



BOLLETTINO N° 103 - 2 dicembre 2022

Ciao da Bruxelles. Come sempre, vi portiamo tutte le ultime novità sull'economia circolare dall'Europa e non solo. Questa settimana, habemus una nuova proposta per il regolamento sugli imballaggi e i rifiuti di imballaggio (**PPWR**), dopo forti pressioni da parte dell'industria all'esecutivo dell'UE per il rilascio tempestivo della legislazione. Su questa nota, prima della presentazione del PPWR, il FEAD ha presentato con orgoglio la plastica riciclata durante il workshop dell'Agenzia europea per le sostanze chimiche (ECHA), mentre aveva anche co-firmato una lettera di coalizione a sostegno delle ambizioni riflesse nel progetto legislativo.

Prima di continuare, assicurati di non perdere le nostre ultime notizie 📍

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Pacchetto sull'economia circolare: il 30 novembre la Commissione europea ha presentato il suo tanto atteso secondo pacchetto sull'economia circolare. Inizialmente previsto per includere un ampio numero di iniziative, il pacchetto finale serviva solo al regolamento sugli imballaggi e i rifiuti di imballaggio (PPWR) e a un quadro politico sulle plastiche biobased, biodegradabili e compostabili. Tra le grandi perdite c'erano la Green Claims Initiative, il diritto alla riparazione, la revisione del regolamento REACH sulle sostanze chimiche e le microplastiche.

Il capo del Green Deal dell'UE, Frans Timmermans, ha detto ai giornalisti che insieme al commissario per l'ambiente, gli oceani e la pesca, Virginijus Sinkevičius, sono molto "motivati" a consegnare l'intero pacchetto sull'economia circolare prima della fine del loro mandato. Timmermans ha confutato le affermazioni secondo cui il rinvio del pacchetto significherebbe il mancato rispetto delle promesse della CE, mentre Sinkevičius ha rassicurato i giornalisti che la proposta della CE sulle affermazioni ambientali che impediscono il greenwashing sarà presentata nel 1° trimestre del 2023.

- **Regolamento sugli imballaggi e i rifiuti di imballaggio (PPWR):** Il FEAD ha accolto con favore la proposta della Commissione, che riafferma il riciclaggio come elemento centrale della circolarità. Le misure proposte mirano a trovare un equilibrio tra riciclaggio e riutilizzo, che vanno di pari passo in un'economia circolare, ma è altrettanto importante garantire la coerenza tra gli obiettivi, per sostenere gli sforzi passati e futuri. Leggi il comunicato stampa del FEAD [qui](#).

The proposal's release met various reactions from lawmakers. MEP Jessica Polfjard posted on Twitter that the Commission "seems more interested in dropping the number target and hoping that industry and Member States will figure out a way to meet them. Unfortunately, that's not the way to enable the transition". Contrary to these views, Pascal Canfin, Chair of the EP ENVI committee described the proposal as "the most ambitious text in the world on packaging management - for a continent."

- **Green claims:** It is the third time the legislative proposal against greenwashing is being postponed, as it was first due in 2021, then spring 2022 and now as part of the circular economy package. During an exchange of views in ENVI, Virginijus Sinkevičius, Commissioner for Environment, said he was confident that the Commission would present it early in 2023 and possibly in Q1.

In the EU Parliament, MEP Delara Burkhardt from the S&Ds reacted on the postponement, calling it as a "blow to consumer rights and the EU's sustainability goals". The proposal will ask companies making "green claims" to substantiate these against a standard

methodology to assess their impact on the environment.

REPowerEU: Pascal Arimont (EPP, Belgian) briefed on 30 November the European Parliament's Committee on Regional Development (REGI), on the progress of the interinstitutional negotiations on *REPowerEU*, in particular on aspects relating to cohesion funds, Agence Europe has reported.

Environment Council: The EU27 Environment Minister will hold talks on the draft regulation on nature restoration during the last Environment Council, set to be held on 20 December, Contexte reported. The Coreper 1 agenda that was adopted on 30 November reads that the EC will present its latest legislative proposals, including the circular economy package, while an exchange of views is also planned on IED and WSR, should the EU27 wish to share their views on the matter. No decision should be taken during this council, the news outlet added.

