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## Technical Assistance for Assessment of Türkiye's Potential on Transition to Circular Economy

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### Recent EU Circular Economy Initiatives

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# Introduction

- The European Green Deal (11.12.2019) sets a roadmap towards a climate-neutral circular economy (CE) by 2050, where economic growth is decoupled from resource use.
- This broader broader goal can only be achieved if businesses and consumers are producing and consuming more sustainably.
- The 2020 Circular Economy Action Plan (CEAP) = one of the main building blocks of the Green Deal.
- The Commission has taken recently a range of initiatives, defined by the CEAP, that complement each other:
  - to support achieving the broader goal of decoupling economic growth from resource use.

# Scope of this presentation

## **Non-product specific initiatives:**

1. Proposal for an Eco-design for Sustainable Products Regulation (30/03/2022)
2. Proposal for empowering consumers in the green transition (20/03/2022)
3. Proposal for a Directive on green claims (22/03/2023)
4. Proposal on common rules promoting the repair of goods (22/03/2023)
5. Proposal for a new Regulation on shipments of waste (17/11/2021)

## **Product specific initiatives:**

1. Proposal for a revised Construction products Regulation (30/03/2022)
2. Proposal for a Regulation concerning batteries and waste batteries, repealing the current Batteries Directive 2006/66/EC (10/12/2020)
3. Proposal for a Regulation on Packaging and Packaging waste, repealing the current Packaging and Packaging Waste Directive 94/62/EC (30/11/2022)
4. EU strategy for sustainable and circular textiles (March 2022)

# Proposal for the Eco-design for Sustainable Products Regulation (30/03/2022)

# Proposal for a Eco-design for Sustainable Products Regulation (ESPR)

= the cornerstone of the Commission's approach to more environmentally sustainable and circular products.

- **Why?** Product design determines up to 80% of a product's lifecycle environmental impact.
- **Objectives:**
  - To make sustainable products the norm on the EU market.
  - To reduce their overall environmental and climate impacts.
- **Scope:** Any physical good placed on the market (including intermediate products), regardless of their origin - produced in the EU or imported.
  - Only a few sectors are exempted (such as food, feed, and medicinal products).
- Builds on and broadens the scope of the existing Eco-design Directive (which only covers energy-related products & only sets energy efficiency requirements).
- Will replace the Eco-design Directive (which continues to operate until its replacement).

# Categories of products to be addressed by the ESPR

- **A preliminary assessment** (by the Commission's Joint Research Centre):
  - To identify the product categories that have:
    - high environmental impact
    - potential for improvement.
  - Product categories identified:
    - Final goods like textiles, furniture, mattresses, tyres, detergents, paints, lubricants.
    - Intermediate products like iron, steel and aluminium.
  - = suitable candidates for the first ESPR workplan.
- **An online public consultation** by the Commission (31 Jan. - 12 May 2023):  
on the categories of new products and measures that ESPR should address first (under the first ESPR working plan).
  - of the general public, authorities, industry stakeholders, academics, NGOs and standardisation bodies, both within and outside the EU.

# Ecodesign requirements

The ESPR establishes a framework for the Commission, working in close cooperation with all concerned stakeholders, to progressively set:

- 1. Eco-design requirements** for specific product groups: to significantly improve their:
  - Resource efficiency: using fewer resources, in a more efficient manner.
    - The one basic principle that underpins the entire circular economy strategy.
  - Circularity: making products:
    - More durable, reusable, upgradable, repairable.
    - Easier to maintain, refurbish and recycle.
    - e.g. requirements on recycled content, the presence of substances that inhibit circularity.
  - Energy performance: making products more energy efficient.
  - Other environmental sustainability aspects, to reduce carbon and environmental footprints.

# Information requirements

## 2. Product-specific information requirements

- *Digital Product Passports* for all regulated products: will make it easier for:
  - Repairers or recyclers.
  - Public authorities: enhanced enforcement of legal requirements, by helping them to better perform checks and controls, as they will be able to track substances of concern along the supply chain.
- *Labelling* can be introduced, to ensure that consumers know the environmental impacts of their purchases.
  - The product information can take the form of 'classes of performance' (for instance ranging from 'A to G', like the EU Energy Labels).
    - To facilitate comparison between products.
  - This can for instance be used for a repairability score.
- The product-level rules will have to be laid down in a second stage.
  - Through delegated acts, product by product or for groups of products (that share sufficient common characteristics), if appropriate.



