

EU Survey for Stakeholders on Gold-plating

Fields marked with * are mandatory.

Introduction

Dear business representative,

Thank you for helping us remove unnecessary barriers from the EU's single market, so that your business operations are smoother and more effective. The focus of this exercise is to **Identify by the 15th of September 2026 examples of cases where EU businesses face gold-plating.**

According to The Communication [A Simpler, Clearer and Better Enforced EU Rulebook](#) adopted in April 2026, gold-plating occurs “*where a Member State, when transposing or implementing EU law in a given policy area, introduces a wider scope, stricter rules or obligations that go beyond the requirements set by the EU legal act. Creating more burdensome procedures than what is necessary to implement the EU law can also be considered gold-plating.*”

Therefore, gold-plating involves **exceeding EU legislation requirements or administrative practices during national law transposition and implementation**, adding unnecessary complexity, costs, and burdens to stakeholders without necessarily infringing EU law (often referred to as over-implementation).

Gold-plating in Member States can take different forms, such as:

- *More stringent norms* (higher standards, expanded scope of application of EU act, language and safety demands, reporting obligations, additional labelling requirements, thresholds, removal of exemptions, etc);
- *Administrative procedures* (authorisation, notification or permitting requirements, parallel or multiple procedures at different levels (local, regional, national), new document obligations);
- *Interpretative guidance* (stringent or divergent legal interpretations of EU definitions);
- *Enforcement measures* (stringent penalties, burdensome information injunctions, frequent inspections).

When answering this EU survey, please be as specific as possible in **Identifying the barriers that you encounter when marketing your products and providing your services across the EU market.** This might include information about the product/service, target countries/regions, and differences in how EU rules are implemented at national or local level that complicate your business operations, making procedures

longer, more complex or more costly.

Collecting your views and experience is important to reduce unnecessary burdens and costs that impact you when operating in the Single Market. Thank you in advance for **providing your answer by 15 September 2026**. It will contribute to our [Simplification](#) agenda, including the development of a Toolkit for Member States to help them prevent gold-plating practices.

For further clarification, please contact GROW-SIMPLIFICATION@ec.europa.eu, in DG GROW, Unit B1 Planning and Simplification.

Privacy Statement

[GROW_B1_Privacy_Statement_for_gold-plating_survey_DPR-EC-01011_.pdf](#)

About Your Business

Please tell us more about your business and sector of your activity.

*** 1. Your Organisation**

EuroCommerce

*** 2. Company size**

- ☐ **Micro**-company has up to 10 employees and a turnover or balance sheet total of up to €2 million
- ☒ **Small** company has up to 50 employees and a turnover or balance sheet total of up to €10 million
- ☐ **Medium**-sized company has up to 250 employees, a turnover of up to €50 million or a balance sheet total of up to €43 million;
- ☐ **Large** company (250 or more employees)

*** 3. Sector of operations / your industrial ecosystem**

- ☐ Aerospace & Defence
- ☐ Agri-food
- ☐ Construction
- ☐ Creative & cultural industries
- ☐ Digital
- ☐ Energy intensive industries
- ☐ Health and care
- ☐ Electronics
- ☐ Mobility, transport, automotive
- ☐ Proximity & Social economy
- ☐ Renewable energy
- ☒ Retail
- ☐ Textile

*** 4. Indicate your main product / service** so we understand better in which subsector you are part of.

EuroCommerce represents the European retail and wholesale sector. Its membership comprises large and small companies active across food and non-food retail and wholesale, operating through brick-and-mortar, online and omnichannel business models. EuroCommerce also represents national retail federations from across Europe.

The sector provides consumers and businesses with a wide range of products and services, including food and grocery products, fast-moving consumer goods, textiles, household goods, electronics, DIY and construction products, and other consumer and professional goods.

The examples included in this submission therefore reflect the experience of businesses operating across multiple retail and wholesale subsectors and across a broad range of EU regulatory frameworks.

*** 5. Main Member State** of your business operations. *Multiple choice is possible if you wish to flag cross-border nature of your activity.*

- ☐ Austria
- ☒ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain

☐ Sweden

☐ Other

6. May we **contact you** for further details, if needed?

☒ YES

☐ NO

* Your **Name & Surname**

Júdit Zatloukalová

* Your **E-mail**

zatloukalova@eurocommerce.eu

DESCRIPTION OF IDENTIFIED GOLD-PLATING PRACTICES

7. **Have you encountered gold-plating** practices in your area of operations?

