



Recyclers' call for a Waste Shipment Regulation benefiting plastics circularity

The Commission's proposal for a Waste Shipment regulation (WSR) responds to the call under the European Green Deal and the Circular Economy Action Plan to revise the WSR with the aim of (1) facilitating shipments of waste for reuse and recycling in the EU, (2) ensuring that the EU does not export its waste challenges to third countries and (3) tackling illegal waste shipments. On 17 January 2023, the European Parliament adopted a resolution on the Commission's WSR proposal. While certain EP amendment proposals would have positive impacts on recycling, other significant parts would have consequences on plastics circularity and recycling. For the adoption of a WSR that benefits plastics recycling and increased circularity of plastics, the European plastics recycling industry represented by the [European Recycling Industries' Confederation \(EuRIC\)](#) calls on EU decisionmakers to consider the following two key messages:

1. A more efficient EU internal market for plastics recycling:

A more efficient EU internal market for plastics recycling is the main lever for keeping plastic waste in the EU. While the EP position in favor of **mandatory recycled content** is essential for establishing a **mature market for recycled materials** and ensuring environmentally sound management of plastic waste within the EU (*EP amendments 103*), the deletion of EU plastic waste entries EU3011 and EU48 would have severe consequences on plastic recycling within the EU (*EP amendments 5, 135, 139*). Not all EU Member State have recycling facilities in place for all different types of plastics. As recycling facilities need a certain **scale to operate economically, access to facilities in other EU Member States** is critical for plastics recycling. Deleting waste entries EU3011 and EU48 would impose additional sorting steps and notifications for shipments that would **fragment the EU single market, while not being necessary** from an environmental point of view.

A defragmented EU single market for recycling also requires **clear and legally reliable rules for cross-border shipments for recycling**. Giving competent authorities every right to withdraw the pre-consented status without justification would harm reliability of the pre-consented status and planning security for recyclers (*EP amendment 57*). Also, applying the notification for every waste containing POPs without regard to concentration would lead to major legal uncertainty for shipment within the EU (*EP amendment 32*). In the absence of **harmonised EU end-of-waste (EOW) criteria** for plastics, high-quality recycled plastics products, such as plastic pellets, powders and flakes still suffer from uncertainty and differing interpretations of their legal status as waste or product. Only fully aligned EU end-of-waste (EOW) criteria for plastics can guarantee that high-quality recycled plastic materials, such as plastic pellets, powders and flakes are considered as end-of waste in all EU Member States and by all stakeholders. At the same time, plastic recycling **significantly reduces CO₂ emissions, energy, and water consumption**. For instance, recycling one ton of plastics can avoid up to 4.8 tons of CO₂¹ when compared to production from virgin materials (oil and gas), and 2.7 tons of CO₂ emissions compared to incineration.²

For a more efficient EU internal market of plastic recycling, EURIC calls for:

- ✓ **Mandatory recycled content targets for plastic packaging and plastic products such as automotive, WEEE and construction, ensuring a mature market for recycled materials**

¹ Life Cycle Analysis of MBA Polymers' post-consumer recycled plastics, EMPA, Wäger & Hischer (2013).

² [EURIC - Plastic Recycling Fact Sheet, 2020](#); [Comparative LCA and Certification, Carbon Trust report for MBA Polymers \(2020\)](#), see Annex.

- ✓ Coherence on EU3011 and EU48 for facilitating plastic recycling within the EU
- ✓ Legal clarity on revocations grounds for pre-consented facilities
- ✓ Legal certainty on shipments under notification
- ✓ Adoption of EU harmonised end-of-waste criteria for high-quality recycled plastics products, such as pellets, powders and flakes

2. Export rules that do not harm the environment:

While the EP expressed in favor of an export ban and phase-out of all plastic exports outside the EU (*amendments 18, 19, 81, 84*), we do not think that these measures are proportionate. For some polymers, the end-markets in the EU are limited if non-existent. Exports of plastics waste under strict conditions to guarantee proper treatment will still be required until the appropriate capacity is built in the EU. Increasing **plastics circularity requires to increase the demand for recycled plastics**, not the opposite. Cutting off export markets would in fact reduce the demand and the market for European recycled plastics, damaging investment security of the European plastics recycling industry and increasing the competitive disadvantage towards globally traded extracted raw materials. To keep operating in the long run, the European plastic recycling industry requires a **stable market for recycled plastics**. For certain applications, such as for WEEE or other durable consumer goods made from plastics, **markets for the use of recycled plastics are located outside of Europe**. Maintaining an efficient plastic recycling industry in Europe requires the adoption of proportionate export rules in full respect of environmental and human health protection. This is also necessary in view of achieving EU and Member States' commitments to **reduce global CO2 emissions under the Paris Climate Agreement**.