# Other measures in the ESPR proposal

- **Measures to end the destruction of unsold consumer goods, incl.:**
  - Mandatory disclose of information (e.g. on a freely accessible website), by large businesses that discard unsold products:
    - Number of discarded unsold consumer goods per year
    - The reasons for the discarding
    - The amount of discarded products that they have delivered for preparing for re-use, remanufacturing, recycling, energy recovery and disposal operations (in line with the waste hierarchy).
  - Explicit prohibition of circumvention techniques.
    - E.g. a big company selling to small companies (which are normally exempted) to make them destroy products.
  - Enabling the Commission to ban destruction for relevant product groups (i.e. for which it proves to be a particular problem).
- **Expansion of green public procurement:** enables mandatory green public procurement criteria to be set (making use of contracting authorities' economic power).

# Benefits of the ESPR: manufacturers and traders

- **Increased competitiveness:** Significant cost savings from manufacturing more circular and sustainable products.
  - as materials typically account for + 40% of the input costs of EU manufacturers.
- **Reputational benefits:** as products increase in quality.
- **A level-playing field for businesses,** aiming to sell their products on the EU market.
  - Harmonised rules instead of diverging national sustainability requirements, thereby:
    - Avoiding market fragmentation.
    - Widening existing markets.
    - Reducing compliance costs & administrative burdens for those operating across the EU.
- **Protection of compliant business,** through strengthened enforcement (while ensuring the environmental aims are met).

# Benefits of the ESPR: consumers

- Access to **better information**, enabling consumers and businesses to make informed choices when purchasing products.
- Access to **higher quality products**.
- **Cost savings:**
  - Increased costs for manufacturing the regulated products, with possibility that some may be being passed on to consumers.
  - But: price increases are more than offset by financial savings for consumers over the long term. (as shown by the experience under the current Eco-design Directive).
  - Overall cost savings, from improved product performance and longer functionality, including through:
    - Lower energy and resource consumption (for example water for washing machines),
    - Better performance, durability, upgradability and reparability (with reduced need to replace products).
    - Higher value at the end of life.

Proposal for a Directive for empowering consumers for the green transition through better:

- Protection against unfair practices
- Information

# Proposal for empowering consumers in the green transition

- *Proposal for a Directive amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information COM(2022) 143 final (30.03.2022)*
- This proposal amends:
  - The Consumer Rights Directive (Directive 2011/83/EU of 25/10/2011, as amended).
  - The Unfair Commercial Practices Directive (Directive 2005/29/EC of 11/05/ 2005, as amended).

# Why? Key conclusions from the public consultation:

- Public consultation (by the Commission): + 12,000 consumers, as well as companies, consumer experts and national authorities.
1. Common unfair commercial practices:
    - Prevent consumers from engaging in the green transition and making sustainable choices.
    - Include:
      - Environmental claims on products of which the reliability is difficult to verify (seen as the biggest obstacle).
      - Misleading environmental claims ('greenwashing').
      - Non-transparent and non-credible sustainability labels.
      - Early obsolescence of goods.
  2. Consumers are willing to pay extra for a product to last longer without the need for repairs (about 50% of the respondents).

# Proposed amendments to the Consumer Rights Directive

Obligation for sellers to provide consumers before the purchase, with information on:

- **Durability:** The seller must inform consumers about the guaranteed durability of products, i.e. if the producer of:
    - Consumer goods offers a commercial guarantee of durability of more than 2 years.
    - Energy-using goods has not provided information on a commercial guarantee of durability.
  - **Repairs and updates:** The seller must provide relevant information on repairs that is made available by the producer, such as:
    - The reparability score (where applicable).
    - The availability of spare parts or a repair manual.
    - Software updates provided by the producer (for smart devices and digital content and services).
- Producers and sellers will decide on the best way to provide this information to the consumer (be it on the packaging or in the product description on the website).

# Proposed amendments to the Unfair Commercial Practices Directive (UCPD)

1. Expansion of the list of product characteristics, about which a trader cannot mislead consumers, to include:
  - The environmental or social impact.
  - The durability and reparability.
2. Expansion of the list of prohibited unfair commercial practices (the so-called ‘black list’) with new practices, incl., among others:
  - a. Regarding **planned obsolescence**: not informing consumers about:
    - Features introduced to limit durability. (e.g. a software which stops or downgrades the functionality of the good after a particular period of time.
    - A good having limited functionality when using consumables, spare parts or accessories not provided by the original producer.
  - b. **A ban on greenwashing.**



# Proposed amendments to the Unfair Commercial Practices Directive (UCPD)

## b. **A ban on greenwashing:** Greenwashing practices include:

- Making generic, vague environmental claims (e.g. 'environmentally friendly', 'eco' or 'green')
    - that create the impression of excellent environmental performance of the product or trader,
    - but that cannot be demonstrated (substantiated), i.e. claims without:
      - clear, objective and verifiable commitments and targets.
      - an independent monitoring system.
  - Making an environmental claim about the entire product, when it really concerns only a certain aspect of the product.
  - Displaying a voluntary sustainability label, which is not based on a third-party verification scheme or established by public authorities.
- Requires case-by-case assessments.