☒ YES

☐ NO

* 8. Please identify which **category(ies)** of gold-plating have you encountered:

- ☒ *More stringent norms*: higher standards, e.g. supplementary substantive rules (on the characteristics of the product and/or service provision in question) beyond those required by an EU Act
- ☒ *More stringent norms*: expanded scope of application of EU legislation as transposed or implemented at national, regional or local level
- ☒ *More stringent norms*: stricter deadlines
- ☒ *More stringent norms*: additional language and safety demands
- ☒ *More stringent norms*: reporting obligations
- ☒ *More stringent norms*: additional labelling requirements
- ☒ *More stringent norms*: authorisation, notification, registration or permitting requirements not required by an EU Act
- ☒ *More stringent norms*: different thresholds (size, turnover, emissions, etc.)
- ☒ *More stringent norms*: removal of exemptions allowed by the EU Act
- ☒ *Administrative procedures*: new document obligations incl. authorisations, notifications, information requests
- ☒ *Administrative procedures*: parallel or multiple procedures at different levels (local, regional, national)
- ☒ *Interpretative guidance*: stringent or divergent legal interpretations of EU definitions;
- ☒ *Enforcement measures*: stricter penalties, burdensome information injunctions, frequent inspections
- ☒ *Other*

If you chose 'other' in the previous question, please **explain briefly what kind** of gold-plating you have encountered (detailed description follows below).

EuroCommerce members have encountered all major forms of gold-plating identified in the survey. This demonstrates that gold-plating occurs not only through legislation but also through administrative practice, guidance and enforcement decisions that go beyond the objectives or wording of EU law. This is particularly relevant in areas governed by directly applicable EU Regulations, where there is no formal transposition, yet national implementation and enforcement can nevertheless result in significantly different compliance burdens across Member States.

* 9. Identify the **sector(s), for which this gold-plating case** is relevant

- ☐ Aerospace & Defence
- ☐ Agri-food
- ☐ Construction
- ☐ Creative & cultural industries
- ☐ Digital
- ☐ Energy intensive industries
- ☐ Health and care
- ☐ Electronics
- ☐ Mobility, transport, automotive
- ☐ Proximity & Social economy
- ☐ Renewable energy
- ☒ Retail
- ☐ Textile
- ☐ Tourism

* 10. Identify the **product or service** concerned by this gold-plating case

The gold-plating cases identified in the attached document affect a broad range of retail and wholesale activities, including:

- Food and grocery products,
- Agricultural products,
- Private-label products,
- Fast-moving consumer goods,
- Apparel, footwear and home textiles,
- Construction, decoration and DIY products,
- Packaging and packaging waste management,
- Price indication and promotional activities,
- Supplier agreements and commercial practices,
- Retail establishment and operating permits,
- Sustainability, reporting and consumer information obligations.

The multiplicity of affected sectors demonstrates that gold-plating is a systemic Single Market issue rather than a sector-specific problem.

* 11. Identify the **Member State(s) where you have encountered this gold-plating** practice

- ☒ Austria
- ☒ Belgium

- ☐ Bulgaria
- ☒ Croatia
- ☐ Cyprus
- ☒ Czechia
- ☒ Denmark
- ☒ Estonia
- ☒ Finland
- ☒ France
- ☒ Germany
- ☒ Greece
- ☒ Hungary
- ☐ Ireland
- ☒ Italy
- ☐ Latvia
- ☒ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☒ Netherlands
- ☒ Poland
- ☒ Portugal
- ☒ Romania
- ☐ Slovak Republic
- ☒ Slovenia
- ☒ Spain
- ☒ Sweden

12. Identify the **applicable EU legal act(s), national measure(s) or administrative practice(s)** impacted by gold-plating; and if possible, indicate which authority is responsible for adopting the measure.

The examples collected by EuroCommerce concern a range of EU Directives and Regulations where national transposition measures, implementing legislation, administrative guidance or enforcement practices appear to go beyond the requirements of EU law.

EU Directives affected include:

- Directive (EU) 2019/633 on unfair trading practices (UTP Directive);
- Directive (EU) 2019/771 on the sale of goods;
- Directive 2005/29/EC on unfair commercial practices (UCPD);
- Directive (EU) 2019/2161 (Omnibus Directive);
- Directive (EU) 2024/825 (Empowering Consumers for the Green Transition);
- Directive (EU) 2024/1799 (Right to Repair);
- Directive (EU) 2019/904 on single-use plastics;
- Directive 2008/98/EC on waste;
- Directive (EU) 2022/2555 (NIS2);
- Directive 2002/58/EC (ePrivacy Directive);
- Directive (EU) 2024/1760 on corporate sustainability due diligence (CSDDD);
- Directive (EU) 2019/770 on digital content and digital services;

- Directive (EU) 2022/2381 on improving the gender balance among directors of listed companies;
- Directive 98/24/EC concerning chemical agents at work; and other.

