

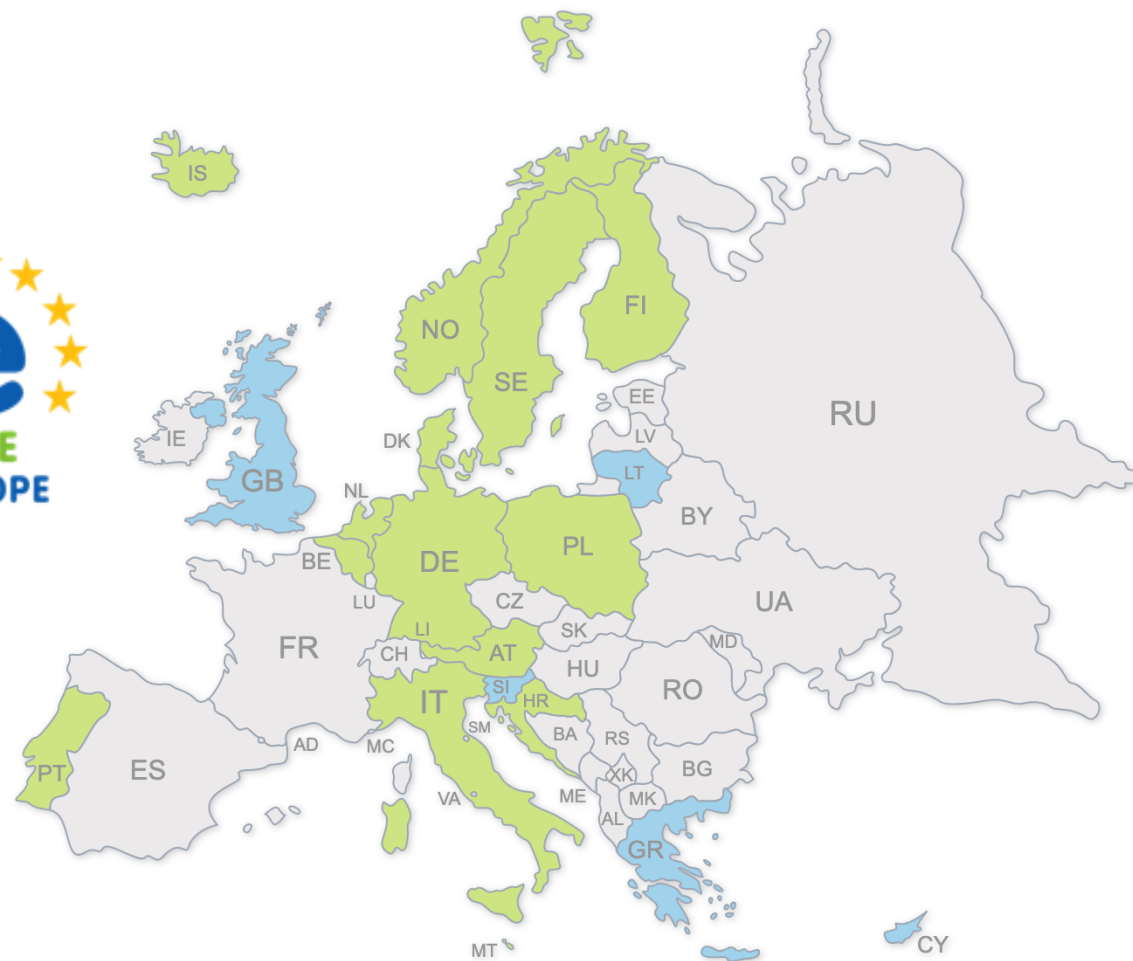
# **EU Waste Management Legislative Update**

**30 March 2023**

**Vanya Veras  
Secretary General**

# Municipal Waste Europe

- We represent the municipalities of 19 Countries in their waste management obligations
- Municipalities are the Bridge between the producer, the consumer and the recovered materials
- A key enabler of the transition from Linear to Circular Economy



more on interactive map: [www.municipalwasteurope.eu/members](http://www.municipalwasteurope.eu/members)

# PACKAGING & PACKAGING WASTE REGULATION (I)

1. 30 Nov 2023 – The European Commission launched the proposal together with a Communication on Biobased, Biodegradable and Compostable Plastics
2. A few main aspects:
  - Change in legal instrument (from directive to regulation)
  - **Targets:** recycled content in plastic packaging (art. 7); reuse & refill (art. 26); reduction on consumption of plastic carrier bags (art. 29); packaging waste prevention (art. 38); recycling (art.46)
  - **Labelling** of packaging & waste receptacles (art. 11& 12) as of 1 Jan 2028
  - **Compostable packaging:** Definition (art. 3, (41) and obligation (art. 8, pp1) for sticky labels attached to fruit and vegetables, very lightweight plastic carrier, tea bags & filter coffee pods to be compostable

