

22 July 2022

MWE response to the Second Public Consultation on the revision of the Waste Framework Directive (WFD)

MWE welcomes the second public consultation on the revision of the Waste Framework Directive. As the online consultation is addressed to the general public we find that the questionnaire and its multiple choice answers are lacking in clarity and depth for an expert audience. We have therefore not responded via the generic questionnaire but through the detailed, technical response developed by the full Municipal Waste Europe membership, here below.

Commercial & Industrial Waste

We remind the Commission of the following mandate to analyse and include waste treatment obligations for Commercial and Industrial waste in the 2018 Waste Framework Directive (Article 11.6):

*By 31 December 2024, the Commission shall consider the setting of preparing for re-use and recycling targets for construction and demolition waste and its material-specific fractions, textile waste, **commercial waste, non-hazardous industrial waste** and other waste streams, as well as preparing for re-use targets for municipal waste and recycling targets for municipal bio-waste. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.*

Currently the WFD targets only apply to municipal waste whereas this represents only 10% of total waste generated. Municipal Waste Europe considers it crucial to the creation of a circular economy, that Commercial and Industrial Waste is included in the WFD with obligations to sort at source, a separate collection mandate and with the application of prevention, reuse and recycling obligations and targets. If this is not accomplished, any efforts to design for reuse and recycling and any minimum recycled content targets will be severely undermined.

We understand that the Commission has plans to further discussions and preparations along these lines in a second wave of this revision process, beginning after the publication of the first wave which is due in early 2023. We look forward to actively participating also in that second wave revision.

Waste Prevention & Reuse

We strongly suggest that the Commission broadens the focus of this debate to look at the source of the problem rather than focusing efforts on further legal targets and obligations addressing local public authorities, who already have the obligation to handle waste entering the municipal waste stream. We propose that a clear definition of waste prevention, including working examples, is integrated into the Waste Framework Directive in order to clarify what it entails. This is important so as to distinguish without need for interpretation what is considered 'prevention' before entering waste collection systems (for example, through consumer-to-consumer platforms for second-hand) and what is considered 'prevention' once discarded items undergo preparing-for-reuse activities within the waste management system. This is of key importance as all interpretation leads to economic and market distortions, in other words disabling harmonised implementation in the EU.

Once items have been collected in the waste stream they are legally considered to be 'waste'. To leave this definition as waste a preparing for re-use or recycling process must be completed. However, there is a **critical grey area** to be clarified as in most member states today this will reduce landfilled quantities of waste: this **grey area** is the point at which items which can be directly reused or repaired and reused are deposited in a waste container, at a waste collection point or collected by a waste collection vehicle. It is necessary to legally allow these items to be removed from the waste stream and waste status so that they can be reused or repaired and reused either by citizens or by repair and reuse shops or networks. Such reuse addresses **social justice** as well as **environmental justice** making it even more important that we get it right. Once again, EU legislation must implement this clarification in order that harmonised implementation is possible throughout the EU. Currently there are some member states that allow items (very often bulky items) to be removed from the waste stream for reuse however this is not a fully legal activity. Therefore the majority of member states do not allow it today.

We suggest that legal status could be given in two ways:

1. Identifying the conditions under which an object, even if held by a waste collection scheme or facility (for example a civic amenity site), may not yet have assumed the status of waste and therefore can be given to re-use and repair networks;
2. Making it legally possible for Member States to define the conditions under which preparing for re-use activities can be started following simplified authorisation procedures (so access can be given to waste held by collection schemes or facilities).

As mentioned above, many of these repair shops and networks have a key social dimension, creating jobs and training for the unskilled and previously unemployed as well as making good quality, otherwise inaccessible, furniture and household equipment economically available to low income households.

We propose that the revised WFD addresses and resolves this problem at EU level by giving the legal option for Member States to give access to items and waste to known and qualified reuse and preparing-for-reuse shops and networks. We include a dedicated entry 6.2 under ‘Barriers for waste prevention (re-use) and preparing-for-reuse’ below in this paper.

In order to set targets, data on product and waste flows would be necessary or at least a way of measuring these. In the case of prevention and reuse there is no reliable way of collecting data currently. For this reason, we propose that a different approach is taken here and rather than setting targets, facilitation of certain measures should be encouraged. For example, the use of new economic models which promote repair and reuse, leasing arrangements and suchlike which keep the items in use.

