

**Question for written answer E-000504/2023  
to the Commission**  
Rule 138  
**Ralf Seekatz** (PPE)

Subject:     Obligation to appoint an authorised representative under the Austrian Packaging Regulation

The new Austrian Packaging Regulation supposedly transposes the EU's Packaging Directive into national law. According to Article 16b of the Austrian Packaging Regulation, from 1 January 2023 traders have to appoint an authorised representative to assume responsibility for compliance with legal requirements.

This obligation to appoint an authorised representative has been introduced so that traders based in other EU Member States can no longer register themselves. This will cost the traders affected additional time and money, as the authorisation also has to be notarised. There is no small quantities derogation, thus forcing small traders from other EU Member States out of the Austrian market.

1.   Is the Austrian Packaging Regulation compatible with the EU single market?
2.   Is there a violation of the free movement of goods throughout the EU?

Submitted: 16.2.2023