serious harm to the Single Market.

IVSH therefore calls on the Commission to move beyond the harmonisation of forms and establish a genuinely integrated European registration system based on:

- one registration;
- one European producer identifier;
- one reporting interface;
- interoperable national systems;
- a general exemption for small enterprises;
- a general exemption for supplies below 500 kg per Member State and calendar year;
- one EU-wide solution for authorised representatives;
- protection against late guidance and non-operational registers;
- the “report once, verify many times” principle.

Either producer registration must be genuinely harmonised through a European One-Stop-Shop, or the European Union should refrain from maintaining national registration processes that create disproportionate barriers to cross-border trade. Harmonised forms alone are not sufficient. Small enterprises and producers placing less than 500 kg of packaging on the market in a Member State per calendar year should be generally exempt from separate national registration, reporting and authorised-representative obligations.