Waste operators and public authorities have of course a role in prevention. They work in close communication with citizens and other actors in the value chain, a necessity for a functional circular economy. However, their overall impact on waste prevention is extremely limited as the waste management sector has no decision-making power in terms of product design and business practices, as well as to effectively change the consumption pattern of the population. **Therefore, while working on improvements in waste management, the Commission should look further at implementation problems and practical barriers to implementation rather than setting new collection obligations for municipal waste. In terms of prevention, we welcome efforts foreseen in the Sustainable Product Policy and the revision of the Ecodesign Directive as the way in which waste is handled ultimately depends on how the product is designed.**

The Commission is assessing implementing a Food Waste Reduction Target and we would like to urge caution on this particular point. **We suggest not to speak of waste reduction in absolute terms**, but of “decrease of waste generation” with respect to specific socio-economic indicators (i.e. in terms of "intensity" of waste production per unit of GDP or of final household consumption expenditure). Waste generation is closely linked to socio-economic dynamics, therefore a simple reduction could be reached, paradoxically, thanks to a profound economic crisis (which would not mean a better efficiency in the use of resources). One important and key action which will reduce food waste is elimination of the ‘best by’ date. An expiry date is sufficient for health and safety purposes. A definition of any Food Waste Reduction Target and how it could be applied should be inspired by existing practice e.g. in France.

Barriers for waste prevention (re-use) and preparing-for-reuse:

- 1. Lack of incentives for treatment higher up the Waste Hierarchy.** Waste prevention measures and circular practices such as leasing and economic incentives such as VAT exemption or reduction for repair activities should be included in the WFD and actively encouraged as part of national Waste Management Plans and national Waste Prevention Plans. We would like here to refer to the [MWE response to the ‘Sustainable consumption of goods – promotion repair and reuse’](#), where we proposed measures to encourage repair and reuse.

- 2. Extended Producer Responsibility (EPR) systems fail on waste prevention and reuse initiatives.** EPR schemes earmark funding and focus all efforts on material recovery as recycling was the initial priority. However, they have not adapted to the new circular economy priorities and leave measures on waste prevention almost entirely out of their strategies. Today, Producer Responsibility Organisations (PROs) need to take a more holistic value chain approach, addressing prevention and reuse on behalf of their members as well as collection for sorting and recycling. This includes having a prevention plan, designed in coordination with their members and municipalities and contributing practically and financially to communication campaigns to both citizens and producers. Care must also be taken by PROs to design their modulated fees in such a way as to incentivise design for prevention (i.e reusability, reparability, durability, quality of advertising) through eco-modulated fees. Under Prevention and Reuse, the WFD should include an ‘obligation to repair’ by the producers as a first option, to complement and strengthen the consumer’s right-to-repair. We elaborate further on EPR measures below.
- 3. Marketing/Advertisement.** We propose that the encouragement of the use of marketing and advertising practices by producers and retailers that ‘Empower Consumers in the Green Transition’ are included in the legislative proposal. Not only should the Commission address misleading green claims (greenwashing) but also develop methods to discourage practices that encourage unnecessary consumption (for example buy 1 get 1 free or vouchers for further consumption when e.g. clothing is returned for recycling). Marketing and advertising must focus on messaging that gives consumers information on the quality and reusability of the product. Unhelpfully, advertising campaigns still identify ‘shopping’ with ‘happiness/wellbeing’ which encourages wasteful behaviour. It would be helpful for the WFD to encourage a move away from linking shopping with mental well-being and instead promote new business models such as second-hand, repair and leasing that free up time from shopping enabling more time in nature and for social interaction which do have a positive, lasting effect on mental well-being.
- 4. Discount vouchers as part of take-back systems.** It is known that some retailers and producers organise take-back systems to collect textile waste directly from consumers. In many cases, consumers are rewarded with ‘discount/credit vouchers’. Such practices encourage consumption as they undermine options for reuse and waste prevention by encouraging new purchases. We suggest that rewards to encourage returns through bring systems should be based on ‘repair vouchers’ or on circular economy models such as leasing which is also applicable to clothing (e.g. it has always been possible to rent tuxedos and evening gowns). Repair vouchers may encourage consumers to make use of repair services provided by the retailer, the producer or independent repair services, so also creating new jobs.
- 5. Lack of traceability of online markets.** We have noticed cases of lack or inexistent traceability control in e-commerce. For instance, when a consumer cancels an order through the online procedure provided by the retailer or modifies the order (e.g. different colour, size, etc.) before receiving or even paying for

