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*Committee on Industry, Research and Energy*

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**2015/0275(COD)**

17.5.2016

## **DRAFT OPINION**

of the Committee on Industry, Research and Energy

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a directive of the European Parliament and of the Council  
amending Directive 2008/98/EC on waste  
(COM(2015)0595 – C8-0382/2015 – 2015/0275(COD))

Rapporteur: Miroslav Poche

PA\_Legam

## AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 1

###### *Text proposed by the Commission*

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources **and** promoting a more circular economy.

###### *Amendment*

(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and rational utilisation of natural resources, promoting a more circular economy, ***increasing energy efficiency and reducing Union energy and resource dependence;***

Or. en

### Amendment 2

#### Proposal for a directive

##### Recital 2 a (new)

###### *Text proposed by the Commission*

###### *Amendment*

***(2 a) On 9 July 2015, Parliament adopted a resolution on resource efficiency: moving towards a circular economy<sup>1a</sup> in which it stressed in particular the need to set binding waste reduction targets, develop waste prevention measures and lay down clear and unambiguous definitions;***

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<sup>1a</sup> ***Texts adopted, P8\_TA(2015)0266.***

Or. en

## Amendment 3

### Proposal for a directive

#### Recital 3

*Text proposed by the Commission*

(3) Many Member States have yet to develop the necessary waste management infrastructure. It is therefore essential to set long-term policy objectives in order to guide measures and investments, notably by preventing the creation of structural overcapacities for the treatment of residual waste and lock-ins of recyclable materials at the **bottom** of the waste hierarchy.

*Amendment*

(3) Many Member States have yet to develop the necessary waste management infrastructure. It is therefore essential to set long-term policy objectives in order to guide measures and investments, notably by preventing the creation of structural overcapacities for the treatment of residual waste **or for landfilling** and lock-ins of recyclable materials at the **lowest level** of the waste hierarchy.

Or. en

#### *Justification*

*The proposal clarifies the recital and stresses the role of waste for the implementation of circular economy. It stresses the fact that the lowest level of the waste hierarchy, i.e. landfilling should be avoided.*

## Amendment 4

### Proposal for a directive

#### Recital 5

*Text proposed by the Commission*

(5) Definitions of municipal waste, construction and demolition waste, the final recycling process, and backfilling need to be included in Directive 2008/98/EC so that the scope of these concepts is clarified.

*Amendment*

(5) Definitions of municipal waste, construction and demolition waste, **commercial and industrial waste**, the final recycling process, **littering** and backfilling need to be included in Directive 2008/98/EC so that the scope of these concepts is clarified.

Or. en

## Amendment 5

### Proposal for a directive

#### Recital 6

*Text proposed by the Commission*

(6) To ensure that recycling targets are based on reliable and comparable data and to enable more effective monitoring of progress in attaining those targets, the definition of municipal waste in Directive 2008/98/EC should be ***in line*** with the definition used for statistical purposes by the European Statistical Office and the Organisation for Economic Co-operation and Development, on the basis of which Member States have been reporting data for several years. The definition of municipal waste in this Directive is neutral with regard to the public or private status of the operator managing waste.

*Amendment*

(6) To ensure that recycling targets are based on reliable and comparable data and to enable more effective monitoring of progress in attaining those targets, the definition of municipal waste in Directive 2008/98/EC should be ***harmonised*** with the definition used for statistical purposes by the European Statistical Office and the Organisation for Economic Co-operation and Development, on the basis of which Member States have been reporting data for several years. The definition of municipal waste in this Directive is neutral with regard to the public or private status of the operator managing waste.

Or. en

**Amendment 6**

**Proposal for a directive**

**Recital 7**

*Text proposed by the Commission*

(7) Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of financial incentives aimed at achieving the waste prevention and recycling objectives of this Directive, such as landfill and incineration charges, pay as you throw schemes, extended producer responsibility schemes and incentives for local authorities.

*Amendment*

(7) Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of financial, ***fiscal and regulatory*** incentives aimed at achieving the waste prevention and recycling objectives of this Directive, such as landfill and incineration charges, ***landfill ban***, pay as you throw schemes, ***direct price support schemes, internalisation of positive and negative externalities linked to recycling and primary raw materials, policy of zero VAT on the repair and sale of second-hand products, mandatory green public procurement*** and incentives for local authorities.

Or. en

## Amendment 7

### Proposal for a directive

#### Recital 9

##### *Text proposed by the Commission*

(9) Extended producer responsibility schemes form an essential part of efficient waste management, but their effectiveness and performance differ significantly between Member States. Thus, it is necessary to set minimum operating requirements for extended producer responsibility. Those requirements should reduce costs and boost performance, as well as ensure a level-playing field, including for small and medium sized enterprises, and avoid obstacles to the smooth functioning of the internal market. They should also contribute to the incorporation of end-of-life costs into product prices and provide incentives for producers to take better into account recyclability and reusability when designing their products. The requirements should apply to both new and existing extended producer responsibility schemes. A transitional period is however necessary for existing extended producer responsibility schemes to adapt their structures and procedures to the new requirements.