Waste Shipment Regulation (WSR): On 1 December, the Parliament's ENVI committee adopted all the [compromise amendments](#) and the draft final report of Rapporteur Pernille Weiss on the WSR. The draft report will be put to the vote in plenary on 16 January. In the CAs, there are some very positive points, including, but not limited to the determination of "almost free of contamination" at 6 % of contamination for EU3011/B3011, but there are also key points missing, such as i) requirements for refusal and revocation of pre-consents in Art. 14(7) and (10), ii) Annex VII to be submitted one day before the shipment, iii) the EC proposal taken as a compromise in terms of exports to third countries and iv) phase out of exports of plastic waste (outside EFTA). You can find [here](#) FEAD's views on the amendments.

On the eve of the vote on the WSR report, FEAD along with EuRIC, the European Recycling Industries' Confederation, called for unhampered trade for raw materials from recycling under the WSR. Read our joint letter [here](#).

EU lawmakers have decided to ban all exports of plastic waste to third countries and OECD members, despite repeated warnings by the Commission, and they also imposed stricter controls to be carried out in third countries on the conditions of treatment of waste imported from Europe. As no progress on any compromise has been made in the Council since the text's presentation in November last year, the Swedish Presidency will inherit the file, which has already been through the hands of Slovenian and French Presidency before Prague took over. The Council Experts of the Working Party on the Environment met on 29 November to examine a note prepared by the Czech Presidency to guide Council

discussions on the WSR revision.

Social Climate Fund (SCF): The second negotiation meeting between the European Parliament and the Czech Presidency only allowed for “*mixed progress*”, summarised the co-rapporteur on the dossier, David Casa (EPP, Maltese), on Wednesday 30 November in the European Parliament’s Employment Committee (EMPL), Agence Europe reported.

Industrial Emissions Directive (IED): Divisions between the Parliament’s ENVI and AGRI committee are growing and could eventually divide the body in the plenary vote, said Radan Kanev, EPP rapporteur for the proposal for a directive for the EP ENVI committee, Contexte reported. Kanev is in favour of “a broad compromise on agriculture”, while seeking to maintain the Commission’s high ambitions in terms of reducing pollution, the news outlet added. His [draft report](#) was discussed in an ENVI committee meeting on 30 November, during which, the shadow rapporteurs from the S&D, Renew Europe group, the Greens and the Left, stressed the importance of including the agricultural sector to reduce methane and ammonia emissions. Following the presentation, the lawmakers of the lead committee will submit their amendments to the draft report, with a provisional deadline for the submission being set to 7 December.

Carbon Border Adjustment Mechanism (CBAM): Contexte has published an updated version of the [4-column](#) document, dated 30 November, summarising the positions of the Parliament, the Council and the Commission on CBAM and also presenting the compromises already reached or under negotiation. Contexte reported that despite an agreement among co-legislators on a large part of the text, major differences remain and consequently, no compromise appears on the scope of the mechanism, the elimination of free allowances in connection with the reform of the carbon market (ETS) or the use of CBAM revenues. Next trilogue has been scheduled for 12 December. While CBAM is due to enter into force in early 2023, Mohammed Chahim, the rapporteur from S&Ds said in a LinkedIn [post](#) that there could be a slight delay.

“.. no big delays should be expected, but a small delay in the reporting during the transitional period is probable. The first of January 2023 will be a challenging date because of the formalities and the fact that we need to make sure that the Commission and the Member States have enough time to prepare for their new tasks,” the rapporteur’s post reads.

According to a [note](#) dated 25 November and published by Contexte, the EU Commission is still working on the extension of CBAM’s scope, assessing the possibility of including indirect emissions from electricity generation. The Commission recalls the relevance of

including indirect emissions in the scope of the mechanism, while stressing the complexity of developing a methodology for calculating them. "In order to anticipate the gradual extension of CBAM to indirect emissions, a phased approach could be considered" the EC note reads. The EU27 support the Commission's initial proposal, which suggested waiting until the end of the transition period in 2025 to decide on extending the scope to indirect emissions, however, the EP asks for their inclusion as of 2023. Trilogues on the matter are currently stalled and co-legislators have instructed the EU Executive to assess the consequences of such a measure, Contexte further reported. The Commission has already carried out work on a possible extension of the scope of CBAM to hydrogen, organic chemicals and plastics, as desired by the Parliament.

Corporate Sustainability Reporting Directive (CSRD): On 28 November, the Council gave its final approval to the CSRD. This means that companies will soon be required to publish detailed information on sustainability matters. This will increase a company's accountability, prevent divergent sustainability standards, and ease the transition to a sustainable economy. In practical terms, companies will have to report on how their business model affects their sustainability, and on how external sustainability factors (such as climate change or human right issues) influence their activities.

