

## **Simplification of administrative burden in environmental legislation**

The Confederation of Swedish Enterprise is Sweden's largest business federation, representing over 60 000 member companies in all sectors with almost two million employees. We bring together 49 industry and employer organisations, and this reply to the public consultation has been produced in collaboration with our members.

Swedish Enterprise welcomes the Commission's screening of environmental laws to identify legislative acts with significant potential for simplifying administrative tasks without affecting environmental protection. Swedish Enterprise and Swedish companies fully support the EU's climate targets, environmental ambitions, and the core purpose of much of the environmental legislation adopted or proposed in recent years. Businesses are committed to contributing to these goals, and with well-balanced and carefully designed regulatory simplifications and improvements, companies can strengthen their environmental performance in a more cost-effective and efficient way. Such measures would make it more attractive for companies to invest in sustainability and thereby help deliver on the ambitions of the legislation, while ensuring that competitiveness and innovation remain strong drivers of Europe's green transition. We suggest several legislations/legislative concepts for revision.

### **Digital Product Passports within the Ecodesign for Sustainable Products Regulation (EU) 2024/1781**

The obligation to provide a back-up copy of the DPP, as set out in article 10(4) of the Regulation, risks creating a significant administrative burden if applied in its current form.

For economic operators already generating and storing their own DPPs, the requirement constitutes duplication. They must already meet standards on accessibility, data persistence, governance and interoperability, and often use secure internal systems aligned with EU data protection and cybersecurity rules. Forcing them to additionally maintain a secondary copy through third-party providers adds operational and financial costs for storage, cybersecurity and integration, with little practical benefit.

**To avoid unnecessary burdens, especially on SMEs, the Commission should reconsider a blanket obligation.** Operators managing their own DPPs should not be

required to systematically create back-up copies via service providers, as long as their primary infrastructure ensures continuity, reliability and security. **SMEs should also retain the option to manage their own DPPs in compliance with proportional requirements. In short, operators should be free to either store DPPs themselves or rely on service providers, avoiding double regulation.** The ongoing study on DPP service providers should also ensure that requirements for self-minting operators and service providers are comparable and guarantee the same IT and data standards.

### **Regulation (EU) 2023/1115 on Deforestation-Free Products (EUDR)**

The EUDR aims to ensure that only deforestation-free products are sold in or exported from the EU. Currently, all operators in complex supply chains must repeatedly fulfill very complex traceability and due diligence requirements. **We recommend revising the EUDR so these requirements apply only to the operator first placing the product on the EU market.** This would spare downstream operators from unnecessary duplication while still meeting the legislation's goals.

### **Extended Producer Responsibility (EPR)**

EPRs are included in many legislations to ensure that producers take responsibility for the products or packaging they place on the EU market at their end of life. Unfortunately, EPR systems are not harmonized across the EU, meaning that companies need to report different data, to different systems at various times and in different formats for each member state. **We recommend that EPR reporting and administration should be harmonised and centralised.** This would reduce administrative work, support SMEs entering new markets, and accelerate the shift to a circular economy, helping to meet legislative goals more efficiently.

### **Waste Framework Directive (Directive 2008/98/EC) (WFD)**

The WFD sets the basic concepts and definitions related to waste management, including the waste hierarchy and extended producer responsibility. However, the directive has developed into a source of significant administrative burden for companies. Reporting requirements are fragmented across Member States, with different interpretations of for example waste categories and hazardous classifications. This creates legal uncertainty and forces businesses to duplicate efforts when operating cross-border. **We recommend that the WFD reporting and classification rules be harmonised across the EU, with a centralized digital system that avoids multiple**

**filings.** Clearer, standardized definitions would reduce administrative burden, improve legal certainty, and accelerate the transition to circularity without undermining environmental objectives. In addition, the lack of clear and harmonised end-of-waste criteria across the EU creates significant legal uncertainty and hinders cross-border use of secondary raw materials. **Establishing common and predictable end-of-waste criteria would facilitate circular business models**, improve market access for recycled materials, and strengthen confidence in waste-to-resource solutions.

#### *SCIP database*

**In addition, we recommend that the SCIP database (for reporting on articles containing substances of very high concern) be abolished.** Companies are already required to provide similar information to ECHA under REACH, which should be sufficient to meet regulatory objectives. The parallel obligation through SCIP generates unnecessary administrative costs and reporting burdens, particularly for businesses in complex supply chains where supplier data collection is both time- and resource-intensive.