##### *Amendment*

(9) Extended producer responsibility schemes form an essential part of efficient waste management, but their effectiveness and performance differ significantly between Member States. Thus, it is necessary to set minimum ***mandatory*** operating requirements for extended producer responsibility ***schemes***. Those requirements should reduce costs and boost performance, ***facilitate better implementation and enforcement of separate collection and sorting, ensure better quality recycling, help secure cost-efficient access to secondary raw materials*** as well as ensure a level-playing field, including for small and medium sized enterprises, and avoid obstacles to the smooth functioning of the internal market. They should also contribute to the incorporation of end-of-life costs into product prices and provide incentives for producers to take better into account recyclability and reusability when designing their products. The requirements should apply to both new and existing extended producer responsibility schemes. A transitional period is however necessary for existing extended producer responsibility schemes ***and for Member states without extended producer responsibility*** to adapt their structures and procedures to the new requirements. ***During the transition period, Member States without extended producer responsibility should ensure that their waste management systems deliver results in an enforceable, transparent and accountable manner which is entirely consistent with the minimum requirements for extended producer***

*responsibility schemes.*

Or. en

### *Justification*

*This amendment clarifies the definition of extended producer responsibility and further justifies the need for EU minimum requirements for extended producer responsibility schemes. Those few Member States without EPR should be able to show results in waste management performance in an equally transparent and accountable manner.*

## **Amendment 8**

### **Proposal for a directive**

#### **Recital 10**

#### *Text proposed by the Commission*

(10) Waste prevention is the most efficient way to improve resource efficiency **and** to reduce the environmental impact of waste. It is important therefore that Member States take appropriate measures to prevent waste generation and monitor and assess progress in the implementation of such measures. In order to ensure a uniform measurement of the overall progress in the implementation of waste prevention measures, common indicators should be established.

#### *Amendment*

(10) Waste prevention is the most efficient way to improve resource efficiency, to reduce the environmental impact of waste, **and to decrease the dependence on imports of increasingly rare raw materials**. It is important therefore that Member States take appropriate measures to prevent waste generation, **including measures that reduce the presence of hazardous substances, promote recycling of materials with high quality, combat planned obsolescence, increase consumer empowerment through improved product information, encourage continuous communication and regular education campaigns on waste prevention** and monitor and assess progress in the implementation of such measures. In order to ensure a uniform measurement of the overall progress in the implementation of waste prevention measures, common indicators should be established.

Or. en

## Amendment 9

### Proposal for a directive

#### Recital 13 a (new)

*Text proposed by the Commission*

*Amendment*

***(13 a) The Commission should examine the possibility to set up recycling targets for non-hazardous commercial and industrial waste. In order to build an accurate baseline to set those targets, the Commission should gather data on such waste, based on common reporting from Member States. Within two years following the gathering of data, and based on an impact assessment, the Commission should consider the possibility of setting separate recycling targets for inert non-hazardous commercial and industrial waste by 2025, at least for paper, metal and bio-waste.***

Or. en

## Amendment 10

### Proposal for a directive

#### Recital 15 a (new)

*Text proposed by the Commission*

*Amendment*

***(15 a) The separate collection and recycling of waste oils would have significant economic and environmental benefits in terms of securing the supply of raw materials, advancing towards a circular economy and contributing towards a lesser dependence on oil supply. Some Member States already collect and recycle a large part of their waste oils. Nevertheless, in 2015 only around 13 % of all base oils came from re-refined waste oils. A Union-wide target for collecting and recycling waste oils should therefore be set. Member States which currently do not have facilities to re-refine waste oils***



*should be able to export those oils to other Member States in order to meet that Union-wide target.*

Or. en

*Justification*

*Waste oils regeneration limits the env. Burden of primary production of lubricants and reduces the impact on climate change, saving up to 30% of energy in the entire operation.*

**Amendment 11**

**Proposal for a directive**

**Recital 18**

*Text proposed by the Commission*

(18) Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components that are prepared for re-use by recognised re-use operators and by deposit-refund schemes and the recycling of metals that takes place in conjunction with incineration. In order to ensure a uniform calculation of this data, the Commission will adopt detailed rules on the determination of recognised preparation for re-use operators and deposit-refund schemes, on the quality criteria for recycled metals and on the collection, verification and reporting of data.

*Amendment*

(18) Member States should, for the purposes of calculating whether the preparation for re-use and recycling targets are achieved, be able to take into account products and components, ***or, as appropriate, packaging,*** that are prepared for re-use by recognised re-use operators and by deposit-refund schemes and the recycling of metals that takes place in conjunction with ***energy recovery and*** incineration. In order to ensure a uniform calculation of this data, the Commission will adopt detailed rules on the determination of recognised preparation for re-use operators and deposit-refund schemes, on the quality criteria for recycled metals and on the collection, verification and reporting of data.

Or. en

*Justification*

*The replication of the calculation method in Annex VI of the WFD in the PPWD needs to be adjusted in the context of packaging, as harmonisation with no adjustment will create misinterpretation, confusion and/or unnecessary administrative burdens.*

## Amendment 12

### Proposal for a directive

#### Recital 21

##### *Text proposed by the Commission*

(21) Proper management of hazardous waste still presents a problem in the Union, and data on its treatment are partly missing. It is therefore necessary to strengthen record keeping and traceability mechanisms through the establishment of electronic registries for hazardous waste in the Member States. Electronic data collection should be extended to other types of waste, **where appropriate**, in order to simplify record-keeping for businesses and administrations and improve the monitoring of waste flows in the Union.