Carbon and Capture Storage (CCS): The European Commission presented on 30 November, its proposal for a regulation establishing a voluntary framework for the certification of carbon removals in the EU. This could be achieved either through industrial carbon capture and storage (CCS), or carbon farming or through sustainable materials such as wood-based construction products.

Renewable Energy Directive (RED): Contexte has published the [draft delegated act](#) governing the production of "green" hydrogen, that was sent to M-S on 1 December.

In the EU Parliament, ITRE lawmakers who met on 29 November, were updated by Rapporteur Markus Pieper (EPP, Germany) on the outcome of the second trilogue that was held on 15 November. Lawmakers have voted in favour of a weaker definition of "green" hydrogen, while RED trilogues have instructed the EC to review its copy. The news outlet reported that "green" is therefore defined as hydrogen produced from an electrolyser located in a bidding zone where the share of renewable energies exceeded 90 % in the previous year, under certain conditions. Alternatively, generators can enter into renewable power purchase agreements and ensure that each hour of hydrogen production corresponds to an hour when renewable electricity is supplied to them. It adds that a

transition period is planned during which, this one-hour correlation is replaced by a one-quarter correlation (the hydrogen produced in a given quarter is "green " if its production circuit has been supplied with renewable energy, for a time, that same quarter). It is these transitional rules that have been amended and now extended until 1 April 2028. Other flexibilities would continue to apply, in particular to exempt electrolysers commissioned before 2027 from having less than three years of age if they intend to produce "green" hydrogen. This measure would end in 2037, Contexte concluded. The text is set to be discussed by national experts on 7 December.

A third trilogue on the proposal for the RED amendment has been scheduled for 14 December.

International plastics treaty: Negotiations towards an international agreement to fight plastic pollution kickstarted on 28 November, with government officials and stakeholders meeting in Uruguay for the first Intergovernmental Negotiating Committee, which is the first of five meetings over the next two years. The treaty will also cover plastic in the marine environment, which will be negotiated by the end of 2024. The negotiators are tasked with the larger questions of what is to be included in the agreement and how to structure the process in order to reach a consensus after two years. Topics on the table include production limits and phasing out problematic chemical additives. On 24 November, the 35 member countries of the "High Ambition" coalition issued a [statement](#) reiterating their vision for the treaty and their demands for this first meeting.

Renewables: EU energy ministers agreed on 24 November on the content of a Council regulation laying down a temporary framework to accelerate the permit-granting process and the deployment of renewable energy projects. The new temporary framework rules will set maximum deadlines for granting permits for solar energy equipment, upgrading existing renewable power plants (repowering) and the deployment of heat pumps. In addition, they will introduce a presumption of overriding public interest for renewable energy projects.

Protection of the environment through criminal law: Lawmakers' vote on the environmental crime directive will not take place before February 2023, rapporteur Antonius Manders [told](#) MEPs in the legal committee on 29 November, citing the complexities of the dossier. The EPP rapporteur said that if needed, the committee could even drag the matter until March, Contexte reported. The vote was initially scheduled for January 2023 and its postponement leaves enough time to the EP groups to negotiate compromises on the basis of their amendments.

In the Council, the compromise on the Environmental Crime Directive negotiated between EU27 received the green light from the permanent representatives of the M-S on

30 November, without even being discussed, an institutional source told Contexte. Prague is set to present its compromise to the bloc's Justice Ministers on 9 December. The adoption of a common position on this directive is already on the provisional [agenda](#) of their meeting.

Chemicals: On 23 November, the EU General Court ruled in favour of the four European giants of the production of paints and pigments that were opposing to a 2020 Commission delegated regulation recognising mixtures in powder form containing 1 % or more titanium dioxide particles as "inhalation carcinogen" and required ad hoc labelling. The Court decided to annul that regulation, also criticising the EC decision on picking "reliable and acceptable" studies, citing that the EU Executive manifested "errors of assessment". The studies were carried out by the European Chemicals Agency's Committee for Risk Assessment (RAC). Contexte commented that the court notes an infringement of a 2008 regulation, according to which, in order to be recognised as carcinogenic, a substance must be "intrinsically capable of causing cancer". Since the danger of carcinogenicity is only related to "certain particles of titanium dioxide", this criterion is not met, the court concluded.