EU Regulations affected include:

- Regulation (EU) 2024/1781 (Ecodesign for Sustainable Products Regulation - ESPR);
- Regulation (EU) 2025/40 (Packaging and Packaging Waste Regulation - PPWR);
- Regulation (EC) No 178/2002 (General Food Law);
- Regulation (EC) No 1907/2006 (REACH);
- Regulation (EU) 2016/679 (GDPR);
- Regulation (EU) 2019/452 (FDI Screening Regulation); and other.

National measures concerned include national transposition laws, implementing decrees, sector-specific acts, administrative rules, supervisory guidance and enforcement practices. Examples identified in the attached overview include:

- Spain: Law 12/2013 on the Food Supply Chain (as amended by Law 16/2021), Royal Decree-Law 7/2021, Royal Decree 1055/2022 on packaging, Law 1/2025 on food waste and several draft laws and decrees under consultation;
- France: EGALIM laws, Descrozaillie Law, AGECE Law, Climate Law, Environmental Code provisions and sector-specific implementing measures;
- Germany: AgrarOLkG, Supply Chain Due Diligence Act (LkSG), Single-Use Plastics Fund Act (EWKFondsG), provisions of the German Civil Code (BGB), and administrative enforcement practices;
- Belgium: Royal Decree of 4 July 2025 on unfair trading practices, Belgian Code of Economic Law, Interregional Cooperation Agreement on Packaging and Waste;
- Greece: Laws 4792/2021, 4967/2022, 4933/2022 and 5317/2026;
- Romania: Law No. 81/2022, Government Decision No. 198/2023, GEO No. 46/2022 and related implementing measures;
- Netherlands: Packaging Management Decree 2014, national environmental database requirements, food safety notification rules, certification schemes and enforcement practices;

Authorities responsible vary depending on the measure but generally include:

- National governments and national parliaments adopting transposition laws;
- Relevant ministries (e.g. economy, consumer affairs, agriculture, environment, development, digital affairs);
- Market surveillance, competition, food safety and consumer protection authorities;
- Data protection authorities;
- Cybersecurity authorities;
- Customs and tax authorities;
- National regulators and inspectorates responsible for sectoral enforcement.

More detailed descriptions and concrete examples by legal act and Member State are provided in the attached overview.

13. Estimate the **intensity and frequency** at which this gold-plating problem burdens your business.

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* 14. **Describe** additional information about this gold-plating practice (nature of the gold-plating burden, frequency of dealing with it, impact on your operations, geography, timeline), which you encounter when operating in the EU.

The examples collected suggest that gold-plating can take many forms. It may arise through additional legislative requirements introduced during the transposition of EU directives, but also through national implementation choices, administrative procedures, reporting and documentation obligations, restrictive interpretations of EU concepts, or supervisory and enforcement practices that create more burdensome obligations than those encountered elsewhere in the EU. This is particularly relevant in areas governed by directly applicable EU Regulations, where there is no formal transposition, yet national implementation and enforcement can nevertheless result in significantly different compliance burdens across Member States.

The multiplicity of affected areas demonstrates that gold-plating is a systemic Single Market issue rather than a sector-specific problem.

EuroCommerce members reported the following examples of gold-plating most frequently:

- Unfair Trading Practices (UTP) rules: EuroCommerce members highlighted national legislation in several Member States that expands the scope of protection beyond the thresholds established by Directive (EU) 2019/633, introduces additional prohibited practices, mandatory contractual requirements or restrictions on commercial negotiations. Businesses report recurring compliance costs, increased legal complexity and difficulties applying consistent supply-chain practices across Member States.