##### *Amendment*

(21) Proper management of hazardous waste still presents a problem in the Union, and data on its treatment are partly missing. It is therefore necessary to strengthen record keeping and traceability mechanisms through the establishment of electronic registries for hazardous waste in the Member States. Electronic data collection should be extended to other types of waste, **as widely as possible**, in order to simplify record-keeping for businesses and administrations and improve the monitoring of waste flows in the Union.

Or. en

##### *Justification*

*The monitoring of waste flows is the precondition for the effective implementation of the Directive and the introduction of electronic data collection systems may contribute to it while reducing the costs of monitoring.*

## Amendment 13

### Proposal for a directive

#### Recital 28

##### *Text proposed by the Commission*

(28) **Statistical** data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **statistics** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Therefore, when

##### *Amendment*

(28) Data reported by Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of **reported data** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Therefore, when reporting on the

reporting on the achievement of the targets set out in waste legislation, Member States shall use the most recent methodology developed by the Commission *and* the national statistical offices of the Member States.

achievement of the targets set out in waste legislation, Member States shall use the most recent methodology developed by the Commission, the national statistical offices of the Member States *and the national authorities responsible for waste management*.

Or. en

## Amendment 14

### Proposal for a directive

#### Article 1 – paragraph 1 – point -1 (new)

Directive 2008/98/EC

Article 2 – paragraph 2 – point b

#### *Present text*

"b) animal by-products including processed products covered by Regulation (EC) No 1774/2002, except those which are destined for incineration, landfilling *or use in a biogas or composting plant*;"

#### *Amendment*

**(-1) In Article 2(2) point (b) is replaced by the following:**

"b) animal by-products including processed products covered by Regulation (EC) No 1774/2002, except those which are destined for incineration *or* landfilling;"

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>)

#### *Justification*

*Animal by-products are generally excluded from the scope of the WFD, as they are subject to the Animal by-product Regulation (ABP, No 1069/2009). A notable exception to this general rule are animal by-products (and therefore also manure) The main reasons for treating manure in a biogas plant are to avoid emissions from untreated storage, produce renewable energy and make an organic fertiliser which has better agronomic properties compared to untreated manure.*

## Amendment 15

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2 – point c

*Text proposed by the Commission*

4. "bio-waste" means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, comparable waste from food processing plants and other waste with similar biodegradability properties that is comparable in nature, ***composition and quantity***;

*Amendment*

4. "bio-waste" means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, comparable waste from food processing plants and other waste with similar biodegradability properties that is comparable in nature ***and composition***;

Or. en

**Amendment 16**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point d a (new)**

Directive 2008/98/EC

Article 3 – paragraph 1- point 5 a (new)

*Text proposed by the Commission*

*Amendment*

***(da) The following point is inserted:***

***“5a. "producers of products placing goods on the market of the Union" means any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products;”***

Or. en

**Amendment 17**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point d b (new)**

Directive 2008/98/EC

Article 3 – paragraph 1- point 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(db) The following point is inserted:***

**“9a. "extended producer responsibility" means the producer's full or partial operational and/or financial responsibility for a product extended to the post-consumer stage of a product's life cycle as a means for Member States to meet Union waste targets and increase the re-use and recycling rates;”**

Or. en

*Justification*

*A definition for extended producer responsibility is missing in the WFD and PPWD. This definition is broad enough to cater for the variable extended producer responsibility (EPR) implementations in the Member States but will clarify to which Member States and Schemes the proposed EU minimum requirements will apply. It also clarifies the scope and objectives of EPR.*

**Amendment 18**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point e**

Directive 2008/98/EC

Article 3 –paragraph 1- point 16

*Text proposed by the Commission*

16. "preparing for re-use" means checking, cleaning or repairing recovery operations, by which **waste**, products or components of products that have **been collected by a recognised preparation for re-use operator or deposit-refund scheme** are prepared so that they can be re-used without any other pre-processing;

*Amendment*

16. "preparing for re-use" means checking, cleaning or repairing recovery operations, by which products or components of products that have **become waste** are prepared so that they can be re-used without any other pre-processing;

Or. en

*Justification*

*The process of preparation for re-use involves also organizations which do not have waste management as their primary goal, for example charity shops, flea-markets, etc.. The amendment aims to prevent overregulation which would have negative impact on the existence of these organizations.*

## Amendment 19

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2 – point e a (new)

Directive 2008/98/EC

Article 3 – paragraph 1- point 16 a (new)

*Text proposed by the Commission*

*Amendment*

(ea) *The following point is inserted:*

**“16a. "preparing for re-use operators" means enterprises or networks of enterprises handling waste, working along the preparing for re-use process chain, and respecting applicable waste and other relevant legislation in the territory where they operate;”**

Or. en

*Justification*

*The definition makes clear the conditions for organization to be recognized as “preparation for re-use operator” and clarifies the term used in subsequent parts of the Directive. It reflects their importance in waste management process while highlighting the role of relevant regulations of Member States.*

## Amendment 20

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2 – point f

Directive 2008/98/EC

Article 3 – paragraph 1- point 17 b (new)

*Text proposed by the Commission*

*Amendment*

17b. "backfilling" means any recovery operation where suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping or construction instead of other non-waste materials which would otherwise have been used for that purpose;

17b. "backfilling" means any recovery operation ***other than recycling***, where ***non-hazardous*** suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping or construction instead of other non-waste materials which would otherwise have been used for that purpose;

Or. en

## *Justification*

*The amendment strengthens the waste hierarchy by excluding recyclable waste from backfilling. At the same time, the definition should also prevent that any hazardous waste is not used in the backfilling process as part of protection of health, local environment and water sources.*