the goods, it happens that the parcel is delivered anyway. The consumer receives what had been purchased together with the unwanted item that had been cancelled. There are also cases where the consumer had not purchased the item but received it anyway without the possibility to send it back to the retailer. Textile waste sorting facilities inform us that once sent out, even if returned, the unused, still packaged items are treated as waste. This practice may happen because manufacturing the product may be cheaper than sorting it and putting it back on the shelves to resell it. This practice needs to be discouraged, both by legally forbidding it and by penalising it, e.g. by recognising and certifying it as non-sustainable behaviour, rendering the companies doing this unsustainable and non-circular. Traceability of products imported into the EU is needed (packaging, textiles, batteries, WEEE...) to ensure that importers are paying their EPR fees and that any carbon border adjustment mechanism can be applied. This can be implemented using the existing system for collecting import duties.

- 6. Barriers for preparing-for-reuse and reuse.** In practical terms the border between reuse and preparing-for-reuse is challenging and currently obstructs the achievement of targets. We identify the following key challenges:

6.1 Legal definition of reuse and preparing-for-reuse in the WFD.

We call for the revision of the definitions of preparing-for-reuse & reuse:

-Waste Framework Directive in force, Article 3:

're-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived;

MWE proposes the following revision of the definition of reuse:

're-use' means any operation by which products or components that are not waste are used again for the same purpose for which they were conceived or other purpose which preserves their material value. Re-use operations include repair and re-manufacturing of products or components used for the same or other purposes for which they were conceived.

Justification:

The definition of reuse in force is too narrow. It limits the possibility to use products or components for other purposes than their intended use. Therefore, a revision is needed in order to widen the scope. In order to make it possible to prevent waste generation and to reuse as many products or components as possible, it is important to have appropriate legal definitions and provisions in place. A revised definition – in line with the proposal above – would make re-manufacturing of products and

components possible in order for them to fall within the definition of re-use. Adding “other purposes” widens the scope and contributes to more re-use of products and components.

Example:

A curtain could be used for making shirts or tablecloths, jeans can be used to make handbags, aprons or other, a table can be transformed into a chair or kitchen work surface. Such ‘re-manufacturing’ operations are examples of re-use for ‘other purposes’ and should be legally recognised and counted as ‘re-use’ within the WFD.

-Waste Framework Directive in force, Article 3:

‘preparing for re-use’ means checking, cleaning or repairing recovery operations, by which products or components of products that have become waste are prepared so that they can be re-used without any other pre-processing.

MWE proposes a revision of the definition of preparing-for-reuse:

‘preparing for re-use’ means checking, cleaning, ~~or~~ repairing or re-manufacturing recovery operations, by which products or components of products that have become waste or have been collected as waste are prepared so that they can be re-used, for the same purpose for which they were conceived or other purposes which preserves their material value and keeps them in use. ~~without any other pre-processing.~~

Justification:

We believe that the proposed revision for the definition of reuse should be accompanied by a revision of the definition of ‘preparing-for-reuse’, bringing the necessary coherence between the two.

6.2 Implementation of the provisions of Article 11.1 of the WFD - authorisation issue in some Member States. In countries such as Portugal or The Netherlands municipalities are not allowed to take an item out of a waste collection container in order to give or send it to a private entity or person who can prepare it for reuse.

In Portugal, municipalities can only remove an item from a container provided that the municipality sends it to a second-hand shop belonging to the municipality, but they have no authorisation to give it to a private entity or network. This places a barrier on prevention and reuse and means that potentially reusable items that enter the waste streams cannot be removed to be reused or prepared for reuse and will necessarily be treated lower down the waste hierarchy.

