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**05 January 2026, Brussels**

**FEAD feedback to the Commission draft Implementing Regulation establishing EU-wide end-of-waste criteria for plastic waste**

**FEAD, the European Waste Management Association, welcomes the Commission’s efforts to establish EU-wide end-of-waste (EoW) criteria for plastic waste** under Article 6 of the Waste Framework Directive. Harmonised criteria can play an important role in strengthening the EU internal market for recycled plastics, reducing administrative burden for operators, and improving trust in plastic recyclates as secondary raw materials.

FEAD has consistently supported the development of EU-wide EoW criteria, including through its response[[1]](#footnote-2) to the JRC technical proposal published in 2024. The Commission's draft Implementing Regulation reflects several improvements compared to the JRC's proposal, and acknowledges the urgency of publishing the plastic EoW.

However, a number of key operational and market-related concerns remain unresolved. These risk limiting the practical usefulness of the EoW framework, excluding legitimate recycling outlets, and creating unnecessary complexity for recyclers without clear environmental benefits.

**Foreign materials thresholds**

FEAD welcomes the Commission’s decision to **move away from the dual foreign-material thresholds proposed by the JRC and to establish a single threshold of <1.9%** (moisture-free weight) for plastic recyclates obtaining EoW status. This change improves legal clarity and supports the functioning of the EU internal market for recyclates by avoiding multiple quality regimes depending on destination.

*Measurement after pelletisation*

However, despite improvements on thresholds, the Commission draft retains the requirement that, where plastic undergoes thermal treatment to agglomerate or pelletise it, the content of foreign materials shall be measured at the latest stage of reprocessing before thermal treatment.

FEAD considers this requirement problematic since, in pelletisation, a filtering step is performed before extrusion to remove a large quantity of impurities from the plastic output. These impurities should therefore no longer be considered foreign materials since they are removed. To calculate the quantity of foreign materials in the final product (e.g. pellets), recyclers should be able to **consider the quantity of foreign materials removed in these filtering steps using an abatement ratio** specified in the filter characteristics or computed based on operational data.

Additionally, commercial specifications, customer acceptance and quality controls are usually based on the final marketed material. An EoW criteria based on an intermediate stage that no longer exists once pelletisation has taken place would create a disconnect between regulatory compliance and market reality. FEAD therefore reiterates that **compliance with foreign-material thresholds should be assessed on the final recycled plastic placed on the market**.

*Export-related additional requirements*

The Commission draft also introduces an **additional requirement whereby plastic recyclates intended for export outside the EU must consist of a single thermoplastic polymer**, with a limited exception for PE/PP/PET mixtures. FEAD understand that this measure is justified as a means to avoid circumvention of the Waste Shipment Regulation.

FEAD understands the political and enforcement rationale behind this provision. However, adding destination-specific conditions to EoW status creates additional traceability and compliance burdens for recyclers, without necessarily improving environmental outcomes. Indeed, EoW criteria are primarily intended to support the EU internal market and export controls are already comprehensively addressed under the Waste Shipment Regulation.

FEAD therefore **questions whether such export-specific criteria should be embedded in end-of-waste rules** rather than enforced through shipment legislation.

**Overly restrictive definition of permitted uses**

The Commission draft maintains the approach already proposed by the JRC whereby EoW plastic recyclates must be used exclusively for the ‘*manufacture of plastic products or articles containing plastic parts’*. Any other use results in the loss of EoW status and requires the material to be handled again as waste.

FEAD considers this **definition unnecessarily restrictive and not fully aligned with real-life recycling markets**. In particular, it risks excluding legitimate material recycling applications such as the use of recycled plastics as additives in asphalt, applications in bitumen membranes or similar construction products and other material uses where plastic is incorporated into products without necessarily resulting in a discrete plastic article or plastic part.

While FEAD understands and supports the exclusion of energy recovery, fuel production and backfilling from EoW status, these exclusions should be addressed without unintentionally banning material recycling uses that contribute to circular economy objectives.