## **Amendment 21**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 – point f a (new)**

Directive 2008/98/EC

Article 3 – paragraph 1 – point 20 a (new)

*Text proposed by the Commission*

*Amendment*

*(fa) The following point is inserted:*

*“20a. "commercial and industrial waste" means mixed waste of larger quantities than municipal waste originating from commercial activities, including the manufacture of specific products including paper and cardboard, glass, metal, plastic, bio-waste, wood, textile and bulky waste. Commercial and industrial waste does not include household waste, construction and demolition waste, hazardous waste and waste from sewage network and treatment, including sewage sludge;”*

Or. en

## **Amendment 22**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 – point f b (new)**

Directive 2008/98/EC

Article 3 – paragraph 1 – point 20 b (new)

*Text proposed by the Commission*

*Amendment*

*(fb) The following point is inserted:*

*“20b. "littering" means any action or omission by the waste holder, whether*

*wilful or negligent, that results in litter;”*

Or. en

## **Amendment 23**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 – point f c (new)**

Directive 2008/98/EC

Article 3 – paragraph 1 – point 20 c (new)

*Text proposed by the Commission*

*Amendment*

*(fc) The following point is inserted:*

*“20c. "food waste" means food lost from the food supply chain; food waste does not include food diverted to material uses such as bio-based products, animal feed or sent for redistribution;”*

Or. en

## **Amendment 24**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 2 – point f d (new)**

Directive 2008/98/EC

Article 3 – paragraph 1 – point 20 d (new)

*Text proposed by the Commission*

*Amendment*

*(fd) The following point is inserted:*

*“20d. "contaminants to recycling" means objects or substances which are mixed with recyclables, including but not limited to moisture, non-recyclable material, non-targeted recyclables, glue, paint and labels.”*

Or. en



## Amendment 25

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point -a (new)

Directive 2008/98/EC

Article 8 – paragraph 1 – subparagraph 1

#### *Present text*

"1. In order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States *may* take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility."

#### *Amendment*

**(-a) In Article 8(1) the first subparagraph is replaced by the following:**

"1. In order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States *shall* take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>)

## Amendment 26

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point a a (new)

Directive 2008/98/EC

Article 8 – paragraph 2 – subparagraph 1

#### *Present text*

"2. Member States *may* take appropriate measures to encourage the design of products in order to reduce their environmental impacts and the generation of waste in the course of the production and subsequent use of products, and in order to ensure that the recovery and disposal of products that have become

#### *Amendment*

**(aa) In Article 8(2) the first subparagraph is replaced by the following:**

"2. Member States *shall* take appropriate measures to encourage the design of products in order to reduce their environmental impacts and the generation of waste in the course of the production and subsequent use of products, and in order to ensure that the recovery and disposal of products that have become

waste take place in accordance with Articles 4 and 13."

waste take place in accordance with Articles 4 and 13."

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>)

## Amendment 27

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point b

Directive 2008/98/EC

Article 8 – paragraph 2 – subparagraph 2

#### *Text proposed by the Commission*

Such measures *may* encourage, inter alia, the development, production and marketing of products that are suitable for multiple use, that are technically durable and that are, after having become waste, suitable for preparation for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures should take into account the impact of products throughout their life cycle.

#### *Amendment*

Such measures *shall* encourage, inter alia, the development, production and marketing of products that are suitable for multiple use, that are technically durable and *easily repairable and* that are, after having become waste, suitable for preparation for re-use and recycling in order to facilitate proper implementation of the waste hierarchy. The measures should take into account the impact of products throughout their life cycle.

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>)

## Amendment 28

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point c

Directive 2008/98/EC

Article 8 – paragraph 5

#### *Text proposed by the Commission*

5. The Commission shall organise an exchange of information between Member States and the actors involved in producer responsibility schemes on the practical

#### *Amendment*

5. The Commission shall organise an exchange of information between Member States and the actors involved in producer responsibility schemes on the practical

implementation of the requirements defined in Article 8a and on best practices to ensure adequate governance and cross-border cooperation of extended producer responsibility schemes. This includes, inter alia, exchange of information on the organisational features and the monitoring of producer responsibility organisations, the selection of waste management operators and the prevention of littering. The Commission shall publish the results of the exchange of information.

implementation of the requirements defined in Article 8a and on best practices to ensure adequate governance and cross-border cooperation of extended producer responsibility schemes. This includes, inter alia, exchange of information on the organisational features and the monitoring of producer responsibility organisations, the selection of waste management operators and the prevention of littering. The Commission shall publish the results of the exchange of information **and may provide guidelines on relevant aspects.**

Or. en

## Amendment 29

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 1

#### *Text proposed by the Commission*

- define in a clear way the roles and responsibilities of producers of products placing goods on the market of the Union, organisations implementing extended producer responsibility on their behalf, private or public waste operators, local authorities and, where appropriate, recognised preparation for re-use operators;

#### *Amendment*

- define in a clear way the roles and responsibilities of producers of products placing goods on the market of the Union organisations implementing extended producer responsibility on their behalf, private or public waste operators, local authorities, **distributors and retailers**, and, where appropriate, recognised preparation for re-use operators;

Or. en

#### *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

## Amendment 30

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 2

#### *Text proposed by the Commission*

- define measurable waste management targets, in line with the waste hierarchy, aiming to attain at least the quantitative targets relevant for the scheme as laid down in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU;

