

## EuroCommerce Feedback on Omnibus IV – ‘Paperless’

### Introduction

EuroCommerce warmly welcomes the Commission’s initiative on digitalization of paper requirements as an important step toward reducing compliance burdens and modernising EU product legislation for the digital age. Transitioning away from paper-based obligations can unlock cost savings, reduce waste, lower resource use, automatise compliance and reporting, and drastically improve information flow across supply chains. Digital access to product information can also enhance enforcement and surveillance. **However, the retail and wholesale sectors must not be expected to absorb the costs or operational burdens of bridging the digital divide.** Digital transition must avoid shifting burdens onto other economic operators, and simplification should benefit upstream and downstream operators equally. Simultaneously, it is essential to ensure consistency across all product legislation, beyond the New Legislative Framework (NLF).

### A. Safety Information or Instructions in Paper Format

The Omnibus IV proposals introduce an obligation to provide **safety information** in paper format. However, this concept is currently undefined and open to interpretation:

- **Lack of definition:** There is a lack of clarity on what constitutes “essential”, “mandatory” or “safety” information under different product-specific legislations. These terms must be defined per product category, including impact assessments where necessary, and subject to revision as digitisation preparedness evolves. Otherwise, Member States and companies may diverge in their interpretation, resulting in fragmentation of the internal market. This exercise is essential in determining what information stays on the physical or moves to the digital label.
- **Limiting the scope:** The scope of what is considered “essential”, “mandatory” or “safety” information must be limited and precisely defined to achieve the goal of simplification.
- **Alignment with other legislation:**
  - Alignment with the General Product Safety Regulation (GPSR), as well as other legislations referring to “essential”, “mandatory” or “safety” information is critical. Recital 32 of the GPSR, implies that both safety information and instructions should be provided in physical format.
  - Omnibus IV recommends a shift of compliance information from paper to digital format when it comes to communications with authorities. However, the latest compromised text of the [detergents](#) regulation allows authorities to request compliance information in paper format, and the latest compromise text for the [toys](#) regulation does not specify that this information should be accepted in digital format.

## B. Disproportionate Measures in the Batteries Regulation 2023/1542

The current proposal on simplifying paper requirements should address the extensive information mandated for physical labelling of batteries (on the product, packaging, or accompanying documents), especially **since the same information must also be provided via a QR code** (Article 13(6)). The revised regulation significantly expanded the scope of mandatory information, which now includes the general information listed in Annex VI, Part A, to be displayed from 18 August 2026 (Article 13(1)), **and also mandated for display in QR codes** from 18 February 2027:

1. Manufacturer identification (name, contact details)
2. Battery model/batch/other identification
3. Place of manufacture
4. Date of manufacture (month and year)
5. Weight
6. Capacity
7. Chemistry
8. Hazardous substances present (other than mercury, cadmium, lead)
9. Usable extinguishing agent
10. Critical raw materials present (>0.1% by weight)

This requirement runs counter to the objectives of reducing packaging, resource use, and administrative burden. It also increases translation demands and raises questions about the necessity of certain elements for safety or consumer information. For example, listing critical raw materials on the product offers no value to consumers, while such data can be effectively provided through the QR code for other actors in the value chain.

**Alignment with CS3D:** It is of utmost importance that the due diligence procedure of Batteries Regulation aligns with the procedure proposed under CS3D, rather than introducing a separate and distinct procedure. Coexistence of sectorial (Regulation 2023/1542) and horizontal (Directive 2024/1760) due diligence obligations generates regulatory duplication, unnecessary administrative burdens and risk of legal uncertainty for economic operators. Directive 2024/1760 provides a unified, risk-based framework with clear thresholds and prioritization mechanisms, which allows for the proper management of social and environmental risks in activity chains, including the battery sector. Maintaining both frameworks would imply that companies that fall under the threshold of the Batteries and Batteries Regulation should apply different risk identification methodologies and undergo duplicate external verification. The repeal of Articles 48-52 and Annex X avoids rework, ensures legislative consistency and complies with the principle of better regulation and aligns with the Omnibus Proposal.

