Cosmetics Europe
the personal care association

Cosmetics Europe's proposals to reduce regulatory burden for business

EU Legislation	Lead DG	Regulatory Burden	Burden Description	Suggested Improvement
Urban Wastewater Treatment Directive (EU) 2024/3019 (UWWTD)	DG ENV	Administrative, financial, and reporting burden	**Article 9** introduces an Extended Producer Responsibility scheme to be funded exclusively by cosmetics and pharmaceuticals, to finance the upgrades of wastewater treatment plants to remove micropollutants. This sector-based EPR scheme contradicts the "Polluter Pays Principle" and lacks sound scientific justification for singling out solely cosmetics and pharmaceuticals. The allocation methodology is demonstrably affected by significant material errors; for instance, while the Commission attributes 26% of toxic load to the cosmetics sector, independent analysis [1] demonstrates the actual contribution is less than 2%. This discrepancy is driven by the misattribution of some substances to the cosmetics sector (such as permethrin, a substance used in head lice shampoos which do not fall under the definition of cosmetics products) biasing the EPR scheme design. This flaw raises serious concerns in terms of proportionality, fairness, and consistency with the "Polluter Pays Principle". Furthermore, the EPR scheme is unworkable because it fails to include all relevant polluters, leaving significant sources of pollution outside the system. By requiring only two sectors to finance treatment upgrades, while other manufacturers contributing to micropollution are not required to pay their fair share, the Directive removes incentives for broader innovation and source reduction. Any effort by the two sectors to reduce their share of pollution will have no effect on the large share of micropollutants originating from other sources. By properly applying the "Polluter Pays Principle" to pharmaceuticals and cosmetics, their contribution alone will be far insufficient to cover the full	Introduction of a "Stop the Clock" for the EPR scheme-related provisions (Article 9, 10, Annex III), reassessment of the structural flaws in the EPR scheme, address methodological shortcomings and correctly allocate micropollutants to their respective sources, revision of Article 9, 10, and Annex III.

[1] UWWTD-CE-Analysis-List-of-substances-used-in-the-EPR-feasibility-report-April-2025.pdf; UWWTD_Cosmetics Europe_Annex_Analysis_List of substances used in the EPR feasibility report_April 2025.pdf (review of Cosmetics Europe's analysis of the contribution of the cosmetic industry to the extended producer responsibility in the context of (EU) 2024/3019 prepared by K. Duis & T. Junker ECT Oekotoxikologie GmbH Flörsheim, Germany for Cosmetics Europe – The Personal Care Association Brussels, Belgium, 5th December 2025).

			costs of wastewater upgrades to quaternary treatment. This structural imbalance will create an unavoidable financing gap, leaving Member States with a system that cannot be sustainably implemented and ultimately risks shifting costs back onto public budgets.	
Packaging and Packaging Waste Regulation (EU) 2025/40 (PPWR)	DG ENV	Administrative, financial and reporting burden	**Article 7** mandates that any plastic part of packaging placed on the market shall contain minimum percentage of PCR plastic content per packaging type and format calculated as an average per manufacturing plant and year. The legal text is ambiguous as to what "plastic part" refers to. Furthermore, the current provision fails to account for certain highly functional components that cannot technically incorporate recycled material. The plant-level calculation adds unnecessary complexity as it may require companies to track and compensate for units produced inside the EU for export as well as units produced outside the EU for the EU market. Moreover, imposing recycled content requirements for every plastic component, per format and per plant, places an excessive and disproportionate burden on economic operators. Such approach may end up forcing companies to track, calculate, and report thousands of combinations without delivering meaningful environmental gains nor increasing the overall recycled content. **Article 10(3)** aims to create a standardized method for measuring compliance with packaging minimisation. However, the requirement for maximum weight and volume limits for "most common packaging types" (Article 10.3) should be removed for reasons related to feasibility, legal clarity, and competitiveness: • The term "most common packaging" is undefined and would lead to unworkable limits and possible inconsistent interpretations by producers and national authorities. • A one-size-fits-all approach to setting maximum packaging limits is impractical, as these limits need to be tailored to each product's specific characteristics. Factors such as the physical and chemical properties of a product, as well as its intended use, are crucial in determining the appropriate material, size, weight, volume, wall thickness, and empty space needed to fulfil packaging functions. • The diversity of packaging solutions and product requirements makes it impossible to identify a limited set of representative formats that could serve as a meaningful basis for maximum limits across different products and markets. • Rigid maximum limits on predefined packaging formats could also have unintended consequences for innovation and design in the cosmetics sector. Cosmetic packaging is not merely a container but an integral part	**Article 7.** Replace methodology with a company-level (instead of plant-level) calculation based on the annual tonnage of recycled plastic placed on the EU market. The percentage would be the ratio of total recycled content to total plastic packaging (recycled + virgin). This model enables a progressive increase in recycled content while giving companies the flexibility needed to manage technical, safety and performance constraints. It is also more similar to the approach used under the SUPD. **Article 10(3)**: Remove the requirement for maximum weight and volume limits as well as wall thickness and empty space ratio for "most common packaging types and formats". **Article 12**: the implementing act envisaged in Article 12(6) shall clarify and justify the use of digital labels on small packaging and allow the use of text-free and achromatic labels on the same footing as labels using text and colours. This is necessary to ensure consistent implementation by the industry and harmonised

