

EBCA call to maintain authorised representatives in textiles Extended Producer Responsibility schemes

May, 2026

The European Branded Clothing Association (EBCA) supports the overarching objective of the Environmental Omnibus proposal to simplify and streamline EU legislation. EBCA recognises the value of reducing unnecessary administrative burdens and acknowledges the benefits for business competitiveness and economic growth. However, simplification must not come at the expense of effective regulatory enforcement, particularly within a cross-border internal market.

Therefore, EBCA considers that:

- **The role of authorised representatives (ARs) remains essential** for ensuring compliance in cross-border trade if they have the authority, capacity, and resources to meet national reporting requirements. Any consideration of reducing AR obligations should occur only once robust, EU-wide enforcement mechanisms have been fully implemented.
- **Ensuring a level playing field among all economic operators making products available on the market of a Member State must remain a core priority.** All producers, regardless of their size, geographic origin, or business model should continue to be required to appoint an authorised representative established within the EU.

Authorised Representatives and Enforcement

At present, no effective EU-wide framework exists to guarantee the enforcement of Extended Producer Responsibility (EPR) obligations across all Member States, particularly in the context of cross-border transactions. **A structural gap persists between commercial activities conducted on an EU-wide basis and enforcement systems defined at national level.**

In this context, authorised representatives play a critical role in enabling enforcement by ensuring effective liability. Without a legally responsible entity established in a Member

State, national authorities and Producer Responsibility Organisations (PROs) lack a clear point of accountability for registration, reporting, and financial obligations.

Removing AR requirements for EU-established producers before a strong, harmonised EU enforcement mechanism or an equivalent alternative has been implemented **would risk increasing the number of non-compliant operators** (“free riders”). Such an outcome would unfairly shift compliance costs onto compliant companies, distort competition within the Single Market, and could ultimately weaken the PROs themselves.

Digital one-stop-shop systems can contribute to administrative simplification and greater harmonisation. However, these tools are primarily procedural in nature and **do not, in themselves, ensure effective enforcement**. Administrative streamlining must therefore be complemented by robust, coordinated enforcement structures capable of addressing the realities of a cross-border and often digital market.

The role and function of the authorised representative should be addressed comprehensively within the forthcoming Circular Economy Act, alongside the wider reform of EPR schemes. Rather than suspending the designation of AR for EPR purposes, the system should be improved, streamlined, and harmonised to ensure clarity, consistency, and effective enforcement across the Single Market.

Conclusion

EBCA supports the Environmental Omnibus proposal’s ambition to simplify EU legislation but stresses that simplification must not weaken the enforcement of EPR obligations. Maintaining the requirement for authorised representatives remains essential until a comprehensive, EU-wide enforcement framework is in place. Ensuring fairness, compliance, and a level playing field across the Single Market must remain at the forefront of legislative reform.

About EBCA

The European Branded Clothing Association is the collective voice of more than 75 global apparel brands. The sector supports more than 4.5 million jobs in the EU. We envision a Europe where the branded clothing sector contributes to shared prosperity and is supported by global standards that enhance sustainability and trade, creating a level playing field.