## C. Practical Uncertainties Around Printing (Instructions)

We welcome the digitisation of compliance documentation and instructions, while we agree that certain information should be communicated in paper format. We thus welcome the flexibility provided in the proposal, allowing manufacturers to choose whether to provide instructions in paper or digital format (except safety information). However, we recommend that it is streamlined, as it creates practical uncertainties for retailers and wholesalers who are often the first point of contact for consumers:

- **Who requests paper instructions:** If manufacturers choose a digital-only format, this could restrict the ability of retailers to offer paper-based instructions to consumer in certain cases. Retailers have valuable insight into consumer preferences, and some report that — depending on the product type or complexity, digital connectivity/readiness in rural areas and vulnerable groups — paper instructions may be more appropriate. Removing paper instructions may also

be seen as a downgrade in service or even raise questions about compliance. Also, for professional users, such as tradespeople or service technicians, paper instructions may remain the most practical solution on worksites or during installations, where digital access is not convenient. **It would thus be useful to clarify that consumers, but also professional users and retailers/wholesalers can request instructions in paper format from the manufacturer.**

- **Operationalising the provision of paper instructions:** It is unclear whether retailers will be expected to print or distribute paper instructions upon consumer request, particularly at the point of sale. Although the legal obligation rests with manufacturers, in practice, due to their consumer facing role, retailers might be pressured to fulfil this task, creating a burden shift which would especially burden smaller stores without many staff or resources (e.g. adopting stores to fulfil printing requirements or create additional storage space to host paper instructions in case requested). Lastly, the posting of instructions by manufacturers might be accompanied with commercial communication which can disrupt the relationship between retailers and consumers. **It could be clarified that solutions to provide printed instructions (e.g. fast point-of-sale request mechanisms) should be supported by manufacturers.**
- **Distance sales and paper Instructions:** It must be noted that in distance sales, the instructions might arrive separately from the product, if the manufacturer has opted to provide them digitally – as such products in retailers'/wholesalers' warehouses or stores will be posted without those instructions.
- **Dual Compliance System:** Having a mix of digital only and paper only information, where digital instructions are optional, may lead retailers who handle thousands of products with different suppliers to operate dual systems, with increased logistical and operational complexity.

## D. Further Burdening Product Labels

Omnibus IV introduces an obligation to indicate on the product, packaging, or accompanying document how to access and request instructions, which risks exacerbating space and translation constraints.

- This measure risks cluttering product packaging, increasing material use and compliance costs, and adding translation burdens.
- If a data carrier is not considered a self-explanatory means to access to more product information, a more efficient and scalable solution would be to develop **a common EU-wide pictogram**.
- Similar concerns apply to the new requirement for a “digital contact” — see section D below.

## E. Legal Ambiguities and Open Interpretations

Certain concepts introduced in the proposals create legal uncertainty or risk divergent implementation.

- **Meaning of Digital Contact:** There is terminological inconsistency between Omnibus IV and other legislations, for instance the GPSR. Omnibus IV refers to a “digital contact”, while GPSR requires an “electronic address”. If these refer to the same point of contact (e.g. for traceability but also consumer queries), **the terminology should be harmonised across legislation** to avoid confusion and regulatory overlap. Otherwise, it is recommended that **one contact point captures the different functions of the ‘digital contact’ or ‘electronic address’ referred to across different legislation**, to avoid further burdening the labels with more information.
- **Reasonably Foreseeable Conditions:** The notion of “reasonably foreseeable conditions” under which a product might be used by consumers even if not intended for them, is too vague as a criterion for determining whether a product should include safety instructions. This could result in inconsistent enforcement, as authorities and economic operators may assess the likelihood of consumer use differently, particularly for dual-use or professional-grade products. **We recommend that the text includes examples of such cases or guidelines.**

- **Digital Product Passport:** For products falling under multiple pieces of legislation, for which a Digital Product Passport (DPP) is introduced for the product itself and its component(s), further clarification is needed. For example, if a battery with a DPP is embedded in a toy, it is unclear whether the DPP can carry compliance information for the entire product or only for the battery, or whether two separate DPP carriers are used (which is a scenario that should be avoided).