# PACKAGING & PACKAGING WASTE REGULATION (II)

## 3. MWE position:

- **Change of legal basis and legal instrument** and need of flexibility for existing, functioning EPR. EPR articles should be under the environment legal basis
- Art. 3 - **definition of 'compostable packaging'** should guarantee both the compostability and the digestibility under industrial conditions
- Arts. 40-42 - **One PRO per waste stream** to ensure transparency, efficiency and to eliminate free-riders. Modulated fees and packaging waste remaining in the residual mixed waste stream should be covered
- Art. 43 - **EPR and DRS** should be compatible and interconnected
- Art. 44 - **DRS** should only be made mandatory in MSs who have not achieved their recycling targets

# TEXTILES (I)

## 1. Revision of the Waste Framework Directive – what is expected:

- Proposal expected on 7 June 2023
- Overarching definition of textiles together with tailored definitions in accordance with scope for EPR, collection and reporting obligations
- Separate collection target for textiles
- Mandatory EPR with eco-modulation fees
- Joint Research Centre (JRC) is kicking off two studies in April: 1) preparation for reuse & recycling; 2) end-of-waste criteria.
- JRC studies will likely affect the wider revision expected in 2024

## 2. **MWE position:** Need for a dedicated piece of legislation

# TEXTILES (II)

## 3. Revision of the Textiles Labelling Regulation:

- Proposal expected in Q4/2023. Upcoming consultations.
- Purpose: Upgrading consumer information but also targeted information for sorters and recyclers
- Physical and digital labels – How to make labels smaller, more resistant and less 'annoying' to avoid being cut. Still on discussion: Which specific info is going to be on digital or on physical format
- Two main considerations for waste management sector:
  - Information on fibre composition to facilitate sorting & recycling
  - Considering disposal instructions for consumers

# BIOWASTE (I)

1. Obligation for all municipalities to collect biowaste separately from 1 January 2024 (food waste and garden/green waste)
2. Large proportion of biowaste (food waste) still remains in residual mixed waste, sent to incineration where available or landfill
  - Tons biowaste generated in the EU today: 118 – 138 million Tons per annum (not including 41 million Tons from food processing industry)
  - Today, **only 47.5 million Tons** are separately collected and treated to form high quality compost and digestate

# BIOWASTE (II)

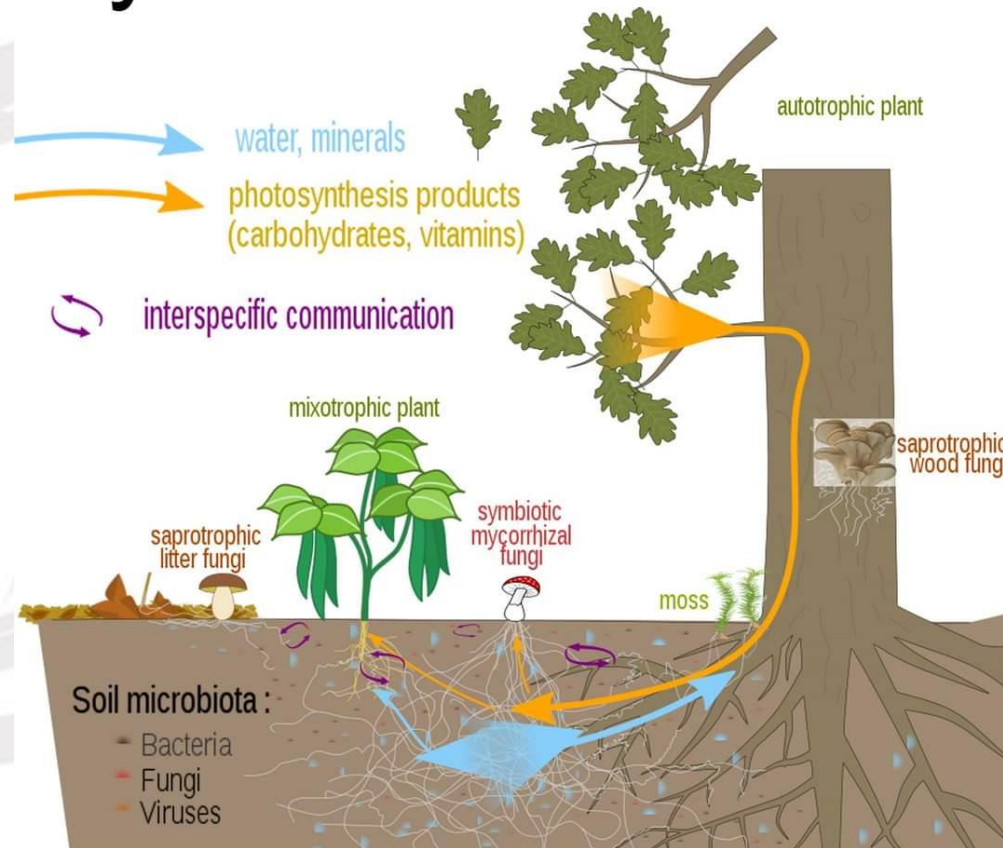
3. Stabilised biowaste in a landfill will be regenerated by rainwater and produce methane
4. Opportunity to collect and treat via Anaerobic Digestion to produce biomethane and clean compost.
  - Legislation that could support rapid action and attract investment does not do so (RED/Accelerated Permitting for RES)
5. **Anaerobic Digestion of Biowaste is a Local Source of Renewable Energy**
  - Methane Emissions put to good use
6. **Anaerobic Digestion of Biowaste is a Local Source of Soil Improver**
  - 30kg Carbon per Ton Compost stored
  - 50-200\* Tons atmospheric Carbon absorbed per hectare agricultural land with biodiverse soil

