

POSITION PAPER

Waste Framework Directive Revision

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- Textile Extended Producer Responsibility (EPR) should be implemented in a highly coordinated and as harmonised as possible manner across Member States, to reduce fragmentation, administrative burden and risks for the Single Market.
- A coordinated EU approach to registration and reporting, supported by a digital one-stop shop, should simplify administrative processes while preserving effective enforcement.
- Producer Responsibility Organisations (PROs) act as collective implementing bodies on behalf of affiliated producers, ensuring compliance with EPR obligations and contributing to the achievement of targets set by public authorities.
- Eco-modulation should be harmonised, science-based and aligned with ESPR, while also providing incentives for improved product design and remaining technically and economically feasible, particularly for SMEs.
- Scope clarity is essential. Definitions should be implemented consistently across Member States in line with the Waste Framework Directive. PPE and medical textiles should be excluded. Further guidance is needed to ensure consistent implementation across Member States.
- The treatment of second-hand textiles requires careful consideration. While reuse should remain a priority, end-of-life responsibility must be ensured in cases where these products become waste in a given Member State.
- Reporting requirements should remain simple and avoid duplication with other frameworks. Interoperability with tools such as the Digital Product Passport should remain proportionate.
- Effective enforcement is essential, particularly for e-commerce and third-country sellers, to ensure a level playing field across the EU.

The success of textile Extended Producer Responsibility (EPR) will depend on a high degree of harmonisation and legal clarity, applied as consistently as possible across the EU Single Market. Fragmented national systems could create unnecessary administrative burdens, distort competition and weaken enforcement.

Attention should be given to ensuring a consistent interpretation of scope across Member States, to avoid fragmentation in implementation.

EURATEX therefore calls for:

- A coordinated and as far as possible harmonised EU approach to textile EPR
- A single framework for registration and reporting
- Proportionate obligations, particularly for SMEs
- Clear scope definitions aligned with existing EU legislation
- Strong enforcement, including for e-commerce and third-country sellers
- Producer-driven PRO governance ensuring effective and transparent implementation

1. HARMONIZED EPR FRAMEWORK AND EU REGISTRATION SYSTEM

Divergent national registration and reporting systems could create unnecessary administrative complexity and compliance costs, particularly for companies operating across multiple EU markets.

EURATEX supports the development of a coordinated EU framework for registration and reporting, supported by a digital one-stop shop. Such a system should simplify administrative processes by providing a single interface, harmonised data formats and streamlined reporting, while allowing Member States to maintain differentiated eco-contribution structures reflecting national cost conditions.

Authorised representatives and cross-border enforcement

The Commission proposal to simplify authorised representative (AR) requirements aims to reduce administrative burdens linked to intra-EU cross-border operations.

For EU-based producers, the appointment of an AR may serve as a point of contact for national authorities and PROs, but may also entail additional administrative and financial costs.

At the same time, authorised representatives play an important role in ensuring traceability, accountability and enforceability of EPR obligations in a system where implementation and control remain largely national.

The removal or simplification of AR requirements must therefore be carefully assessed against the need to maintain effective enforcement across the Single Market.

The development of a digital one-stop shop could support simplification and improve data exchange between companies and authorities. However, such tools remain administrative in nature and do not, in themselves, ensure enforcement.

Ensuring effective enforcement remains a critical challenge, particularly in relation to:

- Non-EU sellers placing products on the EU market
- Distance sellers and online platforms operating across Member States

In these cases, the presence of a legally responsible entity within the EU remains essential to ensure enforceability.

EURATEX therefore considers that:

- Non-EU producers should continue to appoint an authorised representative established in the EU
- For EU-based producers, simplification of AR requirements may be considered, provided that effective enforcement mechanisms are ensured
- The role and responsibilities of authorised representatives should be clearly defined
- Digital tools such as a one-stop shop should support simplification but cannot replace enforcement mechanisms at this stage
- Sequencing is essential: effective EU-wide enforcement mechanisms must be established before any removal or simplification of AR requirements

Ensuring a level playing field between EU and non-EU operators remains a priority.