## F. Common Specifications

While we recognise the Commission's intention to introduce Common Specifications (CS) as a fall-back option when harmonised standards are delayed, unavailable or there is urgent need, it is important to keep in mind the **advantages of the current democratic, typically industry-led standardisation system, which includes features that cannot be replicated by CS:**

- **Consensus-Based:** relevant actors participate, and decisions are made through consensus, which strengthens legitimacy and broad acceptance when the standards are applied.
- **Transparency:** The process is open and inclusive, ensuring visibility and trust among all stakeholders.
- **Alignment with International Standards:** The system ensures coherence with globally recognized frameworks, facilitating harmonization and reducing duplication of efforts.
- **Cross-Sector Collaboration:** It brings together representatives from industry and various sectors—including manufacturers, retailers, authorities—fostering broad-based dialogue and shared responsibility.
- **Industry-Led Verification:** The typically system is grounded in the expertise of the sector itself, which enhances both credibility and relevance.
- **Research-Based Approach:** Standard development is informed by scientific research and evidence, ensuring robust and reliable outcomes.

Common Specifications, by contrast, are not subject to the same rigorous technical vetting, or international scrutiny, raising questions about their robustness and representativeness. Furthermore, the drafting process for CS under the advisory procedure (as it is currently written in the proposal) lacks the same level of transparency and inclusiveness as the standardisation system. The way the proposal is currently drafted, bears the risk that CS are drafted without sufficient involvement of expertise.

It is also worth pointing out that standardisation delays are sometimes due to valid and necessary reasons, which means that it is the legal applicability dates that should rather be rationalised. Standards are not developed in isolation — they are often accompanied by the parallel creation of testing methods, tools, and agreed methodologies that ensure the reliability and reproducibility of results across the EU and internationally. This rigorous process helps build trust and legal certainty.

Lastly, divergence between EU Common Specifications and international standards risks creating barriers for both imports and exports of EU products. Companies may face obstacles exporting products that meet EU-specific requirements but not global ones and vice-versa. This can become especially relevant for ecodesign requirements and other delegated acts under the ESPR. ESPR itself recognises the importance of taking existing international standards and internationally established methods in their development. The opposite would create international misalignment, which can be especially their development is based on Common Specifications instead of harmonised standards. Ensuring alignment with international standards is essential to avoid fragmentation, reduce costs, and protect the global competitiveness of European industry.

**Our recommendations therefore are:**

- **CS Only When Strictly Necessary, Clear Process & Broad Stakeholder Consultation:** The conditions under which CS can be used should be better defined and potentially streamlined

with Article 20 of the Machinery Regulation (EU) 2023/1230. All relevant stakeholders must be consulted<sup>1</sup> in the preparation of the implementing act and the nature of CS should be temporary, until relevant harmonised standards are published.

- **Prioritise Efforts to Improve & Accelerate the EU Standardisation System:** The process of standard adoption however is open to refinement — delays can often be traced to procedural bottlenecks such as late submissions of national comments or prolonged validation phases in the final checks before publication. The system could also benefit from supporting broader representation of stakeholders.<sup>2</sup>
- **Rationalise Transition Periods:** The adoption of legislation introducing standards to implement it, should consider introducing realistic transition periods so there is time to adopt the appropriate standards.

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**EuroCommerce** is the principal European organisation representing the retail and wholesale sector. It embraces national associations in 27 countries and 5 million companies, including leading global players and many small businesses. Over a billion times a day, retailers and wholesalers distribute goods and provide an essential service to millions of business and individual customers. The sector generates 1 in 7 jobs, offering a varied career to 26 million Europeans, many of them young people. It also supports millions of further jobs throughout the supply chain, from small local suppliers to international businesses. EuroCommerce is the recognised European social partner for the retail and wholesale sector.

<sup>1</sup> [Commission on implementation and simplification](#) (on strengthening stakeholder engagement).

<sup>2</sup> [Commission on implementation and simplification](#) (on strengthening stakeholder engagement).