

EXPRA's preliminary views on the new Circular Economy proposal and waste target review

The Extended Producer Responsibility Alliance (EXPRA) welcomes the long-awaited Circular Economy Package. We are pleased to confirm the European Commission's acknowledgement that Extended Producer Responsibility (EPR) schemes form an essential part of an efficient waste management process, and their potential could be put to use as long as the right framework is applied.

This recognition has been translated into specific requirements for EPR schemes in the reviewed EU waste legislation, thereby reinforcing the primary role that EPR has to play in the transition towards a circular economy.

Furthermore, EXPRA highlights that new waste management targets need to be realistic and based on reliable statistics. Data harmonisation should therefore be at the centre of the target review.

Our preliminary views on the new provisions are further explained below.

EPR minimum requirements in EU Waste Directives are of the essence

- EPR is an important tool that helps Member States to move towards more sustainable waste management. Given that EPR is implemented in a variety of ways across the EU, it is important that the EPR principle is appropriately incorporated into EU waste legislation and that strong and clear minimum requirements for EPR schemes are set.

The proposed common EPR requirements are likely to ensure a level-playing field for producers, Producer Responsibility Organisations (PROs) and other actors in the waste management chain.

- EXPRA demands that these criteria are, however, enhanced, in particular as concerns the roles and responsibilities of the various EPR players. With regards to stakeholders' financial liability, EXPRA recalls that each stakeholder can only be financially responsible for the costs falling under their remit and influence. These should moreover reflect the specific nature of waste management operations at national level.

In addition, the EPR requirements should be formalised in the Packaging and Packaging Waste Directive (PPWD), which is the key Directive for the packaging sector. Packaging is a complex waste stream involving a high number of companies from various industry sectors and requiring a dense waste management infrastructure; it should consequently be dealt with under its dedicated Directive.

- Lastly, the Alliance strongly supports the establishment of an EPR information exchange platform. The initiative will certainly contribute to identifying best practice across the EU, as well as understanding the difficulties facing some Member States. With over 20 years of experience in this field, EXPRA would be delighted to take part in this platform.

Reliable data should be at the core of new waste target levels, which should be justified and technically feasible

- It must be recalled that, currently, EU statistics do not show a fully comparable and reliable picture of packaging recycling across the EU. An EXPRA-owned study disclosed that, between 2006 and 2012, data inconsistencies and variances were so large that it would be premature to affirm that Member States have actually reached their packaging waste targets.

EXPRA therefore welcomes the proposed measures to align the level of quality of Member State reporting to the European Commission, which would facilitate the task of identifying the most cost-effective solutions in the future. In light of the state of play, however, the proposed waste target levels require further examination.

- While EXPRA shares the need to set ambitious, long-term targets to boost recycling, these also need to be realistic and justifiable from both an economic and environmental perspective. EXPRA's own research concludes that it would be feasible to determine optimum and maximum levels for recycling. These are also driven by technological development.
- In addition, EXPRA highlights that combining "preparation for reuse" and recycling operations, under the waste targets, will further complicate the target calculation. This will more prominently hinder the comparability of results amongst Member States. There are divergent interpretations of what these processes stand for, and how the targets should actually be calculated.
- Consequently, and given, in particular, the uncertainty stemming from the lack of statistics comparability alongside the unpredictable effect that a homogeneous reporting could have on the current recycling figures reported by Member States, EXPRA recommends that the targets set for specific materials contained in packaging waste follow a similar approach to the Waste Framework Directive. The latter considers national circumstances for target compliance through derogation options. This would help to find tailored solutions to existing shortcomings while enhancing enforcement.
- Finally, EXPRA welcomes the options set out for recycling measurement, that take into account the multiple modalities through which recycling can be calculated. While certain technicalities would require further clarification, efforts should be directed towards monitoring and enforcement, thereby ensuring quality recycling.

About EXPRA

Founded in 2013, EXPRA is the Extended Producer Responsibility Alliance – the organisation for packaging and packaging waste recovery and recycling systems which are owned by obliged industry and work on a not-for-profit or profit not for distribution basis. EXPRA acts as the authoritative voice and common policy platform representing the interests of its members, which are all founded and run by or on behalf of obliged industry. Over the past 20 years, our 25 members across 23 countries, from which 17 EU Member States, have co-organised the collection, sorting and recycling of used packaging (with a focus on household packaging) on behalf of the obligated industry. In so doing, they fulfil their legal take back and recycling obligations, serving over 200 million inhabitants and recycling over 18 million tons of packaging per year.

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