Ecodesign for Sustainable Products Regulation (ESPR): The Czech Presidency will present the draft compromise on Ecodesign by "next week", the country's Industry Minister told his European counterparts during their meeting in Brussels on 1 December, Contexte reported. The Presidency's [progress report](#) wrapping up the progress of discussions at expert level was also presented, before Sweden takes over in 2023. While the ecodesign dossier has already been debated in September, there was no full round table discussions this time. Contexte noted that Paris will be "particularly attentive" in the "systematic" application to all products of carbon neutrality requirements and continues to defend a general ban on the destruction of unsold products for any product, with the support of several other M-S.

The news outlet also reported that Aurel Ciobanu-Dordea, the head of the Commission's DG ENV, said during a conference organised by Politico that the list of priority products for the preparation of future ecodesign standards will be published for consultation in early 2023, and no longer in 2022.

In the European Parliament, the ITRE Committee discussed the draft Opinion prepared by EPP member and rapporteur Maria Spyraiki, on 28 November 2022. Lawmakers were largely supportive of the draft opinion, pushing for further small and medium size enterprise (SME) support, and a longer transition period in the EC proposal.

The Commission official Matjaž Malgaj, Head of Unit of Sustainable Products (DG ENV), took the floor, reacting to ITRE MEPs and to the draft opinion. According to information by Contexte, the EC representative's opinion reads that "any environmental improvement resulting from the use of renewable materials will be taken into account in the life cycle assessment" carried out for the preparation of delegated acts that will set out ecodesign rules, product by product. Malgaj also pushed back against the draft Opinion's amendment to extend the transition period, saying it would worsen implementation and that flexible transition periods for product groups could be provided through Delegated Acts. The EC official also did not approve the Rapporteur's amendments which introduced definitions of renewability, arguing it would deviate from the aims of the presentation, deeming them "unnecessary", as Contexte cited.

News from the EP: According to information published by Contexte, the coordinators of the Parliament's ENVI committee decided on 1 December on the distribution of the legislative proposals presented by the EC. Renew Europe group took over the PPWR and the revision of the Urban Waste Water Directive, EPP will handle the text on the certification of carbon absorption, the S&Ds obtained the reports on the directive on air quality and the revision of the list of pollutants in European waters, while the ECR is taking control of the revision of the pollutant emission thresholds of vehicles. Following the distribution, the political groups need to appoint their respective rapporteurs.

News from the (Swedish) Presidency: According to a report by Contexte, Lars Danielsson, Stockholm's ambassador to the EU, said at an event at the European Policy Center on 24 November that the Swedish Presidency "will do everything to bring the Fit for 55 process to a successful conclusion." The Presidency's specific priorities will be unveiled in a speech by the Prime Minister on 24 December.