2. PRO GOVERNANCE

Producer Responsibility Organisations (PROs) act as collective implementing bodies on behalf of affiliated producers, ensuring compliance with EPR obligations and contributing to the achievement of targets set by public authorities.

PROs play a central role in operational implementation, including registration, reporting and organisation of collection and treatment systems, and are accountable for delivering results for their affiliated producers.

At the same time, enforcement of non-compliant actors remains the responsibility of competent public authorities.

PROs may rely on contracted service providers (e.g. collection, sorting and recycling operators) to fulfil operational activities.

3. ECO-MODULATION: NEED FOR LEGAL CERTAINTY AND EU ALIGNMENT

Eco-modulation should be harmonised at EU level, science-based and transparent, while also serving as an incentive to improve product design and circularity.

Currently, eco-modulation is implemented only in limited cases, and experience remains limited. Future development should therefore be carefully designed.

Manufacturers should be consulted in the development of eco-modulation approaches, taking into account technical feasibility, market realities and existing recycling capabilities.

Eco-modulation must remain technically feasible and economically viable, particularly for SMEs. The forthcoming delegated act will be key to ensuring an appropriate balance between harmonisation and flexibility.

4. DATA, DIGITAL PRODUCT PASSPORT AND REPORTING CONSISTENCY

The coexistence of EPR, the Digital Product Passport (DPP) and other frameworks creates risks of duplication.

EPR relies primarily on aggregated market data, while DPP focuses on product-level information. Direct integration remains uncertain.

Policy should ensure:

- Avoidance of additional reporting burdens
- A “report once, use multiple times” approach
- Realistic and proportionate interoperability

At the same time, DPP could support verification of compliance with eco-modulation criteria, provided implementation remains proportionate.

5. SCOPE CLARIFICATION

Clear scope definitions are essential to ensure legal certainty and avoid fragmentation across Member States.

The scope of textile EPR should be implemented in line with the Waste Framework Directive, which defines covered products based on their nature and composition.

The current divergence in interpretations, notably the wording “similar in nature and composition” in the scope definition in Annex IVc, highlights the need for greater clarity at EU level regarding scope definition and implementation.

A priority should be given to ensuring a 1:1 implementation of EU requirements into national legislation, meaning that:

- Member States should avoid extending or narrowing the scope beyond what is defined at EU level
- Scope definitions should be applied consistently across Member States
- Any clarification or evolution of scope should be addressed at EU level

This approach is essential to avoid fragmentation, ensure legal certainty and maintain a level playing field across the Single Market.

6. SECOND-HAND TEXTILES

Second-hand textiles (e.g. products under CN code 6309) are included in the scope of the Waste Framework Directive.

While reuse should remain a priority, in certain Member States significant volumes of second-hand textiles are placed on the market and ultimately become waste.

Member States should retain the possibility to address these flows to ensure fair contribution to end-of-life management, while avoiding disincentives to reuse.

7. SMEs

Implementation should remain proportionate and SME-friendly, including simplified obligations and realistic timelines.

Requirements should remain technically and economically feasible.

8. ENFORCEMENT AND LEVEL PLAYING FIELD

Effective enforcement is essential to ensure a level playing field.

Particular attention should be given to e-commerce and third-country sellers.

Enforcement mechanisms must be clear, workable and enforceable in practice, including through appropriate allocation of responsibilities.

9. END-OF-WASTE CRITERIA

Harmonised EU End-of-Waste criteria are necessary to support recycling markets and enable the re-entry of secondary raw materials.

CONCLUSION

The revision of the Waste Framework Directive represents a key opportunity to establish a coherent EU framework for textile circularity.

Its success will depend on:

- Harmonised implementation
- Legal clarity
- Proportionate obligations
- Strong and effective enforcement

EURATEX calls for a producer-driven, SME-friendly and harmonised EPR framework that supports circularity while safeguarding the integrity of the Single Market.