



Brussels, 7 May 2026

To the attention of,

Jessika Roswall

European Commissioner for Environment, Water Resilience and a Competitive Circular Economy

Subject: Joint statement calling for a precautionary approach to incineration residues

Dear Commissioner Roswall,

We, the undersigned organisations, are writing in the context of the forthcoming Circular Economy Act (CEA) to express serious concerns regarding the increasing consideration of incineration residues, particularly incinerator bottom ash (IBA), as circular materials.

While we support the ambition of the CEA to strengthen circularity and the EU market for secondary raw materials, we caution against the inclusion or promotion of materials that may undermine the objective of a safe, non-toxic circular economy.

Independent scientific evidence, including [Toxic Fallout](#) and *A Toxic Legacy*, shows that IBA, primarily derived from the combustion of municipal solid waste:

- contains hazardous substances, including persistent organic pollutants (POPs), heavy metals, PFAS, and microplastics;

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- can release these substances into the environment (the soil, surface water or groundwater) over time through leaching under real-world conditions;
- is subject to inadequate and inconsistent testing, often limited to short-term, controlled scenarios that do not reflect real environmental behaviour;
- is regulated unevenly across Member States, enabling materials of concern to be classified and used as non-hazardous despite clear evidence of risk.

As a result, the use of IBA in construction and civil engineering is premature and poses potential risks to human health and the environment.

The Circular Economy Act aims to scale up the use of secondary materials across the EU and to facilitate their circulation within the Single Market. Without strong safeguards, this creates a clear risk of normalising and dispersing hazardous waste streams into the built environment. The use of IBA's 'mineral fraction' does not constitute recycling under EU law, and its deployment is driven primarily by the desire to avoid disposal costs, rather than by maximum utilisation of the resources and environmental benefits. Promoting such materials risks contradicting EU objectives on pollution prevention, as well as the "do no significant harm" principle underpinning EU environmental policy.

In this context, we urge the European Commission to ensure that the Circular Economy Act:

- applies the precautionary principle to incineration residues;
- does not promote or incentivise IBA use as a circular solution until long-term safety is independently demonstrated;
- establishes harmonised EU-wide safety standards based on realistic, long-term environmental conditions;
- ensures full consideration of all hazardous substances, including PFAS, microplastics, and other persistent pollutants;
- prioritises waste prevention, reuse, and safe, high-quality recycling over the dispersal of hazardous residues.

A circular economy must be non-toxic by design. Allowing the widespread use of incineration residues risks creating a long-term pollution legacy and undermining the credibility of the EU's circular transition.

We stand ready to engage constructively with the Commission to support a truly safe and sustainable Circular Economy Act.

Yours sincerely,

Zero Waste Europe

AGENDA

Armenian Women for Health and Healthy Environment NGO

Arnika - Toxics and Waste Programme

Association For Promotion Sustainable development

Center for Environment/FoE BiH

Centre for Citizens Conserving Environment & Management (CECIC)

Child Rights International Network (CRIN)

Circular Economy Portugal

Collectif 3R
Community Action Against Plastic Waste (CAPws)
Eco Bus America
Ekologi brez meja
Eko-Logiczna Lubelszczyzna
Environmental Center for Development Education and Networking (EDEN Center)
European Environmental Bureau (EEB)
European Research Institute Foundation
Everyday Plastic
Fair Resource Foundation
Forbrugerrådet Tænk / Danish Consumer Council
Friends of the Earth Cyprus
Gallifrey Foundation
GLOBAL 2000
Health and Environment Justice Support (HEJSupport)
Humusz Szövetség
Naturvernforbundet
Nexus3 Foundation
OceanCare
Organization for Rural Self-Help Initiatives
Plastic Soup Foundation
Priatel'ia Zeme - SPZ (Friends of the Earth - SPZ, Slovakia)
Rezero
Sustainable Environment Development Initiative
Towarzystwo na rzecz Ziemi
UK Without Incineration Network (UKWIN)
VOICE
WECF International
Za Zemiata
ZERO - Association for the Sustainability of the Earth System
Zero Waste Estonia
Zero Waste France
Zero Waste Latvija
Zero Waste Nederland