#### *Amendment*

- define measurable waste management targets, in line with the waste hierarchy, aiming to attain at least the quantitative targets relevant for the scheme as laid down in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU **and other objectives that are considered as relevant for the scheme;**

Or. en

#### *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

## Amendment 31

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 3

#### *Text proposed by the Commission*

- establish a reporting system to gather data on the products placed on the Union market by the producers subject to extended producer responsibility. Once these products become waste, the reporting system shall ensure that data is gathered on the collection and treatment of that waste specifying, where appropriate, the waste

#### *Amendment*

- establish a reporting system to gather data on the products, **or, as appropriate, packaging**, placed on the Union market by the producers subject to extended producer responsibility. Once those products, **or, as appropriate, packaging**, become waste, the reporting system shall ensure that data is gathered on

material flows;

the collection and treatment of that waste specifying, where appropriate, the waste material flows;

Or. en

#### *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

### **Amendment 32**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 8**

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 4

#### *Text proposed by the Commission*

- ensure equal treatment and non-discrimination between producers of products and with regards to small and medium enterprises.

#### *Amendment*

- ensure equal treatment and non-discrimination between producers of products and with regards to small and medium enterprises. ***In particular, the unit cost charged by any organisation implementing extended producer responsibility on behalf of a producer of products for services related to a specific product, shall be the same for all producers of products.***

Or. en

#### *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

## Amendment 33

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 4 a (new)

*Text proposed by the Commission*

*Amendment*

- *contribute to the incorporation of the environmental costs along the product life cycle and of the product end-of-life costs into the product price and provide incentives for producers of products to better take into account the prevention of waste and product durability, reusability and recyclability when designing their products.*

Or. en

#### *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

## Amendment 34

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 4 b (new)

*Text proposed by the Commission*

*Amendment*

- *contain clear targets for improvement of product design (eco-design) with a view towards prevention of waste, not just recycling and recovery of materials;*

Or. en

## *Justification*

*Member States have to carry out the actions specified under that point and not extended producer responsibility schemes as it could have been understood in the proposed formulation. It also clarifies the definition of producers of products in Article 8.1 and completes the list of relevant actors in the value chain. Clear roles and responsibilities for all will ensure accountability. EU guidance on roles and responsibilities will help ensure a harmonised implementation at national level. It also strengthen non-discriminatory provisions which protects both consumers and producers.*

## **Amendment 35**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 8**

Directive 2008/98/EC

Article 8 a – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2 a. Member States shall take necessary measures to protect consumers by:**

**(a) ensuring that no waste holder is discriminated by any organisation implementing extended producer responsibility on behalf of a producer of products, when using a waste collection system;**

**(b) ensuring for consumers, at no extra cost, appropriate accessibility and availability of waste collection systems that are provided by any organisation implementing extended producer responsibility on behalf of a producer of products in all geographical areas defined in accordance with point (a) of paragraph 3;**

**(c) ensuring that any organisation implementing extended producer responsibility on behalf of a producer of products in all geographical areas defined in accordance with point (a) of paragraph 3 provides services and waste collection infrastructure with comparable quality, availability and accessibility standards so that no consumer is discriminated because of his or her place of residence;**

(d) *ensuring that any organisation implementing extended producer responsibility on behalf of a producer of products in all geographical areas defined in accordance with point (a) of paragraph 3 does not limit, directly or indirectly, consumers in placing products in a waste collection system, even where that organisation has already met its waste targets.*

Or. en

#### *Justification*

*The proposal strengthens the consumer protection and clarifies the obligation operators set up to implement the EPR scheme. It also reflects the fact that consumer cannot easily claim the services individually which can lead to the situation that the services of EPR has been paid in the price of product purchased by consumer, however they cannot be used due to unavailability of waste collection points or their difficult accessibility causing additional costs or inconveniences to the consumer. In order to prevent these situations the consumer should be protected by legislation.*

### **Amendment 36**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 8**

Directive 2008/98/EC

Article 8 a – paragraph 4 – subparagraph 1 – point a

#### *Text proposed by the Commission*

(a) cover the ***entire cost*** of waste management for the products it puts on the Union market, including ***all the following***:

#### *Amendment*

(a) cover the ***following costs*** of waste management for the products it puts on the Union market:

Or. en

#### *Justification*

*An unlimited obligation for producers/importers “to cover the entire cost of waste management” is disproportionate to the producer/importer’s role and responsibility for the collection and sorting of used packaging for recycling. It would impose a potentially unlimited and disproportionate financial burden on producers, beyond their responsibility and control. This amendment aims at demarcating the producer’s responsibility and financial obligation.*



## Amendment 37

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 4 – subparagraph 1 – point a – indent 1

#### *Text proposed by the Commission*

- costs of separate collection, sorting and treatment operations required to meet the waste management targets referred to in paragraph 1, second indent, taking into account the revenues from re-use or sales of secondary raw material from their products;

#### *Amendment*

- costs of separate collection, sorting ***for recycling*** and treatment operations required to meet the waste management targets referred to in paragraph 1, second indent, taking into account the revenues from re-use or sales of secondary raw material from their products;

Or. en

#### *Justification*

*An unlimited obligation for producers/importers “to cover the entire cost of waste management” is disproportionate to the producer/importer’s role and responsibility for the collection and sorting of used packaging for recycling. It would impose a potentially unlimited and disproportionate financial burden on producers, beyond their responsibility and control. This amendment aims at demarcating the producer’s responsibility and financial obligation.*

