



BULLETIN N° 149 - 24 NOVEMBER 2023

Hello from Brussels. This weekend will surely be happily welcomed by all (and especially enjoyed by Frederique Ries), as the week has been a busy one, with Parliament voting on PPWR and NZIA. Find out more below.

Enjoy the pictures from our conference on PFAS at the start of the month on our [website](#).



Packaging and Packaging Waste Regulation (PPWR): The European Parliament adopted its [position](#) on packaging and packaging waste, which constitutes Parliament's mandate for negotiations with EU governments, with 426 votes in favour, 125 against and 74 abstentions. The measures adopted include a new definition of high quality recycling in amendment 414 that states: 'high quality recycling' means any recovery operation, as defined in Article 3, point (17), of Directive 2008/98/EC, that ensures that the distinct quality

of the collected and sorted waste is preserved or recovered during that recovery operation, so that the resulting recycled materials are of sufficient quality to substitute primary raw materials. The revision of the definition of recycled at scale was also included, as well as a new calculation for recycled content, which is to be an average per plant, per year.

On the topic of right of first refusal/priority access in Amendment 102, it is stated that where proven to be environmentally beneficial and technically feasible, Member States may, especially through design of schemes established in compliance with Article 44, prioritise recycling of packaging so that it can be subsequently recycled and used in the same way or for a similar application, with minimal loss of quantity, quality or function, whereby producers obliged to meet recycled content targets can benefit from fair access to the material derived from the recycled packaging. In reference to DRS, Member States may set additional requirements, as appropriate, in order to ensure the fulfilment of the objectives of this Regulation, in particular to increase the purity of the collected packaging waste, reduce litter or promote other circular economy objectives such as ensuring a safe and fair access to recycled feedstock for use in applications that allow further recyclability and may be re-used in the same way or for the same or similar product category it comes from.

On biobased plastics feedstock in plastic packaging, 2 different and contradicting amendments were adopted, which must be clarified.

Finally, the use of so called “forever chemicals” (PFASs and Bisphenol A) in food contact packaging was also banned.

The list of adopted texts can be found [here](#).

FEAD published a [press release](#) where we state that, though we welcome the adoption of the position on PPWR, we are looking forward to 'improvements during the inter-institutional negotiations' and we are 'confident in the role of the Council, which can further support the European recycling and waste management sector to become a stable and sustainable reality in the long term.'

Net-Zero Emissions Act (NZIA): The European Parliament [adopted](#) its position on NZIA. MEPs advocated for the creation of 'net-zero emission industrial valleys'. MEPs voted on the expansion of the scope of NZIA to cover the entire supply chain, including components, materials and machinery for producing net-zero technologies. They also voted to streamline the permitting process: 12 months maximum to receive a permit for regular projects and 9 months maximum for strategic projects. They opted for funding to be earmarked from national ETS revenues and for most strategic projects through the Strategic Technologies for Europe Platform (STEP).

For Pascal Canfin (Renew Europe, France), the list of favored technologies 'will probably have to be reduced in trilogue'. The French MEP confided to Contexte on 17 November

that, 'if dozens and dozens of sectors benefit from accelerated permit procedures, you can no longer prioritize'.

The European Environmental Bureau, Europe Climate Action Network, Transport & Environment and the WWF have published a [press release](#) on 20 November (before the vote took place), stating that the list of strategic technologies 'must focus on those with proven substantial impact on achieving the EU's 2030 climate targets, such as wind and solar energy supply chains, heat pumps, batteries, networks and renewable hydrogen for targeted sectors'. They asked in particular to exclude nuclear fusion or small modular reactors (SMR) from this list.

[Contexte](#) published the new [compromise proposal](#) from the Spanish Presidency, to be submitted to COREPER I on November 24. Changes from its previous version mainly concern CO2 storage (Article 18), as well as provisions on public procurement for strategic technologies defined in the regulation (Article 19) and auctions for renewable energies (Article 20).

Agreement concerning the International Carriage of Dangerous Goods by

Road (ADR): FEAD's proposal on the carriage of waste in inner packaging packed together in an outer packaging has been validated by the WP.15 and the [RID Committee](#) of experts this month.

This means that the following aspects affecting waste will be in the new ADR/RID/ADN 2025:

- the exemption for carriage of dangerous goods as waste by private individuals
- the inclusion of water-based paints, the possibility to carry liquid waste, whose composition is not exactly known, in plastic packaging without having to apply the 'further testing' requirements of the rule for collective entries
- the extension of the rule for estimated quantities in transport documents to clinical or (bio)medical waste, the possibility to carry asbestos waste in bulk outside the possibility to carry waste, other than articles, in inner packaging of different sizes and shapes, containing liquids or solids, together in one outer packaging.