			of the product concept and consumer experience since it often serves as product delivery system. It plays an important role in ensuring safe and convenient use, communicating product information, protecting product stability, and enabling differentiation in a highly competitive market. The ability to develop distinctive and functional packaging solutions is therefore closely linked to companies' capacity for innovation and brand positioning. Moreover, the cosmetics sector is closely connected to Europe's strong design and creative industries, which generate significant economic value and skilled employment across the EU. Strict limits based on standardised packaging formats risk constraining design excellence and reducing companies' flexibility to develop packaging that both fulfils functional requirements and meets consumer expectations. This could ultimately weaken a key competitive strength of European cosmetics brands in global markets. The current development of a list of 10 most common packaging types and formats is proving the abovementioned points. **Article 12** introduces several labelling obligations, including on waste sorting, substances of concern, reusability, deposit and return systems, and voluntary information on recycled plastic content. The article privileges on-pack labelling and limits the use of digital label formats to specific cases. Cosmetics packaging are particularly exposed to cumulative labelling provisions deriving from national and EU legislation (e.g., PPWR, ESPR, CPR) due to their small size and printable surfaces. Moreover, physical labels are not fit to address market fragmentation, namely due to the use of text. This leads to the design of multiple packaging execution for the same product, depending on its country of destination. **Article 24** on excessive packaging envisage the implementation of empty space ratio reduction by February 2028, two years before the implementation of packaging minimisation requirements under Article 10, in 2030. This will result in iterative packaging redesigns, with related additional costs, and unnecessary waste generation.	interpretation and enforcement by national authorities. **Article 24**: align Article 24 deadline on empty space ratio with Article 10 by deferring the "excessive packaging" obligation to 2030.
Ecodesign for Sustainable Products Regulation (EU) 2024/1781 (ESPR)	DG ENV	Administrative and reporting burden	**Article 16(5): a** single label layout cannot work across ESPR product groups, which differ widely in function, size, materials and environmental impacts. A common layout also cannot be set before information requirements are defined in the delegated acts. Label design must be tailored to the type and amount of information required for each product group. Before introducing any label, the Commission should clearly identify the problem the label is meant to solve (e.g. pre-sale vs post-sale information) and explain why existing EU tools	**Article 16(5)**: remove the provision on a common ESPR label layout. If it is determined that a product specific delegated act under the ESPR is necessary, the decision on the need and format of specific physical and digital labels, should

			are insufficient. This assessment should take place during each delegated act, especially as digital solutions such as the Digital Product Passport (DPP), EPREL and QR codes already exist or are being developed. These digital tools should be prioritised, and implementing acts should avoid prescribing physical label characteristics where digital options are more effective—particularly for small products, where digital or hybrid approaches reduce costs, minimise packaging and avoid consumer confusion. **Article 24: t**here is a one-year gap between the start of companies' reporting obligations and the availability of the EU-wide reporting format set by the future implementing act. During this period, companies must report without clear guidance, creating legal uncertainty, misaligned reporting formats and avoidable costs. **Article 24** also requires reporting for consumer-returned products that must be discarded. In cosmetics, such products often need to be destroyed for health, hygiene or safety reasons, as their integrity cannot be guaranteed once opened or used. Disposal is therefore not a business decision but a safety requirement. Reporting this destruction may mislead consumers and harm companies' reputations, implying safety issues where none exist. The ESPR already recognises health, hygiene and safety as valid grounds for exemptions from destruction bans.	be left to that delegated act. This would allow the labelling approach to be tailored to the specific product groups and packaging characteristics. **Articles 24**: Align the application of the reporting obligation with the application of the format for disclosure of discarded unsold consumer goods. To address misperception concerning products discarded to health, safety and hygiene reasons, we recommend including in the implementing act a limited set of derogations to the disclosure obligation of Article 24 in duly justified cases, to exempt products discarded due to health, hygiene and safety reasons outside of the company's control.
Deforestation Regulation (EU) 2023/1115 (EUDR)	DG ENV	Administrative burden	**Article 4** requires operators to submit a due diligence statement before placing relevant products on the EU market or export them. As a result, several due diligence statements must be prepared along the supply chain as raw material, and intermediate products and finished products containing that same raw material are placed on the market, creating duplicative work. The EUDR FAQs document suggests that **standalone packaging material** may fall under the scope of the EUDR because it can't be classified together with the products from a customs perspective, while they would clearly be out of scope if shipped together with the products. Additionally, marketing materials are considered out of scope when "accompanying" products which are out of scope of the EUDR, creating a lot of ambiguity. Marketing materials might not always be shipped together with them or be "accompanying" a product, which might be interpreted as a case falling within the EUDR	**Article 4**: Due Diligence Statements should only be prepared by the first operator/trader placing a product on the EU market. Downstream operators and subsequent entities covered by the EUDR should instead verify their suppliers' due diligence framework, without the obligation to create new DDSs. Exempt empty packaging and marketing materials: empty packaging shipments and marketing materials used at the point of sale – such as paper-based materials not accompanied

				by products – should be exempted from EUDR scope.