



# Zero Waste Europe response to the new Circular Economy Action Plan Consultation

*Position Briefing*

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Zero Waste Europe welcomes the European Commission's commitment to develop its Circular Economy efforts as part of the European Green Deal and we are happy to submit our recommendations in line with our vision to create a zero waste Europe.

One of the main successes of the EU Circular Economy strategy so far has been its capacity to mobilise different DGs and break the silo approach to legislation that had brought about contradicting policies. We are happy to see the will to develop the new Circular Economy Action Plan (CEAP) in a way complementary to the European Green Deal, including the Climate agenda, as well as the Farm to Fork, Sustainable chemicals strategy and Zero pollution strategy.

These are our recommendations:

## 1. Implement current Circular Economy waste legislation and fix the loopholes

During the last commission mandate most policy progress has been waste related and the coming CEAP should ensure the conditions for swift implementation of the recently adopted legislation as well as addressing the loopholes and threats that can derail the transition. Some loopholes are, for instance:

- The current formulation of the 10% landfill target for as long as it doesn't factor in prevention and reuse will only cause more demand for incineration and the increase of carbon emissions in flagrant contradiction with the climate agenda.
- The current definition of single-use plastic and the instruments to move away from it currently promote material substitution instead of system change which endangers the very purpose of the directive.
- Unless reversed, the proliferation of plastic to fuels operations can undermine efforts to reduce the use of single-use plastics.

## 2. Propose new legislation on materials and products

The big expectation for the CEAP is to create the enabling conditions for materials to keep its value in the economy and for products and packaging to last longer and not become waste at the end of their life. Indeed, the disposable mindset cannot be fixed with waste policies, it requires designing new systems, products and packaging that are waste-free from its inception.

The experience of the 'Single-use Plastic Directive' shows how a focus that is solely material oriented will lead to a situation of material substitution which doesn't necessarily lead to circularity. This is why, on the one hand the EU needs a material based approach that defines the conditions for the secondary raw material markets and material banks to increase their share in the supply to production cycles. On the other hand, the EU needs to have a coherent product policy that, on top of ecodesign, develops new business models that move away from disposability and planned obsolescence and creates the legal and economic conditions for effective waste-free circular models

to be more competitive than the current linear single-use products. Within this approach, ZWE encourages the following measures to be taken:

- Prioritise simplicity over complexity as regarding materials and products (e.g: adopt a positive/priority list, instead of a negative list, regarding chemicals, more standardised products and packaging, integrating delivery platforms, etc.).
- Expand the scope of the Extended Producer Responsibility (EPR) fees to comprise prevention and reuse (i.e. bonus for waste-free alternatives).
- Further support the development of the European secondary raw material market alongside the second-hand market while adopting more stringent standards regarding the presence of hazardous chemicals in the recycling process.
- Build strong links and complementarity with the farm to fork strategy to achieve sustainable and local food systems prioritising short supply chains that need less packaging.
- Initiate a full revision of the Framework Regulation on Food contact materials (FCM), which is ineffective at the moment in protecting human health. A reform of the framework is necessary to increase traceability, ensure safe and inert FCM, including food packaging, and the same level of protection is guaranteed for recycled FCM.
- Develop a sustainable products policy framework (not only a voluntary initiative) that supports prevention and reuse and focuses on redesign of products and phase-out single-use products by establishing minimum requirements for products - addressing toxicity, durability, reusability, repairability, etc. This framework should include financial incentives, reuse and refill targets, to foster eco design as well as the development of the necessary infrastructure and systems such as deposit-return and refill schemes.
- Work on the interface between digital agenda and materials and products to create the logistics capable of enabling circular production and delivery systems.

### 3. Reduce the size of the circle

A true circular economy in line with environmental preservation and climate neutrality cannot be achieved by solely focusing on incremental update within one specific sector. On the contrary it needs to focus on every step on the production chain from resource extraction to waste management in a harmonised way, meaning that policy should not only target one specific step but should factor in all of them.

*"To achieve a more sustainable economy, it is insufficient to only increase recycling and focus on (partial) improvements in the degree of circularity, but it is **essential to also achieve absolute reductions in resource extraction and consumption**, that is, to downsize the socioeconomic metabolism."*  
(Meyer et Al).

Therefore, such Circular Economy will need to be achieved not only by improving circularity within Europe but by reducing the overall size of the circle; this means reducing resource use.

Today, countries considered to be the best-performing in terms of waste management are often the top-ranking ones in terms of waste generation. Not only this gives wrong signals regarding the priority to adopt on the topic but it is also unfair to countries with low waste generation but poor waste management capacities as they are perceived as laggards. In 2017, for instance, Germany produced 208 kilograms of waste per capita going to disposal and recovery while Romania only generated 204 kilograms overall.

To reduce the size of the circle and complement the waste recycling targets, the following measures could be adopted:

- Waste prevention targets (a general one but also sector specific)
- Specific residual waste targets (in kg per capita)
- Legally binding food waste reduction targets in line with the farm to fork strategy

#### 4. Ensure materials remain resources at the end of life

As landfill and incineration are on the way out recycling needs to progressively become the last step of the hierarchy. This requires concerted action to bring transparency and traceability of waste operations, concretely:

- Europe should deal with its waste locally. A strong focus to reduce waste exports or even stop them (for plastic waste) is needed and any recycling abroad that cannot be 100% traced should be stopped.
- In line with the objective of ensuring that all packaging is reusable, compostable or recyclable by 2030 the EU should enforce periodic audits of waste that is being sent for recovery or disposal treatment. This waste audit would help to identify if the waste that could/should have been recycled or composted is actually being incinerated or landfilled. When that is the case, policy actions to prevent this waste from reaching the market should be taken.

All in all, the CEAP should turn common sense into law, in the same way we would not eat anything our body can't digest, the EU should not allow a product or packaging that cannot be reused, refurbished, repaired, recycled or composted to be produced or imported in the first place.

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## *Zero Waste Europe 2020*



*Zero Waste Europe is the European network of communities, local leaders, businesses, experts, and change agents working towards the same vision: phasing out waste from our society. We empower communities to redesign their relationship with resources, to adopt smarter lifestyles and sustainable consumption patterns and think circular.*



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