On the contrary, the Waste Law in Italy allows that what enters the civic amenity sites could not immediately qualify as waste so it can be reused. However, this possibility often remains unused due to questionable consistency with EU waste legislation. Italy also defined the simplified conditions by which preparing for re-use activities can be authorised. These provisions aim to supply second-hand supply chains. The Netherlands, Denmark and Sweden are other examples of Member States which have a separate collection point for reusable bulky waste in their civic amenity sites; Denmark also allows the removal of reusable items from municipal waste collection containers placed on the streets. Nevertheless, these Member States have introduced an exception to the WFD by doing so and to make it legal and implemented in a harmonised fashion across all EU Member States **the provision must be added to the WFD.**

This could be done by including provisions in the WFD on how to enable reusable items to leave the waste stream once they have been collected as waste. An obligation to check all potentially reusable items with or without preparation before they are sent to another treatment option could be a possibility with the obligation to make reusable items available to any interested party and items that need preparation before reuse available to registered public or private entities.

6.3 Lack of guidance on reporting. The Waste Law in Portugal lays down preparing-for-reuse and recycling targets for mattresses and furniture: 5% must be separated and prepared-for-reuse by 2025. However, **there is no guidance on how to collect data and report.** This is lacking at EU level for all categories of reuse and preparation for reuse and needs to be addressed before setting separate targets for reuse and in order to make this treatment method successful.

Construction & Demolition (C&D) Waste

Although C&D waste is excluded from the definition of municipal waste and thus excluded from municipal responsibility in the 2018 WFD, in practice municipalities collect C&D waste from households and small businesses. This is included in the waste law in e.g. Portugal and Italy (In Italy only from households). In Sweden there is a legal obligation for municipalities to collect and treat all C&D from non-business activities. However, any reuse or recycling of the material collected does not count towards achievement of the reuse and recycling targets for municipal waste. This needs to be clarified in relation to the definition of municipal waste and in the upcoming legislation on C&D waste to ensure that obligations to separate at source and collect separately are included for the entire stream and that all reuse and recycling achievements go towards achieving the overall recycling targets.

MWE underlines its call for the inclusion of an obligation to separate all C&D waste at source from all sizes of works as well as the setting of reuse and recycling targets for each of the materials found within the stream. In



addition to this we encourage the legislator to include eco-design obligations for construction materials and buildings as part of the extension of the use phase of materials and waste prevention.

Extended Producer Responsibility (EPR)

Most Member States have now transposed the 2018 WFD EPR obligations and are in the process of implementing them. The transposition process brought up some issues that require further clarification to ensure smooth and harmonised implementation:

1. Clear roles and responsibilities:

The 2018 WFD leaves the determination of roles and responsibilities to Member States, however, this causes a great deal of confusion as discussions between municipalities, EPR organisations and producers/brand owners are not mediated by national government (as required by the WFD 2018). The majority of Member States give the responsibility for municipal waste collection to municipalities. For the sake of clarity and to ensure full and harmonised implementation across the EU, we propose that this revision makes it clear that: **the role and responsibility of municipalities is to organise and manage the collection of municipal waste under EPR while the role and responsibility of the producer is to coordinate management with the municipalities and financial responsibility for the collection, transport, treatment, data collection and traceability.** This should also be applied when deciding upon the harmonised EPR rules for textiles, announced by the Commission in the Strategy for Circular and Sustainable Textiles in March.

The long-awaited **EPR guidelines and Commission's work on setting harmonised EPR rules for textiles should not undermine the collection and sorting systems that are already in place and successful.** For example:

In Finland the waste management company Lounais-Suomen Jätehuolto Oy owned by 18 municipalities (representing 440,000 citizens and employing 100 people) has already invested in and established a separate collection of post-consumer textiles. They plan to make the system nationwide by 2023 in combination with their earlier national separate collection obligation of 1.1.2023. The Finnish municipalities collect textile waste and also reusable textiles that are sold in their municipal shops or sent to charity organisations. The collection and sorting is carried out in a way that preserves the reusability of the material collected and the textile waste is processed in specialised recycling plants which separate the fibres to obtain a set of raw materials which are used in the production of new textiles, insulation materials and for other industrial and research uses.

