

STATE OF PLAY OF EU WASTE LEGISLATION PROPOSALS

State of play

On 27 February 2018 the environment committee (ENVI) of the European Parliament has approved the texts of the Circular Economy Package, which were agreed during the Trilogue negotiations, following a similar vote in the Council (Coreper I) a few days earlier (a copy of the Waste Framework Directive and the directive on the landfill of waste can be found [here](#)). Next, the European Parliament will vote in plenary on 17 April, after which the package is sent to the Council for final approval. The directives will be published in the Official Journal of the European Union shortly after. They will enter into force 20 days after this publication. Member States will have two years to transpose the new directives into national law. In the meantime, the European Commission will adopt implementing and delegated acts, that further specify details of the package.

Timeline of the legislative process



Important dates

- Entry into force: 20 days after publication in the Official Journal of the European Union
- Implementing and delegated acts: To be adopted by 31 March 2019
- Transposition and implementation: 24 months after entry into force

Outcome of the legislative process

ECN priority topic	Revised Waste Framework Directive
<u>Separate collection and recycling of bio-waste</u>	<p>Member States shall collect bio-waste separately by 31 December 2023 (§22 (1)). Separately collected bio-waste cannot be incinerated (§10 (3a)). Derogations for environmental, technical, and economic reasons are included in the text (§10 (3)).</p> <p>By 31 December 2021, Member States shall submit a report to the Commission on the implementation of §10 as regards bio-waste, including on the material and territorial coverage of separate collection and any derogations under §10 paragraph 3 (§10 (4)).</p> <p>As of 1 January 2027, municipal bio-waste entering aerobic or anaerobic treatment may only be counted as recycled if it has been separately collected or separated at source (§11a (4a)) - MBT will no longer count towards recycling targets.</p>
<u>Calculation of recycling targets</u>	<p>The amount of municipal biodegradable waste that enters aerobic or anaerobic treatment may be counted as recycled where that treatment generates compost, digestate, or other output <u>with similar quantity of recycled content</u> in relation to input, which is to be used as a recycled product, material or substance. Where the output is used on land, it may only be considered as recycled if resulting in agriculture or ecological improvement (§11a (4a)).</p> <p>End-of-waste materials to be used as fuels or other means to generate energy, be incinerated, backfilled or landfilled, cannot be counted towards the recycling targets (§11a (4b)).</p> <p>Implementing acts establishing rules for the calculation, verification and reporting of data, in particular as regards bio-waste separated and recycled at source shall be adopted by 31 March 2019 (§11a (8)).</p>
<u>Inputs into final recycling process</u>	<p>The Commission will monitor national criteria and will, when necessary, adopt implementing acts that specify the permissible waste inputs (§6).</p>
<u>Specific recycling target for bio-waste</u>	<p>By 31 December 2024 the Commission shall consider the setting of recycling targets for municipal bio-waste (§11 (6)).</p>
<u>Collection target for industrial bio-waste</u>	<p>By 31 December 2024, the Commission shall consider the setting of recycling targets for commercial waste and non-hazardous industrial waste (including bio-waste) (§11 (6)).</p>
<u>Incentive schemes dedicated to bio-waste</u>	<p>Member States shall make use of economic instruments and other measures to provide incentives for the application of the waste hierarchy such as those indicated in <u>Annex IV</u> or other appropriate instruments and measures (§4 (3)).</p> <p>Member states will promote the use of materials produced from bio-waste (§22 (2c)).</p>
<u>Bio-waste definition allowing for biodegradable plastics in collection of bio-waste</u>	<p>Member States <u>may allow</u> waste with similar biodegradability and compostability properties to be collected together with bio-waste if it complies with European or equivalent national standards (§22 (1)).</p>
<u>Standard for organic recycling</u>	<p>Mandate for the development of a European standard for bio-waste entering organic recycling processes by 31 December 2018 (§22 (3)).</p>
<u>Home composting</u>	<p>Member States shall encourage home composting (§22 (2b)).</p>
<u>Food waste reduction</u>	<p>An indicative Union-wide food waste reduction target of 30% by 2025 and 50% by 2030 is included in the final text (Recital 12).</p>
<u>Separate waste codes for municipal bio-waste</u>	<p>The amendments that included separate waste codes, as proposed by the European Parliament, are not reflected in the final text.</p>