An analysis of the ways in which Member States have gold-plated the UTP Directive is included in the Commission Staff Working Document, 'Unfair Trading Practices (UTP) - Overview tables on Member States' transposition choices and enforcement activities' accompanying the Implementation Report of the Directive. (Link: EUR-Lex - 52024SC0106 - EN - EUR-Lex ; <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2024:106:FIN>)

- Packaging, waste and sustainability legislation: This area presents another recurring issue, where businesses face additional national labelling, reporting, registration, or extended producer responsibility requirements beyond the EU framework. Such measures often apply on an ongoing basis, affect large volumes of products, generate significant administrative burdens and increase operational costs for companies active in multiple Member States.
- Consumer protection and product rules: Examples include longer guarantee periods, additional repair and spare-parts obligations, stricter promotional and pricing requirements, and national repairability schemes that go beyond harmonised EU requirements. These measures require product adaptations, market-specific compliance processes, IT changes, staff training and additional after-sales support obligations.

More detailed descriptions and concrete examples by legal act and Member State are provided in the attached overview of cases.

15. Please **share if you have a more detailed description of the problem available**, such as a position paper, legal analysis or press release.

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IMPACT & COST OF GOLD-PLATING ON YOUR BUSINESS

Help us understand the qualitative and quantitative impact that the above-mentioned gold-plating practice has on your business growth, bottom-line or expansion opportunities. If possible, please quantify the burden including direct and indirect costs. Even a rough estimate is valuable; exact figures are not required as long as some justification is provided. For more details about the typology of costs, refer to [Better Regulation Toolbox, p. 507](#)

16. **How significant is the burden** on your business?

- ☐ Minor inconvenience
- ☐ Low burden
- ☐ Moderate burden
- ☒ Significant burden
- ☐ Major barrier to market entry or business operations

17. Which type(s) of **DIRECT costs** have you incurred as a result of this/these gold-plating practice(s)?

- ☒ **Adjustment costs: investments and expenses** to adjust your activity to the gold-plated requirements
- ☒ **Administrative costs** to comply with administrative obligations
- ☒ **Regulatory charges:** including fees, levies, taxes, etc.
- ☒ **Enforcement costs** associated with implementation of the rules (such as monitoring, inspections and adjudication/litigation)
- ☒ **Hassle costs** from unnecessary waiting time, delays, redundant legal provisions.
- ☒ Other

18. Please specify **any other additional direct cost** incurred.

- Legal analysis and advisory costs,
- IT and system adaptation (e.g. for country-specific price display, promotion mechanics and quarterly reporting)
- Product, packaging and labelling adjustments,
- Internal reporting and monitoring costs,
- Costs arising from multiple permitting and authorisation procedures,
- Delays and inefficiencies caused by administrative processes.

Gold-plating reduces legal certainty and imposes unnecessary costs without delivering corresponding Single Market benefits. It prevents retailers and wholesalers from deploying harmonised business models and limits the ability to offer consumers comparable products, services and prices across the EU. It also undermines investment planning and confidence in the consistent application of EU law.

19. In a typical month, **what percentage of employees' time, if any, is spent on dealing with those additional requirements** imposed by national regulation or administrative practices?

The burden is difficult to quantify uniformly across the retail and wholesale sector because it stems largely from structural regulatory divergence rather than one single compliance activity. Nevertheless, members report substantial management and compliance resources devoted to monitoring and implementing country-specific requirements.

- * 20. **Specify and/or quantify (in EUR) the above-mentioned costs** of gold-plating: e.g. as extra expense per unit of sales, annual operating expense, compliance costs (e.g. for legal analyses), or other.

It is difficult to isolate the costs of gold-plating from wider regulatory and administrative burdens. For many businesses, there is no clear distinction between costs resulting from bureaucracy and costs resulting from gold-plating, as the two are often closely intertwined. While robust quantitative estimates are not available for all cases, members consistently report additional compliance efforts, administrative costs, legal uncertainty, product adaptation requirements, delays and operational inefficiencies resulting from national add-ons to the EU framework. The key issue is not their absolute value but their recurring and avoidable nature, arising from administrative practices that are inconsistent with the existing legal framework.

21. Which **type(s) of INDIRECT costs** have you incurred as a result of this/these gold-plating practice(s)?

- ☒ **Indirect compliance** costs related to the fact that stakeholders have to comply with legislation
- ☒ **Offsetting/substitution** costs related to reliance on alternative sources of supply
- ☒ **Transaction costs of renegotiating contracts**
- ☒ **Opportunity costs** of foregone alternative investments
- ☒ **Negative impacts on market functioning:** reduced competition or market access, reduced innovation or investment.
- ☒ Other

22. Please specify any **other additional indirect cost** incurred.

Reduced economies of scale

- * 23. **Specify if/how the above-mentioned gold-plating practices negatively impacts your business, including indirect costs in EUR**, e.g. due to delays in market entry, loss of contracts / opportunities, reduced competitiveness, or impact on your decision to enter / remain in a particular market?