## Amendment 38

### Proposal for a directive

#### Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 4 – subparagraph 1 – point a – indent 3 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

– ***costs of litter prevention and collection***

Or. en

#### *Justification*

*Obligation “to cover the entire cost of waste management” would impose a potentially unlimited and disproportionate financial burden on producers, beyond their responsibility and control. This amendment aims at demarcating the producer’s responsibility and financial obligation. Also, “including all the following costs” indicates that costs may differ from one*

*Member State to another, potentially fragmenting the Internal Market.*

## **Amendment 39**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – title

*Text proposed by the Commission*

*Amendment*

Prevention of waste

***Re-use and*** prevention of waste

Or. en

*Justification*

*The inclusion to the title stresses highlights the non-waste nature of the re-use.*

## **Amendment 40**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 1

*Text proposed by the Commission*

*Amendment*

- encourage the use of products that are resource efficient, durable, repairable and recyclable;

- encourage the ***production and*** use of products that are resource efficient, durable, repairable and recyclable;

Or. en

## **Amendment 41**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 2

*Text proposed by the Commission*

*Amendment*

- identify and ***target products that are the main sources of raw materials of a high importance to the economy of the***

- identify and ***encourage the re-use of products containing a significant amount of critical raw materials,*** whose

***Union and*** whose supply is associated with a high risk to prevent that those materials become waste;

supply is associated with a high risk, ***also with regard to security of supply***, to prevent that those materials become waste;

Or. en

## **Amendment 42**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 3

#### *Text proposed by the Commission*

- encourage the setting up of systems promoting reuse activities, including in particular for electrical and electronic equipment, textiles ***and furniture***;

#### *Amendment*

- encourage the setting up of systems promoting re-use activities, including in particular for electrical and electronic equipment, textiles, ***furniture, as well as for packaging and construction materials and products***;

Or. en

## **Amendment 43**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 3 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

- ***encourage support of independent repair operators, by use of , for example, fiscal incentives such as reduced VAT, or procurement criteria, including criteria for providing information;***

Or. en

## **Amendment 44**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 3 b (new)

*Text proposed by the Commission*

*Amendment*

- *reduce the content of hazardous substances in materials and products by setting targets and encourage communication about hazardous substances in the supply chain;*

Or. en

## **Amendment 45**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 4 a (new)

*Text proposed by the Commission*

*Amendment*

- *reduce waste generation and emissions caused by the consumption of plastics, and plastic components, also with a view to reducing marine pollution;*

Or. en

## **Amendment 46**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 5 a (new)

*Text proposed by the Commission*

*Amendment*

- *require that identified cases of product planned obsolescence are notified and shall combat the marketing of such*

*products on their national markets;*

Or. en

#### **Amendment 47**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 1 – indent 5 b (new)

*Text proposed by the Commission*

*Amendment*

- *include the development of continuous communication and regular education campaigns to raise awareness of waste prevention.*

Or. en

#### **Amendment 48**

##### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 9**

Directive 2008/98/EC

Article 9 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or quantitative indicators and targets, notably on the per capita quantity of municipal waste that is disposed of or subject to energy recovery.

2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or quantitative indicators and targets, notably on the per capita quantity of municipal waste that is disposed of or subject to energy recovery. *They may also use additional qualitative or quantitative indicators including those which monitor the generation of waste other than municipal waste.*

Or. en

## Amendment 49

### Proposal for a directive

#### Article 1 – paragraph 1 – point 10 – point -a (new)

Directive 2008/98/EC

Article 11 – title

*Present text*

*Amendment*

*(-a) The title of Article 11 is replaced by the following:*

"Re-use and recycling"

**"Preparing for** re-use and recycling"

Or. en

(<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:312:0003:0030:en:PDF>)

*Justification*

*The amendment stresses that the process of preparing for re-use relates to waste or potential waste treatment.*

## Amendment 50

### Proposal for a directive

#### Article 1 – paragraph 1 – point 10 – point a

Directive 2008/98/EC

Article 11 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall take measures, **as appropriate**, to promote preparing for re-use activities, notably by encouraging the establishment of and support for re-use **and repair** networks and by facilitating the access of such networks to waste collection points, and by promoting the use of economic instruments, procurement criteria, **quantitative objectives** or other measures.

1. Member States shall take measures, to promote preparing for re-use activities, notably by encouraging the establishment of and support **of preparing** for re-use **operators and their** networks, **in particular those which operate as social enterprises**, and by facilitating the access of such networks to waste collection points **and facilities**, and by promoting the use of economic instruments, procurement criteria or other measures.

Or. en

### *Justification*

*The nature of re-use and preparation for re-use, including organizations involved in these processes, needs to be clarified. Introducing quantitative targets for re-use are essential for improving cooperation between all actors in the waste stream to make the preparation for re-use an option to other waste treatment alternatives. It is also the case of best practice as number of Member States has already introduced these targets.*

### **Amendment 51**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point a**

Directive 2008/98/EC

Article 11 – paragraph 1 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***In order to ensure that such access to waste collection points and facilities is granted for preparing for re-use operators, Member States shall set separate quantitative targets for preparing for re-use. By 2020, the proportion of the collected municipal waste deriving primarily from waste electrical and electronic equipment, furniture and textiles shall be at least 2%. By 2030, that proportion shall be increased up to 4 %.***

Or. en

### *Justification*

*The nature of re-use and preparation for re-use, including organizations involved in these processes, needs to be clarified. Introducing quantitative targets for re-use are essential for improving cooperation between all actors in the waste stream to make the preparation for re-use an option to other waste treatment alternatives. It is also the case of best practice as number of Member States has already introduced these targets.*

### **Amendment 52**

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point b**

Directive 2008/98/EC

Article 11 – paragraph 1 – subparagraph 3 a (new)

*Text proposed by the Commission*

Member States shall take measures to promote sorting systems for construction and demolition waste and for at least the following: wood, **aggregates**, metal, glass and plaster.

