

One Market Many Barriers

What is the EU Single Market for goods?

- Created 30+ years ago, allowing the free movement of goods
- Covers all EU Member States + Norway, Iceland, Liechtenstein (EEA)
- Works alongside the free movement of services, people, and capital

Why does it matter?

- A well-functioning Single Market underpins economies of scale and drives innovation.
- It represents one of Europe's greatest assets and a key enabler of circularity and competitiveness.
- Safeguarding its integrity is essential to ensure the free movement of packaging materials and packaged goods.

What's the reality?

- The Single Market is still incomplete.** National, unilateral packaging rules are creating new barriers.
- These barriers fragment the market, block economies of scale, and reduce consumer benefits.**
- The International Monetary Fund (IMF) estimates that **today's internal barriers are equivalent to a 65% tariff on goods.**
- Packaging, labelling, and waste are explicitly identified among the most fragmented areas** of the Single Market by the Commission.
- Unilateral packaging rules, including labelling, feature prominently among the "Terrible Ten" Single Market barriers**



Extending the Single Market to encompass secondary raw materials is equally crucial, as it helps reduce external dependencies while generating value for EU businesses and consumers alike.

What are these barriers?

Country-specific labelling rules

What happens

Member States set different and sometimes conflicting labelling rules, making it harder for businesses to market the same product across borders.

Impacts

- 1** Create new barriers to the free movement of packaged goods.
- 2** Create confusion for consumers on how to sort packaging, undermining packaging circularity.
- 3** Lead to uneven playing fields and regulatory uncertainty for businesses.

Unilateral packaging requirements or targets


What happens

Countries set their own packaging requirements, from packaging bans to unilateral reuse targets, often gold plating EU rules.


Impacts

- 1** Undermine harmonisation under the Packaging and Packaging Waste Regulation (PPWR).
- 2** Reduce legal certainty for operators and their competitiveness.
- 3** Result in higher costs, logistical complexity, and fragmentation, undermining economies of scale.

Barriers in Numbers

 At least 12 Member States have recently introduced country-specific labelling requirements and/or unilateral packaging targets, such as national reuse or recycled content targets, or packaging bans.

 Thousands of stock-keeping units may need redesign when national packaging/ labelling requirements diverge.

 The potential one-off cost for a single company to redesign packaging is a few million Euros across the internal market due to national divergences.

 Intra-EU barriers are today responsible for 67% of costs on goods traded across the EU.

How can these barriers be addressed?

TRIS Notification

What it is

When a Member State plans a new national technical rule, it must notify the EU Commission before adoption and when the measure is still at the draft stage.

How it works

The notification triggers a standstill period.

The Commission, other Member States and impacted stakeholders review the draft and can submit comments or detailed opinions.

This system helps prevent potential trade barriers before they occur.



Not all Member States comply with their notification obligations, so issues can still arise.

Infringement Procedure

What it is

If a Member State fails to notify or follow EU law, the Commission can start a legal process to ensure compliance with EU law.

How it works

The EU Commission sends a letter to the Member State suspected of breaching EU law, asking for a detailed reply within a specific period, often two months.

If the reply to the first letter is unsatisfactory or if there is no reply, the EU Commission can send a reasoned opinion. This is a formal request to comply with EU law.

If unresolved, the case may go to the European Court of Justice.



Important! The national measures remain in force until the infringement case is fully resolved.