# Proposed amendments to the Unfair Commercial Practices Directive (UCPD): benefits

- Ensuring legal certainty for traders.
- Facilitating enforcement of cases related to greenwashing and early obsolescence of products.
- Reducing the negative impact on the environment of products:
  - Enabling consumers to choose products that are genuinely better for the environment than their competitors.
  - Encouraging competition towards more environmentally sustainable products.
- Enabling consumers to protect their collective interest in the event of infringements by traders of EU law, via representative actions:
  - i.e. through the legal actions brought by representative entities, in particular consumer organisations and/or independent public bodies. (i.e. the collective redress procedure under the Representative Actions Directive (EU)2020/1828).
- Once the amendments are adopted and transposed into the Member States' national legislation.

Proposal for a Directive on substantiation and communication  
of explicit environmental claims  
(Green Claims Directive) (22/03/ 2023)

- Complements the proposal for a Directive on empowering consumers for the green transition (which amends the Unfair Commercial Practices Directive), to fight greenwashing practices more effectively.

# Proposal for a Green Claims Directive: Why?

- Proliferation of sustainability labels: + 230 labels in the EU, half of them lack (independent third-party) verification.
  - unlike the voluntary EU Ecolabel, since 1992, which is trustworthy.
- Greenwashing practices (vague, misleading and/or unsubstantiated green claims) are common.
- This results in:
  - Consumer confusion and lack of trust in green claims
  - Uneven playing field for companies (i.e. unfair to companies that are genuinely working to improve their environmental performance).
- For consumers to change their consumption habits, they need reliable, verifiable information.

# Proposal for a Green Claims Directive: objectives

- To stop companies from making claims about environmental merits of their products and services, that are misleading or are not verified (e.g. “Packaging made of 50% recycled plastic”).
- To allow consumers to make informed environmental choices.

# Proposal for Green Claims Directive

- The proposal only concerns claims that are not currently covered by other EU rules.
  - if EU legislation establishes more specific rules on environmental claims for a particular sector or product category, those rules will prevail over those of the proposal.
  - Examples of existing rules:
    - the EU Ecolabel = = the official EU voluntary label for environmental excellence, verified by independent experts.
    - Energy efficiency label;
    - Organic farming label.
- Also targets businesses that are based outside the EU and make voluntary environmental claims directed at EU consumers.

# Proposal for Green Claims Directive: a clear regime for environmental claims and labels

- Environmental labels: requirements to address their proliferation and credibility challenges, incl. amongst other:
  - **A ban on new environmental labelling schemes**, to encourage EU level schemes:
    - New public schemes, unless developed at EU level, will not be allowed
    - New private schemes are only allowed if they can prove to Member States their added value for the EU market (in terms of their environmental ambition or coverage of impacts) and get a pre-approval.
      - If approved, such schemes will be subject to a notification and approval by the Commission.
  - The ban can give a boost to the EU Ecolabel
  - **Sound system of independent verification**: Labels must be transparent, verified by a third party, and regularly reviewed.

# Proposal for Green Claims Directive: a clear regime for environmental claims and labels

- **Voluntary green claims:**
  - Must be substantiated, with scientific evidence, identifying the relevant environmental impacts and any trade-offs between them.
  - This substantiation must be verified ex-ante (i.e. before claims can be put on the market).
  - Common criteria on how companies should substantiate environmental claims.
- **Comparison of products** or organisations with other products and organisations: must be fair and based on equivalent information and data.
- **Claims or labels that use aggregate scoring** of the product's overall environmental impact (on, e.g. biodiversity, climate, water consumption, soil), will not be permitted, unless set in EU rules.



# Verification and enforcement of green claims in practice

- **Member States** are:
  - Required to ensure that minimum requirements for substantiation and communication are respected by companies when they make voluntary green claims.
  - Responsible for setting up verification and enforcement processes, against the requirements of the Directive.
    - to be performed by independent and accredited verifiers
      - The verifier will then issue a certificate of compliance, recognised across the EU.
- **Consumers** are enabled to protect their collective interest in the event of infringements by traders of EU law, via representative actions:
  - i.e. through the legal actions brought by representative entities, in particular consumer organisations and/or independent public bodies

# Proposal for a Green Claims Directive:

## Impact on small and medium companies

- **Exemption of microenterprises** (less than 10 employees and less than €2 million turnover) from the obligations (unless they themselves wish to use the rules).
  - To avoid a disproportionate impact of the requirements on smaller enterprises compared to larger ones.
- **Support to help SMEs** apply the requirements.
  - Member States (are requested by the proposal) to facilitate access to:
    - Financial support.
    - Organisational and technical assistance.
  - The Commission will make funding available:
    - To provide data to support solid claims.
    - To develop calculation tools for SMEs.
  - To encourage SMEs to participate in the green transition and favour legitimate environmental claims.