In Sweden the sorting plant SIPTex has been established by public waste management company Sysav, owned by Malmö Municipality. SIPTex stands for "Swedish Innovation Platform for Textile Sorting" and

will be the link that is currently lacking between textile waste collection and high-quality textile recycling. It sorts textiles by colour and fibre composition using near-infrared light, which makes it possible to handle large flows and produce textile fractions that are adapted to different recycling processes.

2. Full cost coverage

Municipalities have the legal obligation and responsibility for the collection of municipal waste which includes bulky waste and the cleaning up of any waste that is illegally dumped. For example, The Netherlands and Flanders (Belgium) have both recently introduced EPR schemes for mattresses. The Flemish EPR system was developed in close cooperation between the producers and the municipalities and covers 100% of the costs of collection, transport and communication, invoiced directly after collection by municipalities to the EPR organisation Valumat. However, the Dutch EPR scheme was designed without the participation of municipalities and only covers 15% of costs. Because the costs are not fully covered, producers lack the financial incentive to use recycled materials instead of new raw materials in their products or to design for reuse or recycling. This lack of harmonisation in implementation will impact the cost of the products in different Member States as well as the cost and availability of secondary raw materials and reduce their access to market (lack of security of supply for a producer means that they will stick with the supply chain that they can depend on).

It would be wise to introduce a full cost coverage obligation for all waste streams and include minimum requirements for modulated fees that reflect the true cost of their waste management. We propose that **Article 8a.4(c) is revised by introducing full cost coverage for all types of EPR schemes, indicating explicitly in Article 8a.4(a) that costs of collection reimbursed to municipalities also include labour costs as well as the cost of treatment of the fraction of EPR waste remaining in the residual waste, which includes litter (the cost of treating the waste which is not separately collected and which remains in the residual waste, e.g. sorting, energy recovery and disposal).**

3. Level playing field for all actors involved in the value chain:

When an EPR scheme is established in a Member State, the system must be designed through a transparent dialogue between producers, local authorities and other relevant actors such as waste operators. We recall Article 8, paragraph 6 of the 2018 WFD that has not yet been implemented by all MSs:

*Member States shall ensure a **regular dialogue** between relevant stakeholders involved in the implementation of extended producer responsibility schemes, including producers and distributors, private or public waste operators, local authorities, civil society organisations and, where applicable, social economy actors, re-use and repair networks and preparing for re-use operators.*

We believe that **Art 8(6) is currently not binding enough** in all Member States. We want to prevent cases such as the EPR scheme for mattress implemented in The Netherlands by industry and without dialogue with local authorities. As previously mentioned, here the system fails to fully comply with the Polluter-Pays Principle by contributing only 15% of collection cost. Dutch municipalities and waste collection organisations are informed of decisions by producers but are not included in the decision-making process. However, we believe that ‘regular dialogue’ means equal influence on decision-making for every actor mentioned in Art 8(6).

We think there are several possibilities to improve this paragraph:

- By making the role of municipalities and municipal executive organisations more explicit and formal.
- By changing the ‘dialogue’ to ‘discussion’ that is more legally binding.
- By reformulating the entire paragraph to make sure that public interests are safeguarded in the EPR schemes ensuring that:
 - checks and balances are built in, so that all links in the material chain have an equal influence on the structure of the chain (one of the reminders of the individualistic attitude of a linear economy as opposed to the need to work together to achieve the best outcome in a circular economy);
 - the public interests laid down through the municipal duty of care and services of general interest are included in this

4. Call for further producers’ engagement in their PROs:

The general lack of engagement of brand-owners (producers) in their PROs has led to misinformation, misunderstandings and lack of ambition when it comes to accessing secondary raw materials and investing where investment is needed to increase and improve sorting and recycling.

5. Call for revision of the definition and design of eco-modulated fees:

Eco-modulated fees should be a tool to clearly incentivise ecodesign for reparability, durability, other waste prevention actions and recyclability, recycled content, reduction of environmental footprint and the manufacture of non-toxic products (including prevention of microplastics release).