*Amendment*

***In order to achieve the target set out in point (b) of paragraph 2***, Member States shall take measures to promote sorting systems for construction and demolition waste and for at least the following: wood, **mineral fractions (concrete, bricks, tiles and ceramics)**, metal, glass, **plastic** and plaster

***Member States shall take measures to promote sorting systems for commercial and industrial waste for at least the following: metals, plastic, paper and cardboard, bio-waste, glass and wood.***

Or. en

*Justification*

*The nature of re-use and preparation for re-use, including organizations involved in these processes, needs to be clarified. Introducing quantitative targets for re-use are essential for improving cooperation between all actors in the waste stream to make the preparation for re-use an option to other waste treatment alternatives. It is also the case of best practice as number of Member States has already introduced these targets.*

**Amendment 53**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 10 – point d**

Directive 2008/98/EC

Article 11 – paragraph 2 – point d

*Text proposed by the Commission*

(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of **65%** by weight.

*Amendment*

(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of **70%** by weight.

Or. en



## **Amendment 54**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point d**

Directive 2008/98/EC

Article 11 – paragraph 2 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(d a) by 2020, regeneration of waste oils shall be increased to a minimum of 60 % by weight of the waste oils produced and collected within the Union.***

Or. en

#### *Justification*

*Regeneration of waste oils to base oils is a resource efficient and technically completely feasible way to manage this hazardous waste stream. In order to achieve outlined regeneration targets for waste oils, EU-wide collection targets would be need to support regeneration. Separate collection of waste oils is already happening in all EU Member States following obligations set in Article 21 of Directive 2008/98/EC. Therefore, collection targets for waste oils will enhance the implementation of Article 21 across the EU Member States.*

## **Amendment 55**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point d**

Directive 2008/98/EC

Article 11 – paragraph 2 – point d b (new)

*Text proposed by the Commission*

*Amendment*

***(d b) by 2030, regeneration of waste oils shall be increased to a minimum of 85% by weight of the waste oils produced and collected in within the Union;***

Or. en

#### *Justification*

*Regeneration of waste oils to base oils is a resource efficient and technically completely feasible way to manage this hazardous waste stream. In order to achieve outlined regeneration targets for waste oils, EU-wide collection targets would be need to support regeneration. Separate collection of waste oils is already happening in all EU Member States following obligations set in Article 21 of Directive 2008/98/EC. Therefore, collection targets*

*for waste oils will enhance the implementation of Article 21 across the EU Member States.*

## **Amendment 56**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point d**

Directive 2008/98/EC

Article 11 – paragraph 2 – point d c (new)

*Text proposed by the Commission*

*Amendment*

***(d c) for the purpose of achieving the targets for the regeneration of waste oils and without prejudice to the obligations set out in Article 21, by 2020, annual collection of waste oils shall be increased to a minimum of 95 % by weight and by 2025 to 100% by weight of waste oils produced and collected within the Union.***

Or. en

### *Justification*

*Regeneration of waste oils to base oils is a resource efficient and technically completely feasible way to manage this hazardous waste stream. In order to achieve outlined regeneration targets for waste oils, EU-wide collection targets would be need to support regeneration. Separate collection of waste oils is already happening in all EU Member States following obligations set in Article 21 of Directive 2008/98/EC. Therefore, collection targets for waste oils will enhance the implementation of Article 21 across the EU Member States.*

## **Amendment 57**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 10 – point f a (new)**

Directive 2008/98/EC

Article 11 – paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

***(f a) In Article 11 the following paragraph is added:***

***5a. In order to build an accurate baseline to set targets for recycling of non-hazardous commercial and industrial waste, the Commission shall gather data on such waste, based on common***

*reporting from Member States.*

*Member States shall transmit those data electronically to the Commission within six months from the end of the reporting year for which the data is collected.*

*Within two years following the gathering of data, and based on an impact assessment, the Commission shall consider the possibility of setting separate recycling targets for inert non-hazardous commercial and industrial waste by 2025, at least for paper, metal, and bio-waste.*

Or. en

## **Amendment 58**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 11**

Directive 2008/98/EC

Article 11 a – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

1. For the purpose of calculating whether the targets laid down in Article 11(2)(c) **and (d)** and 11(3) have been attained,

#### *Amendment*

1. For the purpose of calculating whether the targets laid down in Article 11(2)(c) **to (dc)** and 11(3) have been attained,

Or. en

#### *Justification*

*It adjusts the reference to amendments to Article 11(2).*

## **Amendment 59**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 11**

Directive 2008/98/CE

Article 11a – paragraph 1 – subparagraph 1 – point c

#### *Text proposed by the Commission*

(c) **Member States may include products and components prepared for re-**

#### *Amendment*

**deleted**

*use by recognised preparation for re-use operators or deposit-refund schemes. For the calculation of the adjusted rate of municipal waste prepared for re-use and recycled taking into account the weight of the products and components prepared for re-use, Member States shall use verified data from the operators and apply the formula set out in Annex VI.*

Or. en

## **Amendment 60**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 11**

Directive 2008/98/EC

Article 11 a – paragraph 5

#### *Text proposed by the Commission*

5. For the purposes of calculating whether the targets laid down in Article 11(2)(c) and (d) and Article 11(3) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration in proportion to the share of the municipal waste incinerated provided that the recycled metals meet certain quality requirements.