# Proposal for a Green Claims Directive: benefits for consumers

- Prevention of greenwashing.
- Reliable, comparable and verifiable environmental information on products accessible to everyone.
- Credible environmental labels and claims.
- Stop proliferation of environmental labels.
- Consumers can make better informed purchasing decisions and contribute to the green transition.

# Proposal for a Green Claims Directive: benefits for businesses

- Companies competing on a level playing field.
  - due to the common approach for green claims across the EU.
- Companies who make a genuine effort to increase the environmental sustainability of their products and activities, will have a competitive advantage.
- More demand for greener products and solutions.
- Increased credibility for EU businesses trading across and outside the EU.
- Saving costs for businesses that have their claims certified by an accredited verifier, which issues a certificate of compliance recognised across the EU.

Proposal for a Directive on  
common rules promoting the repair of goods  
(the “Right to Repair” proposal)

# The “Right to Repair” proposal

- Proposal for a Directive on common rules promoting the repair of goods, and amending:
  - Regulation (EU) 2017/2394 on cooperation between national authorities responsible for the enforcement of consumer protection laws.
  - Directive (EU) 2019/771 on certain aspects concerning contracts for the sale of goods.
  - The Representative Actions Directive (EU) 2020/1828.
- Products covered : consumer goods (any tangible movable item) and any defect that may occur in such goods, whether or not still under legal guarantee.

# The “Right to Repair” proposal: Why?

- Defective goods are often discarded prematurely, instead of being repaired and reused.
- If still under legal guarantee:
  - Many consumers chose free replacement of goods over free repair.
  - Returned viable goods are mostly thrown away.
- After expiration of the legal guarantee:
  - Many consumers are discouraged from repair,
  - Because of the inconveniences linked to the process:
    - Difficult to identify a suitable repair service at an acceptable price
    - Uncertainty about the conditions.

# The “Right to Repair” proposal: promotion of repair

- The proposal will promote repair both within and beyond the legal guarantee:
- Within the guarantee:
  - The Sale of Goods Directive provides that:
    - for a period of 2 years, a consumer can request the seller to repair or replace a good free of charge
    - in case of defects that are due to non-conformity of the goods with a sales contract.
  - Under the new rules, when repair is cheaper or equal in cost, sellers will have to provide free repair as a remedy, instead of replacement:
    - within a reasonable time
    - and without any inconvenience for the consumer.
- Beyond the legal guarantee: consumers will have easier and cheaper options to repair.
  - Producers of goods subject to repairability requirements under EU legal acts (such as TVs or dishwashers), will be obliged to repair a product for 5-10 years after purchase (depending on the type of product), for a fee.
  - Unless this is impossible (e.g. if products are damaged in a manner in which repair is technically impossible).



# The “Right to Repair” proposal: promotion of repair

- Consumers will **find suitable repair services** more easily.
  - E.g. through national matchmaking online repair platforms where consumers can easily find a repairer based on different search criteria, such as location.
- Consumers will have a right to request the repairer to provide the **European Repair Information Form**.
  - Information in the Form: the price and key conditions of repair (e.g. duration of repair; availability of a replacement product during repair)
    - This form will help consumers easily compare different repair services
- **A European repair standard** will be developed: to help identify repairers committing to a higher quality service (such as in regards to duration).

# Impact of the “Right to Repair” proposal: consumers

- Easier and more attractive for consumers to have their defective goods repaired, instead of replacement (even when they are not covered by the legal guarantee), by :
  - increasing transparency on availability and conditions of repair.
  - facilitating comparisons of repair services.
  - creating a right to request producers to repair certain goods beyond the legal guarantee for a fee, irrespective of the nature of the defect.
- By repairing more goods and using them longer, consumers will:
  - contribute to sustainable consumption.
  - achieve considerable savings. (amounting to EUR 176.5 billion in the next 15 years).