Moreover, the database has so far been used only to a limited extent by waste and recycling operators, raising questions about its actual value relative to the costs it imposes. A more effective and proportionate approach would be to **successively** integrate any relevant information in the Digital Product Passport **when the delegated acts are implemented**, thereby ensuring consistent and useful data flows throughout the value chain.

#### **Waste Shipment Regulation (Regulation (EU) 2024/1157) (WSR)**

The Waste Shipment Regulation governs the transboundary movement of waste, aiming to ensure that waste is managed safely and in line with environmental objectives. However, despite having been revised in 2024, the regulation remains overly complex and slow, often delaying shipments of secondary raw materials needed for recycling and manufacturing and thereby preventing the scaling up of circular solutions. Companies face lengthy notification procedures, inconsistent national enforcement, and uncertainty about classification of materials, which discourages circular business models. **We recommend streamlining the WSR procedures through faster digitalised notifications, clearer criteria for classifying waste versus by-products, and stronger harmonisation of enforcement practices.** In addition, it is essential that the Regulation actively supports the development of an efficient internal market for secondary raw materials by facilitating cross-border flows within the EU. A more predictable and

proportionate system would make it easier for companies to scale up circular solutions and improve resource efficiency. Simplification would allow legitimate recycling and recovery activities to function more efficiently, strengthen EU value chains, and still safeguard against illegal waste trade.

### **Green Claims Directive COM (2023) 166**

The directive seeks to ensure that environmental claims are reliable and verifiable, thereby preventing greenwashing. At the same time, the proposal partly overlaps with existing or recently adopted EU legislation and risks creating disproportionate administrative burdens that duplicate already established requirements that contribute to achieving the same objectives.

Rather than introducing additional complexity, the proposal should be subject to a thorough analysis of how it can be adjusted and revised to become more proportionate and administratively manageable. At a minimum, the requirement for pre-verification should be removed from the directive in order to ensure that the legislative process can move forward in a workable way.

### **The importance of functional permitting processes**

The competitive value of the suggestions above is closely tied with permitting processes. If the goal of the Commission is to streamline permitting procedures, a systemic approach is vital. There must be coherence between different legislations affecting the prerequisites for Member State's permitting processes, and the aim must be to reduce legislative overlapping or gaps. The material rules affecting timeframes for permitting must be refitted, as well as the procedural part, if green competitiveness is the objective.

### **Challenges with Transition Plan Requirements in EU Legislation**

Several recent EU legislative initiatives in areas such as environment, climate, and energy require companies to adopt transition plans, though under varying names and formats (e.g. CSRD, IED, CS3D, Energy Efficiency Directive, EU ETS, and prudential rules for financial institutions). This creates a high risk of fragmentation and inconsistencies, leading to administrative burdens, additional costs, uncertainty, and duplication of efforts for companies. Moreover, transition plans are highly dependent on external factors, including effective carbon leakage protection, access to affordable low-carbon

energy, necessary infrastructure, and functioning markets that reward low-carbon production.

**To address these issues, a comprehensive mapping of transition plan requirements across EU legislation should be undertaken. Importantly, a plan prepared under one piece of legislation should be deemed sufficient for the others, provided it covers the same areas.** Where additional requirements exist, these should simply be addressed through supplementary information.

### **Water Framework Directive (Directive 2000/60/EC)(WFD)**

The WFD has been crucial for protecting Europe's water bodies, but after two decades, its implementation shows significant challenges for industry. In particular, the "one-out-all-out" principle often masks progress by letting a single parameter define overall water quality, despite substantial industrial improvements such as advanced wastewater treatment and recycling. This leads to distorted assessments and overlooks proportional, cost-effective measures.

The "non-deterioration" principle, while important for safeguarding water, has also proven problematic. Under its strict interpretation since the EU Weser Ruling (2015), a single exceedance can block permits, even if other parameters remain within limits. With the 2027 deadline approaching, this has created legal uncertainty, extensive delays in permitting processes, refusals of permits, and risks of plant closures in some Member States. Therefore, the Commission needs to rectify how article 4.7. is interpreted and/or modifying article 4.7. **Greater flexibility in implementation and clear guidance on what will happen after 2027 is urgently needed to provide certainty for businesses while maintaining ambitious environmental objectives.**

Stockholm, September 10<sup>th</sup>, 2025