#### *Amendment*

5. For the purposes of calculating whether the targets laid down in Article 11(2)(c) and (d) and Article 11(3) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with **energy recovery and** incineration in proportion to the share of the municipal waste incinerated provided that the recycled metals meet certain quality requirements.

Or. en

## **Amendment 61**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 11**

Directive 2008/98/EC

Article 11 a – paragraph 6

#### *Text proposed by the Commission*

6. In order to ensure harmonised conditions for the application of paragraph

#### *Amendment*

6. In order to ensure harmonised conditions for the application of paragraph

5, the Commission shall adopt delegated acts in accordance with Article 38a establishing a common methodology for the calculation of the weight of metals that have been recycled in conjunction with incineration, including, the quality criteria for the recycled metals.

5, the Commission shall adopt delegated acts in accordance with Article 38a establishing a common methodology for the calculation of the weight of metals that have been recycled in conjunction with ***energy recovery and*** incineration, including, the quality criteria for the recycled metals.

Or. en

## **Amendment 62**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 12**

Directive 2008/98/EC

Article 11 b – paragraph 1

#### *Text proposed by the Commission*

1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the achievement of the targets laid down in Articles 11(2)(c) ***and (d)*** and (3) three years before each time-limit laid down in those provisions at the latest.

#### *Amendment*

1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the achievement of the targets laid down in Articles 11(2)(c) ***to (dc)*** and ***11***(3) three years before each time-limit laid down in those provisions at the latest.

Or. en

## **Amendment 63**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 12 a (new)**

Directive 2008/98/EC

Article 15 – paragraph 4 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***(12a) In Article 15 the following paragraph is added:***

***“4a. Member States shall take measures to ensure that the selection procedures for waste management***

*operators carried out by local authorities and organisations implementing extended producer responsibility on behalf of a producer of products placing goods on the market of the Union, include social clauses with a view to supporting the role of social enterprises.”*

Or. en

## **Amendment 64**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 13**

Directive 2008/98/EC

Article 22 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall ensure the separate collection of bio-waste *where technically, environmentally and economically practicable and appropriate* to ensure the relevant quality standards for compost and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).

#### *Amendment*

1. Member States shall ensure the separate collection of bio-waste to ensure the relevant quality standards for compost and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).

Or. en

## **Amendment 65**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 22**

Directive 2008/98/EC

Article 38 – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

1. The Commission may develop guidelines for the interpretation of the definitions of recovery and disposal.

#### *Amendment*

1. The Commission may develop guidelines for the interpretation of the definitions of *waste prevention, re-use, recovery and disposal*.

Or. en

## Amendment 66

### Proposal for a directive Annex VI – title

#### *Text proposed by the Commission*

Calculation method for ***preparing for re-use of products and components*** for the purpose of Article 11(2)(c) and (d) and Article 11 (3)

#### *Amendment*

Calculation method for ***the recycling of municipal waste*** for the purpose of Article 11(2)(c) and (d) and Article 11 (3)

Or. en

#### *Justification*

*The combining of recycling and preparation for re-use targets runs counter to the EU waste hierarchy, as it places them on the same level and therefore does not make sense from a policy perspective. These are two activities that are completely different by definition. Having separate recycling targets for municipal waste helps mitigate the possibility of large weight related gaps and overshadowing effects in data amalgamation, and is the best approach to setting targeted goals for quality recycling and prevention through re-use.*

## Amendment 67

### Proposal for a directive Annex VI – paragraph 1

#### *Text proposed by the Commission*

In order to calculate the adjusted rate of recycling ***and preparation for re-use*** in accordance with Article 11(2)(c) and (d) and Article 11(3), Member States shall use the following formula:

#### *Amendment*

In order to calculate the adjusted rate of recycling in accordance with Article 11(2)(c) and (d) and Article 11(3), Member States shall use the following formula:

Or. en

#### *Justification*

*The combining of recycling and preparation for re-use targets runs counter to the EU waste hierarchy, as it places them on the same level and therefore does not make sense from a policy perspective. These are two activities that are completely different by definition. Having separate recycling targets for municipal waste helps mitigate the possibility of large weight related gaps and overshadowing effects in data amalgamation, and is the best approach to*

*setting targeted goals for quality recycling and prevention through re-use.*

## **Amendment 68**

### **Proposal for a directive Annex VI – paragraph 2**

*Text proposed by the Commission*

$$E = \frac{(A + R) * 100}{(P + R)}$$

*Amendment*

*deleted*

Or. en

## **Amendment 69**

### **Proposal for a directive Annex VI – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

$$E = \frac{(A) * 100}{(P)}$$

Or. en

## **Amendment 70**

### **Proposal for a directive Annex VI – paragraph 5**

*Text proposed by the Commission*

*Amendment*

*R: weight of products and components  
prepared for re-use in a given year;*

*deleted*

Or. en