



European Parliament ban on plastic exports to significantly impair European plastic recycling unless complementary measures are taken

The European Parliament adopted a resolution on 17 January 2023 on the Commission's proposal for a Waste Shipment Regulation which has both positive and negative repercussions for plastics recycling. While many adaptations will facilitate recycling within the EU, some measures on exports including the ban on all green-listed plastic waste entries exported to OECD and non-OECD countries outside the EU and EFTA will instead hamper European recycling.

The European recycling industry represented by the [European Recycling Industries' Confederation \(EuRIC\)](#) is fully committed to ensuring environmentally sound management of plastic waste and fully supports the measures to tackle illegal shipments of waste outside the EU. While illegal waste shipments undermine the rule compliant behaviour of recyclers, EuRIC warns European decisionmakers on the detrimental consequences arising from a factual or legal ban on recycled plastic flakes exported outside the EU and EFTA. Recycled plastic flakes are the result of a cleaning and separation process which results in de-polluted and clean polymer material, that can be extruded into pellets and that has a positive market price. In the absence of harmonised EU end-of-waste criteria for recycled plastics, access to outlet markets for recycled plastics (still classified as a waste) is a prerequisite for the substitution of extracted primary raw materials in production processes around the world. Export restrictions must not lead to unjustified punishment of market actors committed to legally carrying out their activities and contributing to save energy and reduce CO₂ emissions on a global scale within and outside Europe.

In summary, EuRIC now calls on EU decisionmakers to consider the following **five actions** from the European plastics recycling industry:

1. **Harmonised EU end-of-waste criteria for plastics as soon as possible**, allowing for international market access and competitive market conditions for high-quality recycled plastics and adapting applicability of export restrictions accordingly (Article 82).
2. **Proportionate export rules for processed high-quality recycled plastics, fully aligned with WTO law and the OECD legal framework**, considering differential treatment between high-quality recycled plastics and unprocessed mixed plastic packaging waste, while carrying out a full impact assessment before setting any additional export restriction (Article 37 paragraph 2, Article 41 paragraph 2 and Article 42). In particular, mechanically treated plastic waste into flakes for end-markets for which there is no end-market within the EU shall not be subject to the ban on exports.
3. **Harmonised revocations grounds for pre-consented facilities**, ensuring legal reliability and effectiveness of the pre-consented facility status and allowing a defragmentation of the EU single market (Article 14 paragraph 9 and 10).
4. **Keeping plastic waste entry EU 3011 and EU 48** for facilitating plastic waste shipments within the EU under same conditions for environmentally sound management (Annex III Part I paragraph 2 point g and Annex IV Part I paragraph 2 point f).

5. **Mandatory recycled content targets for plastics beyond packaging**, ensuring environmentally sound management of plastic waste and scaling up European plastic recycling facilities (Article 56 paragraph 2b). Recycled content targets for plastics in the ELV and WEEE legislation shall be a priority.

For a more detailed information, please find below EuRIC explanations and grounds for adaptation of amendments to the Commission's proposal included in the EP resolution on the WSR:

Access to international markets is key for European recyclers (Key message 1)

Plastic recycling requires economically viable conditions to operate. While restrictions for the export of problematic waste, such as mixed plastic packaging waste, might be justified, the same does not apply to all other plastic waste streams. **Processed plastic waste with a positive market value** (e.g., plastics used in the automotive and electronics sector) **does not harm the environment or human health**. For the successful substitution of extracted materials e.g., oil and gas in production processes recycled plastics must be given a level-playing field with extracted raw materials. In the **absence of harmonised EU end-of-waste (EOW) criteria** for plastics, recycled plastics are still legally considered to be a waste. However, the proposed impediment to international trade with high-quality recycled plastics is not justified from an environmental point of view. With uncertain capacities and no guarantee to absorb all recycled plastics in European production processes, the restriction of plastic waste exports would not lead to an increase of their use. A disproportionate plastic waste export restriction would result in the **dismantling of the European recycling infrastructure** and be a setback for necessary investments in capacity building in the European recycling sector. A long-term weakening of the European recycling sector would result in completely undermining the environmental and human health objectives the proposal for the revision of the WSR intends to achieve.

Proportionate export rules for processed high-quality recycled plastics (Key message 2)

Through considerable investments made by the European plastic recycling industry, plastic waste is **processed into high-quality recycled plastics** with a positive market value that complies with established industry quality specifications and contributes to **significantly reduce CO₂ emissions, energy, and water consumption around the world**. To increase the competitiveness of recycled plastics compared to extracted raw materials, a distinction must be made between unprocessed mixed packaging plastic waste for which restrictions might be justified and high-quality recycled plastics that must not be subject to market restrictions within or outside the EU. This is also in the interest of an internationally competitive plastic recycling industry that secures supply with recycled plastic for European plastic manufacturers. For a reliable legal framework, EuRIC urges the EU legislator to adopt **export rules that are proportionate and fully in line with international WTO commitments**. Regarding export to OECD countries, EuRIC recalls the requirement for safeguard procedures to apply on exceptional grounds. A general assessment meant to ensure the environmentally sound management of all waste exported in all OECD countries would not comply with the OECD legal framework that already provides for specific mechanisms in this regard. In the absence of EU harmonised EOW criteria for plastics, waste shipment rules shall not apply to exports of recycled plastics meeting national end-of-waste criteria of EU Member States.