For retailers and wholesalers, particularly for those operating across multiple Member States, gold-plating affects daily operational decisions, including compliance, product information, pricing, reporting and investment planning. The impact is driven by restricted promotion mechanics and price communication, renegotiation of supplier contracts under diverging national rules, foregone harmonisation of assortment and promotion planning across markets, and a reduced ability to offer the same commercial terms and consumer prices in all countries in which a retailer or wholesaler operates.

The cumulative effect is significant, as companies must adapt systems, procedures, reporting processes and contractual frameworks on a country-by-country basis despite operating under legislation intended to support the Single Market. This increases compliance costs, reduces competitiveness and legal certainty, and undermines confidence in the consistent application of EU law across the EU.

SOLUTIONS

This section aims to understand whether/how you have already tried addressing the issue and what the result was.

24. Which **channel / authority** did you approach for remedy?

- ☒ National, regional or local public authority
- ☒ Courts
- ☐ EU reporting tools, such as the Single Market Barrier Tracker or Solvit
- ☒ Industry association or public affairs representative
- ☒ EU Business Support Network (e.g. EEN or industry cluster)
- ☒ Public communication including social media
- ☒ Other
- ☐ None

25. **How was the request addressed?** Which organisation helped you address it and what kind of action / solution have they offered / delivered?

Your answer will help us identify better / worse practices for eliminating gold-plating in various Member States.

EuroCommerce and its members regularly engage with national authorities, regulatory agencies, governments and EU institutions to address cases of gold-plating through public consultations, position papers, structured dialogue and advocacy activities. In some cases, these efforts have led to clarifications or amendments in implementation. However, many of the identified measures, administrative practices and enforcement approaches remain in place despite concerns raised by businesses and their representative organisations.

Through ongoing engagement with policymakers, EuroCommerce continues to advocate for a more harmonised implementation and enforcement of EU legislation, greater respect for the principles of proportionality, and the avoidance of unnecessary national requirements that fragment the Single Market.

Further information on individual cases and actions undertaken can be found in the attached compilation of examples and in EuroCommerce's Single Market Barriers Overview (available at <https://www.eurocommerce.eu/2024-05-single-market-barriers-overview-2/>), which identifies national measures and practices creating disproportionate burdens for retail and wholesale businesses operating across the EU (including due to national gold-plating).

26. What other **action(s) would you welcome** so that the problem is solved?

EuroCommerce would welcome the following actions:

1. Greater use of maximum harmonisation, where appropriate, to reduce regulatory fragmentation and ensure a more uniform application of EU rules across Member States.
2. Stronger Commission role in the implementation phase, where the Commission and Member States are in a closer dialogue, to give Member States more guidance on how to avoid gold-plating.
3. Ex ante review of national transposition and implementation measures to prevent gold-plating before they enter into force.
4. Enhanced scrutiny of national measures that exceed EU requirements, including an obligation for Member States to justify national provisions that go beyond the minimum requirements established in EU legislation and demonstrate why such measures are necessary in their national context. This should include addressing the examples of gold-plating identified in the attachment to this response.
5. Ex post evaluation of the final national transposition and implementation measures law that have been adopted to assess their impact on the functioning of the Single Market.
6. Elimination of duplicative reporting, labelling, certification and administrative requirements, together with

better alignment of national enforcement practices with EU rules.

7. Structured stakeholder consultation and practical guidance to help prevent gold-plating and ensure consistent implementation across the EU.

8. The European Commission and Member States should launch a continuous review process for national technical rules to assess whether they remain fit for purpose, relevant, future-proof, proportionate, and non-discriminatory. As a first step, efforts could focus on identifying the product categories and technical requirements that should be prioritised based on their impact on Single Market fragmentation.

We believe that these actions would strengthen the Single Market, improve competitiveness, increase legal certainty and reduce unnecessary regulatory burdens while preserving policy objectives.

It is important to note that the examples presented in the attached document stem from a wide range of legislative and regulatory contexts, and the underlying causes of fragmentation vary. As a result, there is no one-size-fits-all solution. The Commission should therefore assess the examples and recommendations in the context of the relevant policy area, as different tools and approaches may be required to effectively address Single Market fragmentation.

27. Have you identified **Member States that have implemented the same EU legislation in a less burdensome way**?

If so, please specify the Member State/s and main differences observed.

Contact

[Contact Form](#)