# Impact of the “Right to Repair” proposal

- Environment: Less discarded products means (estimated savings over 15 years)
  - less waste (3 millions prevented).
  - fewer materials needed to produce new goods (1.8 million tons saved).
  - less greenhouse gas emissions in the production and sales process (18.5 million tons saved).
- Economy:
  - Savings for sellers and producers (estimated at EUR 15.6 billion in the next 15 years), as they repair products, instead of replacing them for free under the legal guarantee.
  - Incentivise producers and sellers to develop more sustainable business models, with products that are easier to repair.
  - More demand for repair services will boost the repair sector.
  - A net increase in jobs, mainly in the repair sector in the EU.

# Links with other Commission initiatives on sustainable consumption

- **Proposal for a Regulation on Eco-design for Sustainable Products:**
    - Sets out requirements for producers to make goods repairable by design, in order to make them technically repairable.
  - **Proposal for a Directive on Empowering consumers for the green transition:**
    - Will help consumers to obtain more information on durability and repairability of products at the point of sale.
  - **The proposal for a Green Claims Directive:**
    - sets specific requirements on the substantiation, verification and communication of environmental claims (and complements the earlier adopted proposal on Empowering Consumers for the green transition).
- Together, they will make the 'right to repair' effective for consumers.

Proposal for a Regulation on shipments of waste and amending

- Regulation (EU) No 1257/2013 on ship recycling
- Regulation (EU) No 2020/1056 on electronic freight transport information.

(17.11.2021)

# Revision of Regulation (EC) No 1013/2006 on Shipments of Waste: aims

- To strengthen the enforcement of the current framework.
- To support a clean and circular economy within the EU.
- To improve the management of waste that the EU exports to countries outside the EU.
- To ensure that the EU does not export its waste challenges to third countries.

# Revision of Regulation (EC) No 1013/2006 on Shipments of Waste: measures

## 1. Strengthening the rules for EU waste exports.

- i. EU exports of non-hazardous ('green-listed') waste: allowed only to those non-OECD countries that:
  - explicitly give their consent to receive EU waste
  - demonstrate their ability to treat this waste sustainably.
  - The Commission would draw up a list of such recipient countries.
- II. Closer monitoring of EU waste exports to OECD countries.
  - with a possibility for the Commission to suspend them in case of concerns on possible environmental damage in the country of destination.
- iii. All companies exporting waste from the EU required to conduct independent audits in the facilities to where they ship waste.
  - in order to ensure that those facilities can manage waste in an environmentally sound manner.

# Revision of Regulation (EC) No 1013/2006 on Shipments of Waste: measures

## **2. More effective tackling of illegal waste exports.**

- Establishment of an EU waste shipment enforcement group (made of environmental, customs, police and other relevant national inspection authorities) to increase cooperation and coordination.
- Support by the European Commission of transnational investigations by EU Member States on waste trafficking (with the European Anti-Fraud Office (OLAF)).
- Strengthening of the rules on administrative penalties.

## **3. Making it easier to transport waste for recycling or re-use in the EU.**

- Digitalisation of procedures for issuing and exchanging information and documents (currently mostly paper based).
- Harmonisation of the classification of waste.
- Stricter conditions for shipments of waste for incineration and landfilling, which would be only authorised in limited and well-justified cases.

➤ The Swedish presidency of the Council of the EU (1. Jan.-30 June) aims to reach an approach on the file at the Environment Council on 20 June 2023.<sup>40</sup>



## Revision of the Construction Products Regulation (CPR):

Proposal for a Regulation laying down harmonised conditions for the marketing of construction products,

- Amending Regulation (EU) 2019/1020 on market surveillance and compliance of products.
- Repealing Construction Products Regulation (EU) 305/2011

# Revision of the Construction Products Regulation (CPR)

- The revised CPR will set sustainability criteria for construction products.
- Member States may choose to exempt micro-enterprises from certain obligations of the CPR, if they do not trade across borders.
- Link with the Eco-design for Sustainable Products Regulation (ESPR):
  - The ESPR provides a general framework, and more precise rules will apply to the specificity of products or categories of products.
  - Following this approach, the revised CPR will set sustainability criteria for construction products

## Revision of the CPR: benefits

The revised CPR will:

- promote the reuse of products.
- minimise compliance costs, notably through an improved standardisation process.
- reduce administrative burdens, by maximum use of the digitalisation potential.
- reduce national requirements.
- create a level playing field for all manufacturers, especially SMEs, in all Member States.
- ensure the free circulation of construction products within the EU.

# Revision of the CPR: Measures

- New product requirements for safer and greener products:
  - to ensure that the design and manufacture of construction products is based on state of the art.
  - to improve their environmental and climate performance, i.e. to make these products more durable, repairable, recyclable, easier to re-manufacture.
- Creation of a harmonised framework, to assess and communicate the performance of construction products.
- Easier delivery by standardisation bodies of common (harmonised) European standards on the performance of construction products.
- Improved digital product information for businesses and citizens, given that all information and documentation may be :
  - processed in a digital form (such as Digital Product Passports)
  - stored, shared and accessed in an construction products database
- Rules to facilitate innovative business models (such as 3D printing).