Minimum requirements on the design of eco-modulated fees are needed to ensure they achieve their intended purpose of discouraging producers/brand-owners from using materials and making products that are not reusable and recyclable. For example, when looking at recycled content in textile products, we would like to point out the overuse of PET bottles in textiles which diverts the recycled material from inclusion in new PET bottles. We believe that closed-loop recycling for textile products (in particular, clothing) should be incentivised. For example, EPR fees for a T-shirt made of recycled PET

food-grade packaging should be significantly more expensive than for a T-shirt with natural fibre content. Reducing the quantity of synthetic fibres in textiles will also have a significant effect on reducing the release of microplastics into waste water.

We propose that the Commission also reviews our previous submissions which contain detailed proposals for the improvement of EPR schemes: [MWE Position Paper on EPR](#) (published in 2013) and [MWE Position Paper on EPR for textiles](#) (published in 2021).

Quality of Recycling

The Commission is currently conducting a study to assess a revision of the definition of recycling. MWE does not identify a need for a legal revision at the moment but a need for incentives for high quality recycling.

Not all recycling processes and recycled products are equally environmentally positive. The WFD should prioritise recycling solutions with the lowest possible environmental footprint that enable the highest number of recycling loops based on the concept of cascading. This would prevent recycled PET/PE from packaging from being bought up by the textiles industry to produce clothing and other product types. The PET industry states that PET bottles can be recycled mechanically several times but in order to be successful, the recycled PET pellets (rPET) have to be available to the bottling industry; at least on a priority basis. Alternatively, neither will minimum recycled content targets be achievable nor a move away from virgin PET. If rPET continues to be taken up by the textiles industry as is currently the case, the material will remain in use for a considerably shorter time as a piece of clothing made of recycled PET is difficult to recycle several times at the moment, especially if blended with other fibres, as reported by textile recyclers.

MWE does not consider it necessary to single out any specific recycling technology within the definition of recycling. It is a definition, not a catalogue of recycling techniques and technologies; such descriptions belong in a Best Available Technique Reference (BREF) document as part of the Industrial Emissions Directive on recycling. Suffice it to repeat that a recycling process is complete and can be termed as such when it produces a new raw material or product.

Reporting obligations

Waste data collection and transparency on behalf of all the actors involved in the value chain is a big issue for several Member States. The WFD should take inspiration from those Member States that already have a functioning obligation and system for the **reporting of real recycled quantities (not collected quantities) to their Competent Authorities and make a proposal along these lines for inclusion in the WFD**. This also needs to be applied for Commercial and Industrial Waste whereby both the waste generator and the Competent Authority receive data on the actually recycled quantities directly from the recycling plant.

On another note, MWE notes a gap in action to address the lack of transparency of take-back systems and charity organisations, especially when handling textiles and mainly clothing. We suggest including two obligations in the WFD:

- **Reporting on quantity of textiles collected, quantity of rejects and fate of these rejects by charity organisations.** Regarding the rejects in particular, the reporting obligation should include reasoning. For example: ‘bad quality/not-suitable for preparing-for-reuse/non-saleable/non-wearable’ or ‘overcapacity/lack of demand for second-hand items’.

In Portugal municipalities are responsible for collecting the rejects from charity organisations and send the material to landfill due to the lack of sorting and recycling capacity. This indicates an immediate need for investment across the EU in sorting and recycling capacity for textiles. Exceptionally in Austria, charity shops have a waste collection licence and have the obligation to report quantities of reused material sold directly in their shops as well as quantity of material baled and shipped for reuse elsewhere or for waste management.

- MWE welcomes the following statement in the Strategy for Sustainable and Circular Textiles: ‘the Commission proposes a transparency obligation requiring large companies to publicly disclose the number of products they discard and destroy, including textiles.’ We suggest an additional **reporting obligation on the quantity of textiles collected by producers/retailers through take-back systems and the fate of this material.** This obligation would help to assess if take-back systems follow the waste hierarchy and to trace the material.

Bulky waste: Need to Incentivise Waste Prevention & Recycling

In a survey submitted to MWE Members in April 2022 we gathered information on the state of play of bulky waste in Denmark, Belgium, The Netherlands, Sweden, Germany and Portugal. The questions were mainly focused on mattresses and furniture.

In most countries we found that collection of mattresses and furniture is carried out by municipalities through door-to-door collection, on demand (waste holder requests the service) and through civic amenity sites. Municipalities, following Services of General Interest, are obliged to collect littered mattresses, furniture and all forms of other bulky waste dumped in public spaces. As mentioned above, some retailers have begun take-back systems for mattresses and have created EPR schemes to recycle them. Charity organisations also collect for reuse.