Defragmentation of the EU single market for plastics recycling (Key message 3 & 4)

Currently, post-consumer recycled plastics content in new products is only 9.9% of total plastic use in Europe.¹ For facilitating plastic waste shipments within the EU single market, EuRIC advocates first and foremost for **easier procedures in order to facilitate materials' recovery and to secure circular supply chains**. While the WSR proposal and the EP resolution contain several positive aspects, additional measures should be adopted to further facilitate intra-EU shipment of recycled plastics. It is crucial to simplify notification procedures and streamline the concept of pre-consented facilities. Setting **harmonised criteria for revocation grounds of the pre-consented status of facilities** is instrumental for reliability and effectiveness of shipments to pre-consented facilities and for the further **defragmentation of the EU single market**. The EU single market provides for a high

¹ [Plastics the Facts 2022, Plastics Europe](#).

level of protection for environmentally sound management of waste. For facilitating plastic waste shipments within the EU, the EU 3011 plastic waste entry should remain fully applicable for the shipments within the EU single market.

Mandatory recycled content for scaling up plastic recycling facilities (Key message 5)

Ensuring environmentally sound treatment of plastic waste can best be achieved by increasing the economic viability of plastic recycling. While global market prices for extracted raw materials are very volatile and subject to highly fluctuating demand, voluntary pledges of manufacturers for the uptake of recycled plastics have proven inefficient in the past. Environmental and climate benefits of recycled plastics are not internalised in prices, resulting in a **competitive disadvantage compared to extracted raw materials**. Mandatory recycled content targets for plastics are best suited to ensure **investment and planning security for scaling up plastic recycling capacities in Europe**. The establishment of mandatory recycled content targets for PET bottles in the Single-use Plastics (SUP) Directive² has resulted in massive increases in investments in the EU plastics recycling sector, creating new green and local jobs in the EU and increasing the recycling and circularity of plastics.³ EuRIC therefore strongly supports the obligation on the Commission to propose legislative acts for mandatory recycled content in plastic products, adopted in the EP resolution on the WSR⁴. Through the stimulation of demand, plastics recycling will enhance economically viable conditions for plastics recycling, thus scaling up recycling capacities and reducing the risk for environmentally unsound management of plastic waste generated in the EU. In addition, EuRIC underlines the importance of extending mandatory recycled content to all plastic packaging as proposed by the European Commission in the Packaging and Packaging Waste Regulation on 30 November 2022. In any case, setting mandatory recycled content targets for plastic products within the EU does not at the same time justify an export ban of all recycled plastics outside the EU and EFTA.

Plastic recycling is key for climate and environmental protection (Key messages 1-5)

Compared to extracted raw materials imported from third countries for European plastic production, plastic recycling **significantly reduces CO₂ emissions, energy, and water consumption**. For instance, recycling one ton of plastics can avoid 2.5 tons of CO₂ when compared to production from virgin materials, and 2.7 tons of CO₂ emissions compared to incineration. Through the uptake in new production processes, recycled plastics can contribute to saving 83% of energy, and 70% of CO₂ emissions. Since 2006, the amount of plastic waste sent to recycling in Europe has doubled.⁵ However, while over 23% of post-consumer plastic waste was still sent to landfill and 42% to energy recovery, only 35% of post-consumer plastics waste was sent to recycling in 2020 in Europe (EU27+3).⁶ Restricting access to international markets for high-quality recycled plastics would not only mean less plastic recycling due to a decreased market for plastic recycling within the EU. With less economically viable conditions for plastic recycling, the collection of many materials and grades would decrease, resulting in more plastic waste being **incinerated or landfilled**. Unjustified export restrictions on recycled plastics would further distort competition to the benefit of extracted raw materials, leading to more CO₂ emissions and therefore more harm for the environment and human health. In the end, the plastic waste export ban adopted in the EP resolution on the WSR would completely contradict EU and Member State commitments to **reduce global CO₂ emissions under the Paris Climate Agreement and to better protect the environment**.

² [Single Use Plastics Directive \(EU\) 2019/904, Art. 6 \(5\) requires that every PET beverage bottle put on the market in the EU from 2025 contains at least 25% of recycled plastic.](#)

³ [Plastics Recyclers Europe reports a 13% increase in installed plastics recycling capacity | Article | Packaging Europe.](#)

⁴ [Article 56 paragraph 2b of the EP resolution on the WSR.](#)

⁵ [EuRIC Plastic Recycling Factsheet, 2020.](#)

⁶ [Plastics the Facts 2022, Plastics Europe.](#)