# What does the revised CPR mean for manufacturers?

- Manufacturers of construction products will have to deliver environmental information about the lifecycle of their products.
- Moreover, they will have to comply with several obligations, including:
  - Sustainable design and manufacture a product and its packaging, e.g. in such a way that reuse, remanufacturing and recycling are facilitated.
  - Giving preference to recyclable materials.
  - Giving preference to recycled materials (i.e. materials gained from recycling).
  - Respecting minimum recycled content obligations and other limit values regarding aspects of environmental sustainability (mirroring the requirements of the Eco-design for Sustainable Products Regulation).
  - Make available, in product databases, instructions for use and repair of the products.

# What does the revised CPR mean for manufacturers?

- To prove compliance, i.e. that products meet the EU requirements, the manufacturer will need to provide:
  - A Declaration of Performance.
  - A Declaration of Conformity (required when a delegated act, according to Art.5(2), has specified product requirements for a specific product).
  - Technical documentation, describing the intended use and all the elements necessary to demonstrate performance and conformity.
- In addition, he will have to attach the CE marking to the product.

Proposal for a Regulation concerning batteries and waste  
batteries, repealing the current Batteries Directive 2006/66/EC  
(10/12/2020)

# Proposal for a new Battery Regulation

- Why?
  - Global demand for batteries: set to increase 14 times by 2030 (also due to the massive development of electric mobility).
    - The EU could account for 17% of that demand.
  - A high environmental footprint in the production of a battery:
    - Many new raw materials are sourced to produce batteries
    - Waste batteries contain hazardous substances that can harm the environment.
- Status:
  - 10/12/2020: Commission proposal.
  - 09/12/2022: Provisional political agreement reached between the European Parliament and the Council on 09/12/2022.
  - The deal is provisional pending formal adoption in both institutions.



# Aim

- To promote a CE by regulating batteries throughout their life cycle (from production to reuse and recycling) and ensure that they are:
  - Safe and competitive.
  - Circular, by:
    - using waste batteries resources for new batteries.
    - ensuring that they are recyclable.
  - Produced sustainably, i.e. with low resource consumption and little waste generated.
  - Properly collected, at the end of their life, and recycled.

# Scope: All batteries

- Portable batteries.
- Automotive batteries:
  - SLI batteries (supplying power for starting, lighting or ignition of vehicles and machinery).
  - Light means of transport (LMT) batteries (providing power for the traction to wheeled vehicles such as E-bikes).
- Electric vehicle (EV) batteries.
- Industrial batteries.

# Collection targets

- Targets will gradually increase over time (to ensure a steady stream of recycled material).
- Portable batteries:
  - 45% by 2023
  - 63% by 2027
  - 73% by 2030.
- LMT batteries:
  - 51% by 2028
  - 61% by 2031.
- The Commission must assess (by the end of 2027) the feasibility and benefits of setting up deposit return systems, in particular for portable batteries of general use.

# Recovery targets & Recycled content requirements

- Recovery of lithium from waste batteries target :
  - 50% by 2027
  - 80% in 2031
- Recycling efficiency target by 2025, for:
  - Nickel-cadmium batteries: 80%
  - Other waste batteries: 50%
- Mandatory minimum levels of recycled content for industrial, SLI batteries and EV batteries:
  - Levels: cobalt (16%), lead (85%), lithium (6%) and nickel (6%) .
  - An obligation for batteries to hold a recycled content documentation.

# Sustainability requirements

- Performance, durability and safety criteria.
- Tight restrictions for hazardous substances (e.g. mercury, cadmium, lead).
- Requirements for batteries to be easier to remove and replace:
  - Portable batteries in appliances: must be designed so that consumers can easily remove and replace them themselves.
  - LMT batteries: must be replaceable by an independent professional.
- Requirements to facilitate the repurposing of industrial and EV batteries as stationary energy storage batteries.
  - giving them a second life.

# Information and labelling requirements

- All batteries: Labels and QR codes, with:
  - Information related to their capacity, performance, durability, chemical composition (applicable after 36 months after entry into force of the Regulation)
  - “Separate collection” symbol (applicable after 42 months)
- EV batteries, LMT batteries and rechargeable industrial batteries with a capacity above 2kWh.:
  - Mandatory information on the carbon footprint of batteries: A carbon footprint declaration and label, outlining the carbon expended in production.
  - “Digital Battery Passport” including information on the battery model as well as information specific to the individual battery and its use.