In line with the new UN Model Regulations Rev. 23 (2023), the definition of 'recycled plastic material' will be extended to allow also plastic material other than plastic from industrial packaging as a source.

Soil Monitoring Law (SML): The Environment Committee (ENVI) hopes to adopt its report on 7 March, stated Pascal Canfin (Renew Europe, France), president of the Committee, on November 20 during the [ENVI Committee meeting](#). During the debate, several representatives from left-wing groups expressed their desire to turn the legislative proposal

into a larger 'law on soil health' and not just on soil monitoring.

Renewable Energy Directive (RED): On 20 November 2023, the [Directive](#) entered into force. It was published in the EU Official Journal on 31 October 2023.

Waste from electrical and electronic equipment (WEEE): On 21 November 2023, the Council and the European Parliament reached an [agreement](#) on the proposed amendments on the collection and management of WEEE, in line with the ruling of the European Court of Justice of last year. To revert the unjustified retroactivity of the Directive. The proposed amendments clarify that the costs of the management and disposal of waste from photovoltaic panels placed on the market after 13 August 2012 rest with the producer of the EEE and that the extended producer responsibility for EEE products that were added to the scope of the directive in 2018 should apply to those e-products that were put on the market after that date

Taxonomy: On 21 November 2023, the [delegated regulation on environmental taxonomy](#) was published in the Official Journal of the EU and will apply as of January 2024.

Ecodesign for Sustainable Products Regulation (ESPR): According to [EU Issue Tracker](#), the third round of Trilogues on ESPR is scheduled to take place on 4 December 2023 and will focus on compromises over the prohibition of destruction of unsold goods and market surveillance. The ENVI Committee, which is the Lead Committee on the file, met on 20 November 2023. During this meeting, Pascal Canfin (Renew Europe, France), updated the Committee on the current state of the file following the second Trilogue held on 7 November.

Regulation on carbon removal certifications: On 17 November, the Council [adopted](#) its negotiating mandate on the first EU-level certification framework for carbon removals. The framework aims to facilitate the deployment of high-quality carbon removal activities in the EU. The proposal establishes monitoring, reporting and verification (MRV) rules for carbon removals.

Energy State aid Temporary Crisis and Transition Framework: On 20 November, the Commission [announced](#) that it was extending by six months the increase in State energy aid due to soaring energy prices particularly on energy bills. The Commission justifies this extension by 'recent episodes of market volatility', and mentions the war between Israel and Hamas, which is affecting gas supplies.

Environmental crime: NGOs are still sceptical on the 16 November agreement on environmental crime. While they welcome the "integrity, the ambition" of the text, they particularly regret that the sanctions imposed against legal entities are not more harmonized and more dissuasive, states the European Environmental Bureau in a [press release](#). However, NGOs welcome the extension of the list of offenses as well as the monitoring obligations incumbent on the Commission and the introduction of a qualified offense.

Air Pollution: The European Commission sent nine reasoned opinions, in its [monthly infringement package](#), to Bulgaria, Ireland, Cyprus, Latvia, Lithuania, Hungary, Austria, Portugal and Sweden for non-compliance with their obligations under EU law. The countries concerned have two months to inform the Commission of the measures taken. A new letter of formal notice was also sent to Poland, Romania and Luxembourg, requesting additional information on its implementation within two months.

International Plastics Treaty: From November 13 to 19, the intergovernmental negotiating committee (INC) discussed the [first draft](#) of an international treaty against plastic pollution. Each Member State revised the text to ensure their opinion was taken into account. This will be examined at the next meeting of the INC, in Ottawa in April 2024. However, no agreement was reached on the organization of technical negotiations between these two sessions.

The Innovation Fund: [The delegated regulation](#) was published on November 20 in the Official Journal of the EU. It revises the application and selection procedure for projects applying for the fund financed in part by the carbon market revenues (ETS). The definition of "small-scale" projects is broadened because they were regularly subject to 'insufficient subscription'. A "medium scale" category is created for projects targeting capital a budget between 20 and 100 million euros.

The Modernisation Fund: The functioning of the Modernisation Fund has been revised to ensure its contribution to climate objectives. It is funded by a portion of the revenues from the carbon market (ETS) and aims to support the decarbonization of ten countries, primarily in Eastern Europe. [The implementing regulation](#) was published in the Official Journal of the EU on 23 November. The text creates two categories of projects (small-scale and large-scale) to separate the selection based on the amounts committed.

Social Green and Digital Transition: The Foreign Affairs Council, [approved](#) on 21

November, the conclusions a social, green and digital transition. In these conclusions, the Council reaffirms the European Union's commitment to the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals (SDGs).

Climate finance: The Council [approved](#), on 23 November, the 2022 international climate finance figures in preparation for the COP28. The figures state that in 2022, the European Union contributed 28.5 billion euros in climate finance from public sources and 11.9 billion euros from private finance to support developing countries to reduce their greenhouse gas emissions.