The main treatment of bulky waste in the countries consulted is incineration or landfilling where incineration is not available. There is a share that is sent directly to reuse or to preparing-for-reuse (mainly furniture apart from MSs which have developed repair and reuse networks which also include WEEE, textiles and other items). In the case of mattresses, we are aware of existing recycling capacity in The Netherlands and dismantling facilities in Belgium.

As mentioned before, EPR schemes are implemented in Flanders and The Netherlands. In Flanders, the scheme was designed through a PRO, Valumat in January 2021. Matras Recycling Nederland (MRN) is the PRO created in The Netherlands and in operation since January 2022.

In addition to the barriers mentioned in this paper, our members have identified **the following obstacles hampering waste prevention and recycling of, in particular, mattresses and furniture:**

- **Communication challenge.** Only clean and dry mattresses can be recycled but they are sometimes too dirty, wet or damaged and therefore can only be sent to incineration (Belgium and The Netherlands). In Flanders, citizens often cut the mattresses into pieces to fit in their cars in order to transport them into the civic amenity site (CAS). These damaged parts cannot be recycled. Communication campaigns should emphasise that the mattresses must be collected dry and in one piece, while also informing citizens how and into what new materials a mattress is recycled.
- **Recyclability of mattress under subjective criteria.** At CAS the park ranger is responsible for assessing the compliance of a mattress for recycling. The guidelines on conformity need urgent clarification in order to do this in an objective manner. At the moment, deciding whether a mattress is too dirty or wet to be recycled or not remains to be a very subjective decision.
- **Lack of minimum, clear national requirements for collection, preparing-for-reuse and recycling of mattresses and furniture.**

Having said this, we propose to further promote preparing-for-reuse and reuse of mattresses (when possible) and furniture by supporting Reuse & Repair Networks. Research for recycling solutions is much needed as well. MWE would support peer-to-peer knowledge exchange for separate collection of specific bulky waste streams such as mattresses, furniture, bicycles, sports equipment, etc. **We believe these incentives would also contribute to achieving the landfill reduction target of maximum 10% by 2035 which is still a great challenge for many Member States in 2022.**

Landfill targets: Biowaste & Investments needed for Separate Collection, Anaerobic Digestion & Composting



The next revision of the WFD (and of the Landfill Directive) should introduce a comprehensive landfill ban for both untreated biowaste and treated biowaste (resulting from Mechanical Biological or other similar treatment). This measure, together with dedicated funding to build up biowaste treatment capacity in the EU will significantly help to reduce landfilling rates, especially in Southern and Eastern MSs. Moreover, it will significantly reduce if not eliminate methane emissions from landfill so helping to mitigate climate change. Austria introduced such a ban by setting a limit on Total Organic Carbon (TOC) allowed in landfills.

According to a report published by the European Environmental Agency '[Bio-waste in Europe – turning challenges into opportunities](#)', published in 2020, biowaste generation contributes to around half of the total municipal waste generated in the EU (e.g. Spain: Biowaste generation of 200-250kg/capita in 2017 compared to 455kg/capita total municipal waste generation: 55% biowaste (food waste)) whereas separate collection and treatment capacity for separately collected biowaste is still severely underdeveloped in several countries (anaerobic digestion & composting).

A ban on landfilling of biowaste together with an investment strategy for separate collection and treatment capacity through anaerobic digestion and composting would trigger significant landfill reduction in the EU. This, while simultaneously producing bio-methane and a valuable soil improver (compost) needed for application to agricultural and other soils for its soil regenerating capabilities as well as for Carbon Capture and Storage (30kg CCS per ton of compost applied to soil).

Please also find attached our [paper on the Harmonisation of Separate Collection](#) in which we support the use of the Nordic Pictogram System to label bins and products in order to facilitate increased quality and quantity of reusable and recyclable wastes collected.

Thanking you in advance for your consideration of our proposals and reflections on our joint path to achieving a socially and environmentally just circular economy and looking forward to further discussions with you,

Vanya Veras
Secretary General