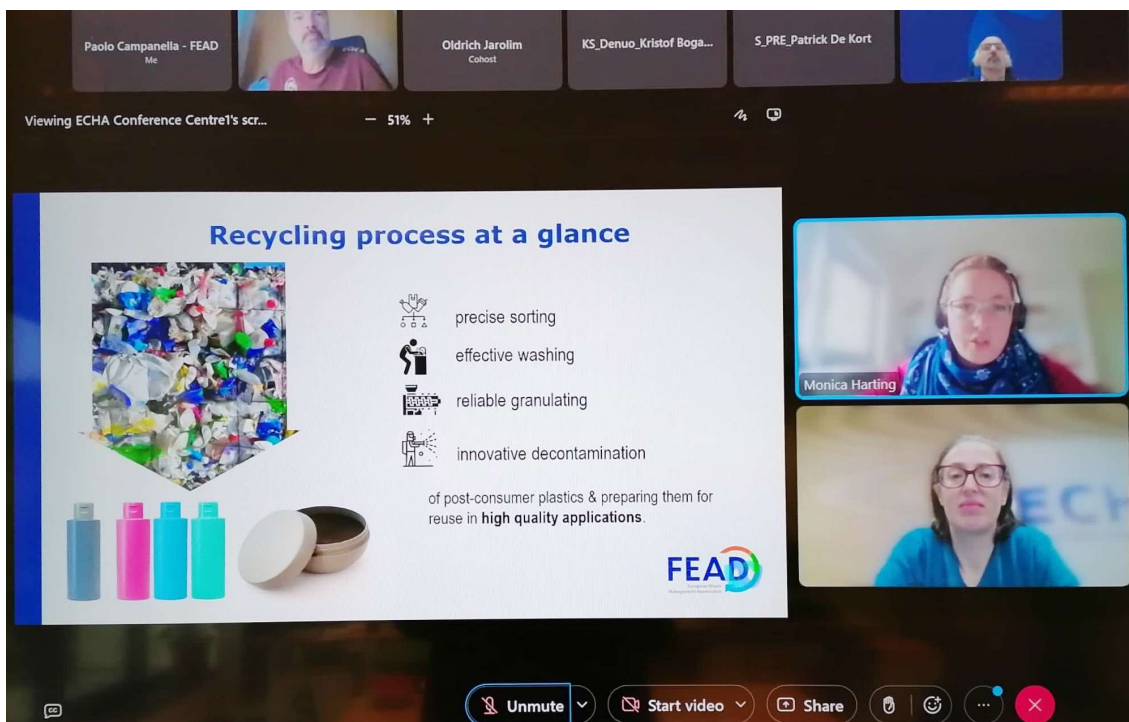


Jutta Paulus, German MEP of the Greens has inherited the IED revision file, taking over from Eleonora Evi, who left her post in October after being elected in the national election in Italy.

Kurt Vandenberghe, the Commission President's Ursula von der Leyen's advisor on the Green Deal was appointed on 30 November as the head of DG Clima. The tenure of the Belgian EU official will start on 16 January 2023. The position had been vacant since the death of Mauro Petriccione in August.



FEAD's plastics expert Monica Harting-Pfeifer from Remondis, Germany, presented on recycled plastics at the European Chemicals Agency's (ECHA) Workshop on the results of the "[Pilot Project](#) on Recovered Substances exempted from REACH regulation", that was held on 30 November.



"Plastic recycling is in a transition and we, as recyclers and waste managers are very happy to be recognised as sustainable secondary raw material producers. We need to be careful, as high efforts on coordination are needed, considering the many on-going, parallel actions (legislation, industry initiatives, standardisation). But if we manage this, we can achieve the most sustainable, efficient and trustworthy results," FEAD's expert noted.

You can find **FEAD's full presentation** [here](#).



Polluter Pays Principle (PPP): The European Commission has launched a call for evidence for an evaluation/fitness check of its PPP initiative. The Commission then wants to develop recommendations in 2024 on how to better implement this principle. With the Commission's call for evidence set to run until 9 December 2022, the deadline to send us your feedback on FEAD's draft position on the effective application of PPP is [5 December 2022 noon.](#)

Persistent Organic Pollutants (POPs): FEAD has provided members with a draft of a position paper prepared by Plastic Recyclers Europe, concerning the amendment of **Annex I of the** POPs Regulation. The proposal in the attached document is to be coherent with the timeline adopted in the proposal for a Regulation to the European parliament and the Council amending Annexes IV and V to Regulation (EU) 2019/1021 on POPs, keeping the actual limit of 500 mg/kg for a minimum of 3 years. The deadline for your comments/feedback on the draft is on [6 December 2022.](#)

Revision of EU rules on Food Contact Materials (FCM): The Commission has opened a public consultation on its initiative related to food safety policy. This includes rules on food contact materials (e.g. food packaging, kitchen and tableware and food processing equipment) and is part of the Farm-to-Fork strategy. The deadline to send us your feedback on FEAD's draft response to the Commission's FCM questionnaire is set on [11 January 2023.](#)

Packaging and Packaging Waste Regulation (PPWR): The European Commission released on 30 November its PPWR revision proposal. The adopted act is open for feedback for a minimum period of 8 weeks, until [27 January 2023.](#)



Why the EU asbestos directive revision

Batteries linked to hundreds of waste

... **needs revising:** The recent news that asbestos is two-to-three times as deadly as previously thought, has brought new — and needed — attention to an old and lingering problem: that of the silent killer, which continues to haunt us. It comes after the European Commission in the autumn, finally, published its proposal for a revision of the directive on the protection of workers from the risks related to exposure to asbestos at work. New rules are very much needed, as every year tens of thousands of Europeans die from asbestos-related illnesses and conditions, many without it even being recognised as a work-related death. *Read more from [EU](#)*

[Observer](#).

fires: Batteries thrown in household rubbish bins cause about 700 fires every year in dustcarts and waste-processing centres, local authorities say. Lithium-ion batteries can explode if damaged or crushed. The Environmental Services Association says resulting fires cost fire services and waste operators some £158m a year. Non-profit organisation Material Focus, which surveyed local authorities, runs an online search tool to help people find their nearest recycling point. Found in small, rechargeable devices such as toothbrushes, toys, phones and laptops, lithium-ion batteries have become more powerful in recent years. Smaller, frequently used and cheaper devices - even some musical greeting cards - often have "hidden batteries". *Read more from [BBC news](#).*



