4 September 2025

**EucoLight answer to the European Commission Call for Evidence: “Simplification of administrative burden in environmental legislation”**

EucoLight, the European association of lighting WEEE compliance schemes, commands to the European Commission to seek simplification of administrative burden in the environmental legislation, whilst preserving the objectives of the Green Deal. To this end, EucoLight focusses its recommendations on the following key points aiming at streamlining compliance:

* Inconsistent interpretation of the “placing on the market” concept with regards to WEEE
* Strengthen obligations for online platforms and fulfilment centres
* Improve registration systems through EU coordination
* Clarify and reinforce the role of the Authorised Representative
* Reconsider the need of SCIP

1. **Inconsistent interpretation of the “placing on the market” concept with regards to WEEE**

The concept of “placing on the market “, particularly when a producer at national level supplies to a distributor, is interpreted inconsistently across Member States:

* 1st Interpretation: First commercial transaction in the territory
* 2nd Interpretation: Customs clearance, before the producer has the product in stock and supplies it to the next economical operator.

This has significant implications on the financial responsibility borne by producers and for the comparability of placed-on-the-market data across Member States.

Furthermore, any future digital coordination with customs authorities through national registers, as may be envisaged under the forthcoming Circular Economy Act, will require a clear and harmonised definition of this concept across all Member States.

EucoLight is in favour of the **1st interpretation** and recommends that the application of the Commission **Blue Guide definition**[[1]](#footnote-2) of “placing on the market”**[[2]](#endnote-2)** within the new WEEE Regulation be reinforced, and that the EU legislation provides greater clarity on the definition of the producer with regard to Extended Producer Responsibility (EPR), as is done under the Packaging and Packaging Waste Regulation[[3]](#footnote-3).

1. **Strengthen obligations for online platforms and fulfilment centres**

Although the Digital Services Act introduced “know your customer” rules, loopholes remain. A considerable quantity of products sold online still escape EPR / WEEE obligations. This creates unfair competition for compliant producers and undermines sustainability efforts. Therefore, online Platforms and fulfilment centres:

1. Must verify that the producer is compliant through a Producer Responsibility Organisation (PRO) or an individual system and must display an active WEEE registration number of the producers working through them.
2. Share, upon request from national registers or PROs, data on products placed on the market, for verifying reported volumes and detecting under declaration.
3. Bear full subsidiary responsibility when obligations are not fulfilled by producers.
4. **Improve registration systems through EU coordination**

EucoLight supports the creation of a **harmonised WEEE registration number format,** to be displayed in national online registers and included in transaction documents and declarations. Those numbers should be part of the future **Digital Product Passport.**

Moreover, we propose **interconnecting national WEEE registers through** an EU-wide network, one that also connects with customs authorities to help monitor import flows and detect non-compliance more effectively.

EucoLight sees value in establishing a single **EU one-stop-shop managed by a European public organisation** for non-EU producers selling online. This system, foreseen under the upcoming Circular Economy Act, would streamline registration, customs information and compliance while supporting enforcement across borders.

1. **Clarify and reinforce the role of the Authorised Representative**

Authorised Representatives (ARs) **must carry full legal, operational and financial responsibility** on behalf of the producers they represent.

ARs must be required to register every producer they represent, and 'very large' ARs for example, those representing more than 20 producers should be subject to specific scrutiny, with additional requirements to ensure transparency, accountability, and prevent market distortion.

1. **Reconsider the need of SCIP**

A short internal survey amongst EucoLight members carried out in 2025 shows that none of them use the SCIP database to identify the substances of very high concern. One only stated that their recyclers use it on an occasional basis. Products data sheets as prescribed under Article 15 of the WEEE Directive[[4]](#footnote-4) (on detailed information on the preparation for reuse and treatment of their electrical and electronic equipment (EEE) and uploaded on EucoLight website[[5]](#footnote-5) for lighting products has proven to be more useful for waste managers.

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For more information, please contact Marc Guiraud, Secretary General of EucoLight through [marc.guiraud@eucolight.org](mailto:marc.guiraud@eucolight.org).

1. **COMMISSION NOTICE - The ‘Blue Guide’ on the implementation of EU product rules 2022**, page 20, “(…) For the purposes of Union harmonisation legislation, a product is placed on the market when it is made available for the first time on the Union market. This operation should be done by the manufacturer or by an importer (46). When a manufacturer or an importer supplies a product to a distributor (47) or an end-user for the first time, the operation is always labelled in legal terms as ‘placing on the market’. Any subsequent operation, for instance, from a distributor to distributor or from a distributor to an end-user is defined as making available (…) Placing on the market is considered not to take place where a product is: (…) page 21 Page 21. — in the stocks of the manufacturer (or the authorised representative established in the Union) or the importer, where the product is not yet made available, that is, when it is not being supplied for distribution, consumption or use, unless otherwise provided for in the applicable Union harmonisation legislation. [↑](#footnote-ref-2)
2. [↑](#endnote-ref-2)
3. **Regulation (EU) 2025/40 on packaging and packaging waste** Article 3 - Definitions – 1 (15): ‘producer’ means any manufacturer, importer or distributor to whom, irrespective of the selling technique used, including by means of distance contracts, one of the following applies:

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   | (a) | the manufacturer, importer or distributor is established in a Member State and makes available for the first time from within the territory of that Member State and on that same territory transport packaging, service packaging, or primary production packaging, whether as single-use packaging or as reusable packaging; or |
   | (b) | the manufacturer, importer or distributor is established in a Member State and makes available for the first time from within the territory of that Member State and on that same territory products packaged in packaging other than those referred to in point (a); or |
   | (c) | the manufacturer, importer or distributor is established in a Member State or in a third country and makes available for the first time on the territory of another Member State, directly to end users, transport packaging, service packaging or primary production packaging, whether as single-use packaging or as reusable packaging; or |
   | (d) | the manufacturer, importer or distributor is established in a Member State or in a third country and makes available for the first time on the territory of another Member State, directly to end users, products packaged in packaging other than those referred to in point (c); or |
   | (e) | the manufacturer, importer or distributor is established in a Member State and unpacks packaged products without being an end user, unless another person is the producer as defined in point (a), (b), (c) or (d); |

   [↑](#footnote-ref-3)
4. **DIRECTIVE 2012/19/on waste electrical and electronic equipment (WEEE)** [↑](#footnote-ref-4)
5. [WEEE product sheet on Art. 15](https://www.eucolight.org/publications-category/weee-product-sheets-on-art-15/) on EucoLight website [↑](#footnote-ref-5)