

Waste: resource efficiency. Circular economy package

2015/0275(COD) - 02/12/2015 - Legislative proposal

PURPOSE: to revise the rules on waste management in order to facilitate Europe's transition to a circular economy.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with Council.

BACKGROUND: the Commission considers that recent trends suggest that **turning waste into a resource is an essential part** of increasing resource efficiency and closing the loop in a circular economy. The Union's economy currently loses a significant amount of potential secondary raw materials that are found in waste streams. **In 2013, total waste generation in the EU amounted to approximately 2.5 billion tons of which 1.6 billion tons were not reused or recycled** and therefore lost for the European economy. It is estimated that an additional 600 million tons could be recycled or reused. By way of example, only a limited share (43%) of the municipal waste generated in the Union was recycled, with the rest being landfilled (31%) or incinerated (26%).

With respect to **waste management**, the Union also faces large differences amongst its Member States. In 2011, while six Member States landfilled less than 3% of their municipal waste, 18 landfilled over 50%, with some exceeding 90%. This uneven situation needs to be redressed.

The proposal aiming to amend [Directive 2008/98/EC](#) on waste is part of a **series of measures** on the circular economy which also includes proposals to amend:

- Directive 94/62/EC on [packaging and packaging waste](#)
- Directive 1999/31/EC on the [landfill of waste](#)
- Directive 2000/53/EC on [end-of-life vehicles](#)
- Directive 2006/66/EC on [batteries and accumulators](#) and waste batteries and accumulators,
- Directive 2012/19/EU on [waste electrical and electronic equipment](#).

The proposals build in part on [the proposal](#) that the Commission tabled in July 2014 and subsequently **withdrew in February 2015**. They are in line with the objectives of the [Resource Efficiency Roadmap](#) and the [7th Environment Action Programme](#) including:

- full implementation of the waste hierarchy in all Member States;
- decline in absolute and per capita waste generation;
- ensuring high quality recycling and the use of recycled waste as a major, reliable source of raw materials for the Union.

They also contribute to the implementation of the [EU Raw Materials Initiative](#) and address the need to prevent food waste.

IMPACT ASSESSMENT: the impact assessment led to the conclusion that the options envisaged will bring the following benefits:

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- reduction of the administrative burden in particular for small establishments or undertakings, simplification and better implementation including by keeping targets ‘fit for purpose’;
- more than 170,000 direct jobs could be created by 2035, most of them impossible to delocalize outside the EU;
- GHG emission reduction – more than 600 millions of tons of green house gas could be avoided between 2015 and 2035;
- positive effects on the competitiveness of the EU waste management and recycling sectors as well as on the EU manufacturing sector ;
- reinjection into the EU economy of secondary raw materials which in turn will reduce the dependency of the EU on raw materials imports.

CONTENT: the proposal to amend Directive 2008/98/EC responds to the legal obligation to **review the waste management targets** in that Directive to make them better reflect the Union's ambition to move to a circular economy.

The main points are as follows:

Alignment of definitions: it is proposed to include in Directive 2008/98/EC definitions of municipal waste, construction and demolition waste, the final recycling process, and backfilling so that the scope of these concepts is clarified. The definition of municipal waste should be in line with the definition used for statistical purposes by the European Statistical Office and the Organisation for Economic Co-operation and Development. It is neutral with regard to the public or private status of the operator managing waste.

Economic measures: Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of **financial incentives aimed at achieving the waste prevention and recycling objectives of this Directive**, such as landfill and incineration charges, pay as you throw schemes, extended producer responsibility schemes and incentives for local authorities.

Waste or non-waste status: the proposal establishes at the Union level harmonised conditions for substances or objects to be recognised as by-products and for waste that has undergone a recovery operation to be recognised as having ceased to be waste.

Producer responsibility schemes: given that the effectiveness of these schemes differ significantly between Member States, the proposal sets **minimum operating requirements** for extended producer responsibility. Those requirements should:

- define in a clear way the **roles and responsibilities** of producers of products placing goods on the market of the Union;
- define **measurable waste management targets**, in line with the waste hierarchy, aiming to attain at least the quantitative targets relevant for the scheme as laid down in the Directive;
- establish a **reporting system** to gather data on the products placed on the Union market by the producers subject to extended producer responsibility.

Waste prevention: Member States should:

- encourage the use of products that are resource efficient, durable, reparable and recyclable;
- target products that are the **main sources of raw materials** of a high importance to the economy of the Union and whose supply is associated with a high risk to prevent that those materials become waste;
- encourage the setting up of **systems promoting reuse activities**, including in particular for electrical and electronic equipment, textiles and furniture;

- **reduce waste generation** in processes related to industrial production, extraction of minerals and construction and demolition, taking into account best available techniques;
- **monitor and assess** the implementation of the waste prevention measures.

Prevention of food waste: Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of halving food waste by 2030.

These measures should aim to prevent food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households. Member States should establish specific food waste prevention measures and should measure progress in food waste reduction.

Re-use and recycling: Member States shall take measures:

- to **promote preparing for re-use activities**, notably by encouraging the establishment of and support for re-use and repair networks and by facilitating the access of such networks to waste collection points, and by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures;
- promote **high quality recycling** and set up separate collection of waste where technically, environmentally and economically practicable.

Municipal waste: the proposal provides for an increase in the targets of preparing for re-use and the recycling of municipal waste, from **60% until 2025 to 65% in 2030**.

Estonia, Greece, Croatia, Latvia, Malta, Romania and Slovakia may obtain **five additional years for the attainment of these targets**. In the event of an extension, the Member State shall take the necessary measures to increase the preparing for re-use and the recycling of municipal waste to a minimum of 50% and 60% by weight, by 2025 and 2030 respectively.

Bio-waste: Member States should ensure the **separate collection of bio-waste** where technically, environmentally and economically practicable. They should encourage the recycling, including composting, and digestion of bio-waste, the treatment of bio-waste in a way that achieves a high level of environmental protection.

The proposal also provides for:

- the adoption of improved and simplified definitions and **uniform calculation methods** for recycling throughout the EU;
- the establishment of **common rules for reporting** in order to ensure the reliability of data gathered for recycling;
- introduction of an **Early Warning System** for monitoring compliance with the recycling targets;
- simplification and streamlining of **reporting** obligations.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.