\* EEA study



# BIOWASTE (III)

## Mycorrhizal network



Mycorrhizal fungi are in a symbiotic relationship with plants. The fungus provide the plant with water and minerals from the soil and the plants provide the fungus with photosynthesis products

# ECODESIGN REGULATION (ESPR)

1. Italian Rapporteur in EP: Alessandra Moretti
2. MWE submitted our proposals for amendments and succeeded in the uptake of the definition of 'independent repairer' in Moretti's report
3. Other points MWE raised for amendment include:
  - horizontal ecodesign requirement to penalise programmed obsolescence
  - a horizontal ban on destroying unsold goods excepting in cases of acts of god e.g. fire, water or physical damage to the products rendering them unsaleable
  - opening up of the Ecodesign Forum to include all actors in the value chain, including municipalities
4. Timeline: Vote in ENVI Committee of EP scheduled for 5 June 2023

# RIGHT-TO-REPAIR (I)

- On 22 March 2023, the Commission published a proposal for a Directive to set common rules promoting the repair of goods and amending:
  - the Consumer Protection Cooperation Regulation (Regulation 2017/2394)
  - the Sales of Goods Directive (Directive 2019/771)
  - the Consumer Protection Directive (Directive 2020/1828).
- The new Directive will oblige Member States to develop a website to facilitate consumers to find repairers but it misses out on the opportunity to extend the guarantee period beyond the current 2 years
- European consumer association BEUC welcomes the efforts of the EU to counter greenwashing and move towards sustainable consumption
- Stakeholders agree that 2 years guarantee is insufficient

# RIGHT-TO-REPAIR (II)

- Kringloop in Belgium gives 10 years guarantee for repaired WEEE
- The proposal has just been published. Next steps are:
  - for the European Parliament to nominate a rapporteur and shadow rapporteurs
  - Discussions may be accelerated due to 2024 election timeline
  - The Committee of the Regions to decide whether to nominate a rapporteur and issue an opinion
- Municipal Waste Europe issued a lengthy response to the Commission during the consultation period – available on request – our response included support for design for repairability, availability for all of repair tools and manuals, preparation-for-reuse and convenient access for all to repair (right to repair)

# GREEN CLAIMS DIRECTIVE (I)

- On 22 March 2023, the Commission published a proposal for a directive on substantiation and communication of explicit environmental claims
- Recital 19 acknowledges that an environmental claim on textiles containing recycled PET bottles ‘may mislead consumers as [it] competes with the closed-loop recycling system for food contact materials’.
- Why is it important to public waste management: better products, properly labelled, are easier to collect, sort and recycle, making our job easier

# GREEN CLAIMS DIRECTIVE (II)

- The EU is aiming to put an end to greenwashing while also prioritising closed loop recycling by setting common criteria against greenwashing and misleading environmental claims
  - Closed loop recycling is when the waste product is returned to the same product group to be included in the new products as recycled content
  - The packaging regulation includes targets for minimum recycled content and the same is expected from the rules on textiles
- New rules on environmental labels will not allow new public labelling schemes unless developed at EU level and any new private schemes will need to show higher environmental ambition than existing ones and get a pre-approval

# RESIDUAL WASTE

1. Attempt by ZWE, TOMRA, RELOOP, EUNOMIA to include the obligation for all Member States to install sorting of residual mixed waste in legislation
2. This would be too expensive for some, following separate collection, and an excuse for others not to collect separate waste fractions and so preserve their value
3. The same parties pushed for a mandatory DRS in the packaging and packaging waste regulation – making a treatment technique/technology obligatory goes against the principle of Subsidiarity – mistake never committed before
4. Mixed waste sorting will be seen as a re-naming of Mechanical Biological Treatment by most landfilling countries and will not help them to achieve their recycling targets
5. Each Member State has the flexibility to choose how they will achieve the recycling targets and this should remain as such

# CONTACT US!

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