European recycling industry calls for unhampered trade of raw materials from recycling: The procedures for the export of recycled materials still classified as waste laid down in the Waste Shipment Regulation (WSR) are burdensome, costly, and time-consuming, say EuRIC and FEAD. European recyclers are therefore in favour of an ambitious revision of the WSR that effectively combats illegal shipments while levelling the playing field with extracted raw materials. *Read more from [RECYCLING Magazine](#).*

FEAD welcomes Commission's PPW Regulation: The Commission's proposal on the Packaging and Packaging Waste Regulation is welcomed by FEAD because it reiterates recycling's position as the foundation of circularity. *Read more from the [RECYCLING Magazine](#).*

FEAD Welcomes the Commission's PPW Regulation: A Clear Recognition of the Role of the Waste Management Industry: FEAD, the European Waste Management Association welcomes the Commission's proposal on the Packaging and Packaging Waste Regulation, as it reaffirms recycling as the core element of circularity. *Read more from [Global Recycling](#).*

WSR: European Recycling industry calls for unhampered trade for raw materials from recycling: The procedures for the export of recycled materials still classified as waste laid down in the Waste Shipment Regulation (WSR) are burdensome, costly and time-consuming. The European recycling and waste management industry, represented by EuRIC and FEAD, is at the heart of the transition towards a circular economy and climate-neutrality. Thanks to more than 5,500 mostly small but also large European recycling companies, it is one of the few industries that steadily grows and invests into new industrial facilities. The recycling industry also provides 350 000+ direct local, non-outsourcable jobs across Europe, including highly skilled employment. *Read more from the [Recycling Portal](#).*

FEAD among the organisations seeking EU clarity: The European Waste Management Association (FEAD) is part of a coalition asking the European Commission to make public its draft Packaging and Packaging Waste Regulation (PPWR), so stakeholders and citizens can provide feedback on it. FEAD, based in Brussels, says in mid-October, a working draft copy of the EC draft PWR was leaked to the public. "Since then, there has been a significant outcry by some industry stakeholders, relating to certain sections of the regulation and/or its annex," according to the organization, which represents private sector waste and recycling companies throughout Europe. *Read more from [recycling today](#).*

FEAD urges EU to get on with packaging regulations: The European waste management association FEAD has urged the European Commission to submit its proposal on the Packaging and Packaging Waste Regulation by the 30 November deadline and not allow it to be sidetracked. FEAD said a leaked draft had shown the proposed regulation was in line with Europe's goals on the preservation of resources and avoiding waste by recycling and reusing materials. But since information about the draft emerged, some interest groups had sought its delay, FEAD said. *Read more from [Materials Recycling World \(MRW\)](#).*

Industry seeks 'ambitious change' to EU shipment rules: The European recycling industry has called for "an ambitious revision of the EU's Waste Shipment Regulation to get rid of "burdensome, costly and time-consuming" rules. Representative bodies FEAD

and EURIC said a revision of the regulation should ensure that it effectively combats illegal shipments while also levelling the playing field with virgin raw materials. Read more from [Materials Recycling World \(MRW\)](#).



Virginijus Sinkevičius @VSinkevicius
Today's proposal for new, impactful rules to tackle waste from packaging in Europe:

- 1) reduce packaging waste by 15% by 2040
- 2) boost its efficient reuse
- 3) make it all recyclable by 2030
- 4) reduce the need of fossil resources by using recycled plastics

[ec.europa.eu/commission/pre...](https://ec.europa.eu/commission/press-releases/default.do?id=10000)



Frans Timmermans and 9 others
3:11 PM · Nov 30, 2022

FEAD @FEADInfo
The Packaging & #Packaging Waste Regulation (#PPWR) proposal is out 📄

- ♻️ Recycling as core element of #circularity
- ♻️ Reuse & recycling go hand-in-hand in a circular economy, but consistency between the targets is needed to support past & future efforts



fead.be
FEAD welcomes the Commission's PPW Regulation: a clear recognition of the r...
FEAD supports the European Commission's ambition reflected in the packaging and packaging waste proposal, as we strongly believe that the sector must be ...

12:14 PM · Dec 2, 2022



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