# Due diligence requirement

- Why? A 2016 report (AI) revealed that 35,000 child labourers worked at cobalt mines in the Democratic Republic of Congo.
- Scope: All companies placing batteries on the EU market (with an exemption for SMEs):
- Requirement: Development and implementation a “due diligence policy”:
  - Demonstrating that the materials used for the battery manufacturing were sourced responsibly.
  - Requires the identification and mitigation of the social and environmental risks associated with the extraction, processing and trading of the raw materials and secondary raw materials.
  - The “due diligence policy” must addresses abuses in the supply of raw materials.

# Gradual entry into force & introduction of secondary legislation

- The Commission will assess (by 31/12/2030), whether to phase out the use of non-rechargeable portable batteries of general use.
- The Regulation regulates the EPR for batteries exhaustively.
  - The rules on EPR scheme of the 2008 Waste Framework Directive do not apply.
    - The EPR provisions (Art. 47) will start applying in mid-2025.
- The requirement for portable batteries to be easily removed and replaced by consumers.
  - will apply 3,5 years after the entry into force of the new Regulation, leaving sufficient time for operators to adapt the design of their products to this requirement.
- The Regulation establishes a general regulatory framework.
  - Certain technical aspects require secondary legislation to be fully operational: delegated and implementing acts, to be adopted from 2024 to 2028.
    - E.g. sustainability requirements on carbon footprint, recycled content and performance and durability will be introduced gradually from 2024 onwards.



## **Proposal for a Regulation on packaging and packaging waste,**

- amending:
  - Regulation (EU) 2019/1020 on market surveillance and compliance of products.
  - Directive (EU) 2019/904 on the reduction of the impact of certain plastic products on the environment (the Single-Use Plastics (SUP) Directive).
- repealing Directive 94/62/EC on packaging and packaging waste.

# Why a proposed Regulation on PPW ?

The current PPWD did not succeed in reducing the negative environmental impacts of packaging, incl.

- Wasteful overpackaging.
- Increasing amounts of non-recyclable packaging within the packaging mix.
- Confusing labelling that makes it difficult for consumers to sort.
- Very low uptake of recycled content in plastic packaging (which means huge loss of valuable resources).
- Packaging has a significant environmental impact.

# Why a proposed Regulation on PPW?

Packaging has a significant environmental impact:

- One of the main users of virgin materials (resulting in GHG emissions and biodiversity loss).
  - Around 40% of plastics & 50% of paper used in the EU is destined for packaging
- Ever increasing amounts of waste packaging waste (growing faster than the actual recycling; even though EU recycling rates have increased).
  - A more than 20% increase of packaging waste over the last 10 years (in particular from single-use packaging).
  - Without further measures, the volume of plastic waste generated would increase by 46% by 2030 and 61% by 2040 compared to 2018.
- Packaging waste pollutes air and soil and water bodies (making up about half of marine litter).

# Objectives

- i. Prevent and reduce packaging waste, including by more reuse and refill systems.
    - Waste prevention (and stopping the rising trend of packaging waste generation) is at the heart of the proposal
  - II. Make all packaging on the EU market recyclable in an economically viable way by 2030.
    - contributes to the objective of the 2018 *Plastics Strategy* to ensure that by 2030 all plastics packaging placed on the EU market can be reused or recycled in a cost-effective manner.
  - III. Decrease the use of virgin materials in packaging, thus
  - IV. Increasing the use of recycled plastics in packaging in a safe way.
    - To enable more high quality (“closed loop”) recycling (instead of Downcycling, which is the process of turning waste materials into new products of low value and quality).
- put the sector on track to climate neutrality by 2050.

# Impacts on consumers

- Recyclability of all packaging (incl. through new design standards), allowing consumers to play an active role in increasing recycling rates.
- Access to some products in reusable or refillable packaging or without any packaging at all.
- Sorting for recycling made easier, through very clear labels.

# Impacts on small and medium companies

- The proposed measures were specifically screened for impacts on SMEs.
- Benefits:
  - Predictability and legal certainty, allowing for technological progress.
  - Reduced costs, through more consistent EU-wide rules in the packaging sector.
  - Job creation: An estimated 600,000 low and high-skilled jobs in innovative SMEs, in:
    - Maintenance of infrastructure for take-back, dispensing and refill in retail.
    - The design of packaging and supply chains.
- Measures to avoid or to mitigate expected significant negative impacts:
  - The proposal suggests SME exemptions, for the reuse targets or ban of single use packaging in restaurants.
  - Commission guidance to help SMEs comply with the new rules.