FEAD reiterates its request to **broaden the wording to cover ‘products containing plastics’, while clearly excluding energy recovery and other non-material uses**.

**Exclusion of healthcare plastic waste as input material**

The Commission draft maintains the exclusion of healthcare waste from eligible input materials, except for non-hazardous plastic healthcare waste that has been segregated at source. FEAD questions this approach, which appears inconsistent with the overall logic of the proposed EoW criteria and risks excluding plastic waste streams that could otherwise be safely and effectively recycled.

In particular, criteria 1.1, 2.3 and 3.1 of the draft Regulation are based on the principle that input materials may contain hazardous properties or substances, provided that the applied treatment processes are capable of removing those hazards and that the resulting output plastic complies with all applicable quality, safety and product legislation requirements. By contrast, criterion 1.2 introduces a categorical exclusion for healthcare waste, despite the fact that appropriate treatment processes could be put in place to address its inherent risks.

FEAD considers that the regulatory approach should be consistent: **healthcare plastic waste should not be excluded a priori from the scope of the EoW criteria, as long as it can be properly treated** to remove its hazardous properties and to produce a secondary raw material that complies with the EoW criteria and with relevant Union product legislation.

Moreover, FEAD notes that source separation of non-hazardous plastic healthcare waste is often not implemented in healthcare facilities due to practical constraints such as lack of space, time and operational capacity. As a result, the current exemption for source-separated non-hazardous healthcare plastics may prove difficult to apply in practice. At the same time, projects are already underway in several Member States, including Belgium[[2]](#footnote-3), to safely recover plastics from mixed medical waste through dedicated treatment steps designed to remove potential pathogens.

**Maintaining a blanket exclusion of healthcare waste in the EoW criteria would risk undermining ongoing innovation and industry efforts** to recycle all suitable plastic waste streams, without delivering clear additional protection for human health or the environment.

**Conclusions and recommendations**

FEAD welcomes the Commission’s efforts to move forward with EU-wide EoW criteria for plastic waste and acknowledges the progress made compared to the JRC technical proposal. Nevertheless, FEAD considers that the current draft still falls short of delivering a fully workable and market-relevant framework, and calls on the Commission to:

1. When **measuring foreign-materials content in the event of pelletisation**, account for the efficiency of the filtering steps.
2. Review the **definition of permitted uses of plastic recyclates** to avoid excluding legitimate material recycling applications.
3. Ensure that the EoW criteria facilitate the EU internal market for recyclates **without introducing unnecessary export traceability steps**.
4. **Reconsider the blanket exclusion of healthcare plastic waste** as input material.

Addressing these points would significantly improve the effectiveness, credibility and uptake of EU-wide EoW criteria for plastics, while supporting Europe’s recycling capacity and circular economy objectives.

***FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe****, including 21 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 500,000 local jobs, fuelling €5 billion of investments into the economy every year. For more information, please contact:* [info@fead.be](mailto:president@fead.be)

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1. [JRC technical proposal for the EU-wide End-of-Waste criteria for plastic waste - FEAD - European Waste Management Association](https://fead.be/position/jrc-technical-proposal-for-the-eu-wide-end-of-waste-criteria-for-plastic-waste/) [↑](#footnote-ref-2)
2. [*Select4Care*](https://vlaanderen-circulair.be/en/cases/detail/select4care) *is a project financed by the open call Circular Care of the Flemish government. The objective is to develop a logistical scheme that will enable better collection and recycling of plastic medical waste.* [*VinylPlus Med*](https://www.vinylplus.eu/sustainability/our-contribution-to-sustainability/vinylplus-med-accelerates-sustainability-in-healthcare/) *focusses on collection and recycling of PVC medical waste, and is already working with several hospitals in Belgium. High-quality PVC recyclate is used for the manufacturing of PVC wallpaper.* [↑](#footnote-ref-3)