

Important Legal Update for Online Platform Providers: Extended Producer Responsibility in Finland

Free support available

Distance sellers are **required by law** to manage the waste generated by the products placed on the Finnish market. As an online platform provider, it's crucial to understand this legal obligation known as Extended Producer Responsibility, or EPR. This guidance explains the concept and how to comply with existing and upcoming legislation in Finland.

What is EPR?

- EPR in Finland is based on EU-wide legislation called the Waste Framework Directive and subsequent product-specific legislation.
- In short, EPR means that businesses are jointly responsible for organising waste man-agement for products placed on the Finnish market.
- The responsibility applies to both physical and online retailers and is not restricted to sellers within the EU. This includes distance sellers on online shops or platforms anywhere in the world. Both B2C and B2B sales are included.
- Products included in EPR in Finland are packaging, electrical and electronic equipment, batteries and accumulators, single use plastics products, fishing gear containing plastic, vehicles, paper and paper products* and tyres*. In the future, EPR in the EU will also apply to textiles and shoes, pharmaceutical products and cosmetics (legislation underway). This means that EPR applies e.g. to all packaged products being sold to Finland. There is no minimum limit of sales.

Who is responsible for EPR for products sold on an online platform?

- **Vendors**: Vendors on your platform carry the full responsibility for EPR for their products. However, as an online platform provider you may voluntarily handle EPR on behalf of a seller on your platform.
- **Online platform provider:** When selling your *own products* to Finnish end-users, you are responsible for EPR as a distance seller. An end-user is a consumer or a business that uses the product for their own use. However, if a Finnish business customer acts as an importer or uses the product as a component, the business is responsible for EPR.
- Dropshipping and other sales models: The responsibility usually rests with the con-tractual partner of the end-user. Sometimes it is not directly clear who is responsible. In these cases, it is best to contact the <u>National EPR Authority</u> for guidance.

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*National EPR schemes in Finland. Other product groups listed are EU-wide: you can expect similar EXTENDED

responsibilities in other EU countries.

How do I manage EPR?

As a distance seller

- Managing EPR in Finland is straightforward. The easiest way to comply is to join a producer organisation (PRO) or to appoint an authorised representative (legal entity based in Finland) to join one on your behalf.
- The PRO will take care of all responsibilities (such as collecting and recycling of waste) on your behalf. You will report the amount of products placed on the Finnish market to the PRO.
- Different product groups have different PROs. Often it is necessary to join more than one.
 For example, when selling a laptop, you must join PROs for electrical and electronic equipment, batteries and packaging.
- For certain product groups, appointing an authorised representative is mandatory for distance sellers based in the EU. These product groups include electrical and electronic equipment, single-use plastics and fishing gear containing plastic. From August 2025 on, an authorised representative will become mandatory for batteries and accumulators, and in the future the same is expected for packaging and textiles.

As an operator of an online trading platform

- You can manage EPR for your own products according to the guidance above
- You may voluntarily assume EPR on behalf of the distance seller operating on your platform by appointing an authorised representative established in Finland or by concluding an agreement with a PRO. You must have written authorisation from the distance seller to do so.

Are there products containing batteries being sold on your platform? Take note:

A significant deadline is approaching in August 2025. According to the EU Battery Regulation, as an online platform provider, **you must verify** that businesses selling on your platform have fulfilled their Extended Producer Responsibility in all EU countries. **You will be required to exclude non-compliant sellers from your platform.** A similar approach is likely to be taken in the upcoming EU packaging regulation and textile EPR.



It is in your interest to spread awareness of EPR! We kindly ask you to share the guidance tailored to distance sellers (attached and <u>online</u>) to all vendors on your platform.

Where do I find more information?

- For a quick overview, watch an <u>animation</u>
- For more information, visit <u>www.producerresponsibility.fi</u>
- For practical advice, contact a producer organisation
- For general questions, contact the EPR Authority at <u>tuottajavastuu@ely-keskus.fi</u>
- For individual support, request a <u>Teams-support session</u> by the EPR authority (available for online platform providers only)