This is all the more important since proper **recycling in third countries** is still environmentally **better than lower treatment options in the waste hierarchy or final disposal in landfills**. **For exports of plastic waste outside of the EU, EURIC considers the export measures of the WSR proposal to be well-balanced**. These measures implement in EU law the provisions of both the **Basel Convention and the OECD Decision** that require economic operators and public authorities to take concrete actions to verify that waste exported from the EU is treated in a sustainable manner in the countries of destination. With Article 42 of the WSR proposal ensuring **monitoring and possible restrictions** of plastic waste shipments to OECD countries in case of issues arising from them, Articles 37-40 require an explicit **control by the European Commission of environmentally sound management conditions** in any non-OECD countries as a condition for export. Additionally, Article 43 of the WSR proposal requires every waste receiving **facility located outside of the EU to be audited** and inspected. For plastic waste exports, these measures complying with legal international obligations of the EU already ensure the **highest safeguards for the protection of the environment and human health outside of the EU**.

For export rules that effectively contribute to plastics circularity, EURIC calls for:

- ✓ Monitoring and safeguard procedure for plastic exports to OECD countries in line with the WTO and OECD legal frameworks
- ✓ List-based export rules for plastic waste exports to non-OECD countries in line with the WTO legal framework
- ✓ 5 years period adaptation time for export related measures

Annex – Finding of the Carbon Trust study “[Comparative study and certification – comparative report for MPA Polymers, July 2020](#)”:

Polymer	MBA Polymers		PlasticsEurope		plasticsrecycling.org			
	Recycled		Virgin	%	Recycled	%	Virgin	%
ABS	425		3100	-86%				
HDPE	391		1800	-78%	560	-30%	1890	-79%
PP	329		1630	-80%	530	-38%	1840	-82%
FPP	306		1630					
PS	569		2250	-75%				

Table 1: MBA Polymers products Global Warming Potential (GWP) in kgCO2e/tonne compared with PlasticsEurope virgin profiles, and other publicly available LCA information from plasticsrecycling.org

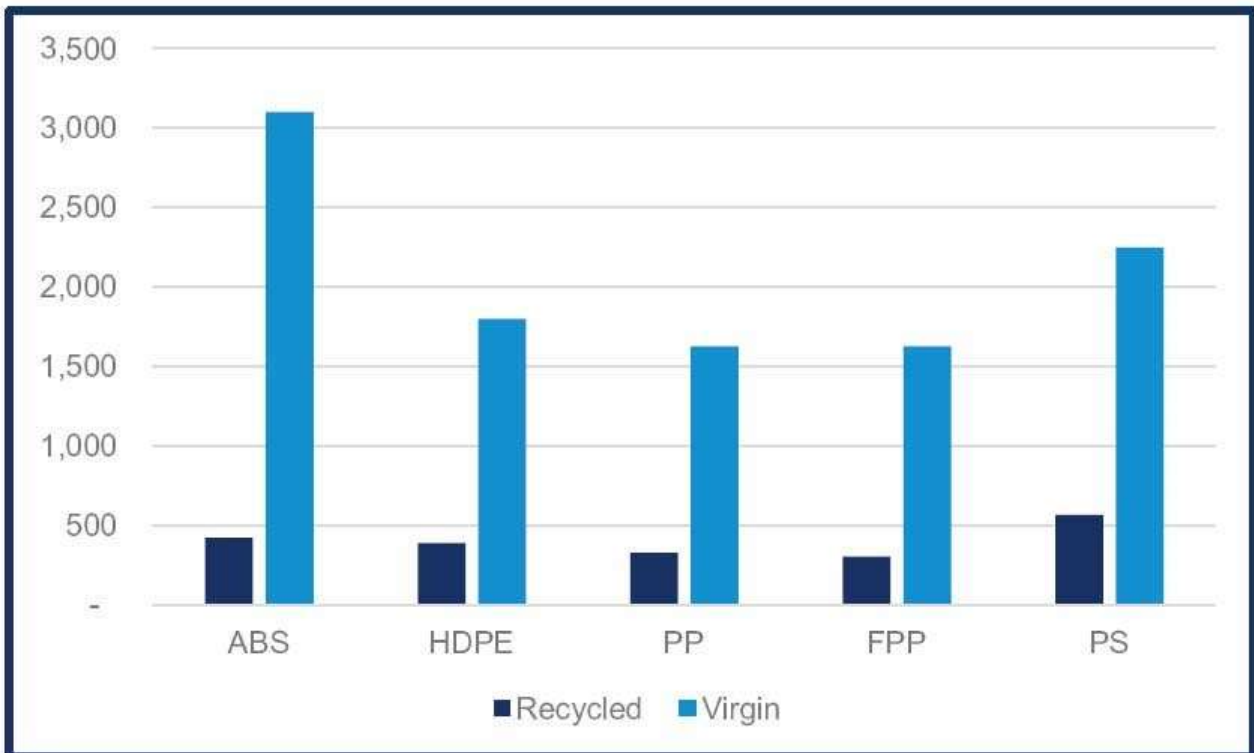


Figure 1 GWP of MBA Polymers vs. PlasticsEurope Ecoprofiles in kgCO2e