European Parliament: On 22 November, Members of the European Parliament voted in favour of a [reform of the European Treaties](#). One of the amendments to this resolution aimed to entrust the European Union with exclusive competence in environmental policy. However, a majority of elected officials rejected the amendment.



EFRAG will hold its annual Conference 2023 "European corporate reporting: two pillars for success" in cooperation with the European Commission and with in-person participation of Commissioner Mairead McGuinness on 28 November 2023 in Brussels.

High-level speakers and panelists will share their views on accomplishments and challenges ahead in the field of sustainability reporting, debate the new developments in

financial reporting and address the latest trends to connect both areas in the fast-evolving environment of corporate reporting.

- When : Tuesday 28 November 2023, 9:00 - 17:15 CET followed by drinks.
- Where : The Hotel Brussels, 38 Bd de Waterloo. This is a physical event with online participation possibility. In-person registration is subject to confirmation.

Registrations



End-of-Life Vehicles: The European Commission has launched a [public consultation](#) on its initiative to ensure that end-of-life vehicles (ELVs) are managed sustainably. The deadline for feedback will remain open until [04 December 2023](#). FEAD's internal deadline is [23 November 2023](#).

Taxonomy: We need experts in WEEE, waste water treatment, and C&D waste for the development of DSH. The deadline will remain open until [24 November 2023](#).

Committee 2: The Joint Research Centre's EU Policy lab is looking to [collaborate](#) with individuals with experience and expertise in fast moving consumer goods, packaging, packaging waste, waste management, waste sorting waste sorting labels, waste sorting communication. The deadline for application will remain open until [27 November 2023](#).

Committee 2: RPA Europe and the Danish Technological Institute are looking for experts and information for their [study](#) on "EU Construction and Demolition Waste Management Protocol and Guidance (revision and update)". FEAD's internal deadline for experts and information will remain open until [13 December 2023](#).



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Thank you for joining us on our tenth EU policy update session. Your active participation and engagement is what makes us better and helps us grow. The recorded session and FEAD's presentation have been uploaded on our [website](#).

Our next session will take place on 22 December 2023!

ACCESS THE MATERIAL



Waste Framework Directive: FEAD provided [feedback](#) to the public consultation on the WFD targeted revision.

Soil Monitoring Law: FEAD provided [feedback](#) to the public consultation on the Soil Monitoring Law.

Textiles Ecosystem Transition Pathway: FEAD provided [feedback](#) to the call for commitments on the Textiles Ecosystem Transition Pathway.

Textiles labelling rules: FEAD provided [feedback](#) to the call for commitments on the revision of textile labelling rules.

WEEE: FEAD provided [feedback](#) to the public consultation questionnaire on Waste Electrical and Electronic Equipment.

ICM: FEAD provided [feedback](#) to the public consultation on industrial carbon management.

ETS: FEAD provided [feedback](#) to the public consultation on EU emissions trading system.

ESPR: FEAD provided [feedback](#) to the Öko-Institut questionnaire on the Ecodesign for Sustainable Products Regulation and the destruction of unsold textiles.

PPP: FEAD provided [feedback](#) to the public consultation questionnaire on Polluter Pays Principle.



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Ook EU-brancheverenigingen vragen aandacht voor lachgasproblemen

Niet alleen in Nederland zorgen lachgascilinders voor problemen voor de afvalsector: ook grote steden in bijvoorbeeld Frankrijk, België en Duitsland kampen ermee. Brancheverenigingen

ChemScore
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November infringements package: 8 things you need to know



16 Nov 2023

The latest infringement package includes news that two EU member states have been referred to the European Court of Justice for failures to comply with environmental obligations, while proceedings have been opened against six member states for failing to correctly transpose the Waste Framework Directive. Here's what you need to know

[**Read More**](#)

L'Italia *che* Ricicla

2023



FEAD mentions in the Press:

EUWID Recycling and waste management: [PPWR: Euric and FEAD remain concerned about access to recycled material](#)

EUWID Recycling and waste management: [Recycling industry groups call for preservation of plastic waste entries in EU green list](#)

Recyclingmagazine: ['We need to talk about this topic without fear'](#)

Recyclingmagazine: [FEAD warns against any changes to the WFD beyond revision proposed by Commission](#)

Residuosprofesional: [FEAD, contraria a una reforma de la directiva marco que vaya mas alla de los residuos textiles y alimentarios.](#)

Riciclanews: [Imballagi, tra nuove messe al bando e i dubbi sul riusso](#)

Recyclingmagazine: [EU value chain organisations warn against 'right of first refusal'](#)

EUWID Recycling and waste management: [FEAD calls for rethink on closed-loop recycling and bio-based materials in PPWR report](#)



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