# Packaging waste: Targets

- A reduction target of 15% by 2040, per capita per Member State (compared to the 2018 figures).
- To be reached progressively:
  - 5% reduction by 2030
  - 10% by 2035.
- Would lead to an overall waste reduction of 37% compared to a scenario without changing the legislation.

# Packaging waste: EU level measures to reach the target

- Packaging minimisation: Restricting over-packaging, e.g. by:
  - EU-wide standards for over-packaging
  - Maximum allowed empty space in e-commerce packaging.
- Ban on certain forms of unnecessary, wasteful packaging, most of which is single-use plastics.
  - e.g. packaging for fruits and vegetables; packaging in restaurants and cafes when consumers eat in their premises; miniature packaging in hotels.
- More reuse and refill: Mandatory reuse or refill targets for economic operators for selected packaging groups (in sectors such as retail and catering).
- Mandatory deposit return system for plastic bottles and aluminium cans.



# Measures to promote reuse and refill of packaging: targets

- Why? A significant decline in reusable packaging over the past 20 years.
- Mandatory, EU-wide targets for companies to ensure that parts of their products are provided in reusable or refillable packaging.
- Targets are proposed for sectors where this makes most sense.
  - Beverage sector: Targets for the share of cold and hot beverages that must be filled to a container that is part of a reuse system, or enable consumers come with their own container for refill.
    - By 2030: 20% & By 2040: 80%
    - Retailers of beer, for instance, would have to sell 10% of their goods in refillable containers by 2030 and 25% by 2040.
  - Take-away prepared meals from restaurants: 10% in 2030 & 40% in 2040.
  - E-commerce packaging for transport: 10% will have to be reusable by 2030 & 50% by 2040.
- Exemptions, e.g. for very small shops.
- will give the packaging sector the legal certainty and time for the necessary adaptations in the supply chain.

# Measures to promote reuse and refill of packaging: at Member State level

- The EU level measures will need to be complemented by further national measures, to be decided by Member States.
- The proposal suggests for example:
  - Deposit and return schemes for reusable packaging.
  - Economic incentives such as a charge for single-use packaging.
  - Information to consumers on the cost of packaging of a product.
  - Obligations on companies to make certain additional products available through reuse or refill systems.
    - e.g. detergents or other products on which the proposal does not propose mandatory targets.

# Sorting packaging waste

- Sorting for recycling made easier, through clear labels:
  - Every piece of packaging will carry a label showing what the packaging is made of and in which waste stream (recycling bin) it should go.
  - Waste collection containers will carry the same labels; making it immediately clear where to put which type of packaging.
  - The label will likely be in form of the same pictogram across the EU.
- Moreover, the confusion about the correct disposal of biodegradable plastics will be overcome:
  - as a very small list of products will be designed for composting and the rest should go into material recycling.

# Plastic packaging: proposed actions

- Fostering multi-use packaging to substitute single use plastic packaging.
  - The impact assessment showed that multi-use packaging overall results in less waste and negative environmental impacts, even if it is produced from plastic heavier than the single-use packaging (paper, plastic or otherwise).
- Banning certain forms of unnecessary, wasteful packaging.
- Mandatory minimum recycled content targets. This will:
  - help closed loop recycling (i.e. recycling product back into itself or a similar product without significant degradation or waste)
  - turn plastic waste into a valuable resource
  - reduce the use of primary natural (fossil and biobased) resources.
  - As shown by the experience with recycled content targets for PET bottles that are mandated by the EU Single-Use Plastics Directive.
- Mandatory compostability for some packaging types, where composting is environmentally beneficial.

# Removal of barriers to packaging recycling

## I. Issues:

- The recycling rates for plastic waste are low.
- The recycled waste is only used in low quality applications.

## • Measures to address the issues:

- Criteria for design for recycling: to be applied to all packaging, to make sure that:
  - It is recyclable.
  - Recycled packaging can be turned into a high-quality secondary raw material for making new products
- Complemented by a verification system, to verify that the packaging placed on the market is actually recyclable.

## II. Issue: Lack of an attractive market for the secondary raw materials.

- Measure: Mandatory recycled content targets.

# Impacts: jobs, economic savings, international trade

- Impact on jobs in:
  - Production of single-use packaging (SUP): significant decrease.
  - Multi-use packaging systems and recycling: significant increase.
    - many more new jobs than those that will get lost in the production of SUP. (Approximately 600,000 new jobs in reuse by 2030.)
- Expected economic savings:
  - In the EU: about €47.2 billion.
  - Each EU citizen could save 100 euros per year on average, if the savings are transferred to consumer level.
- Impact on international trade:
  - The measures would apply equally to domestic and imported products.
  - European and non-European producers would face the same requirements.
  - Facilitated imports from outside the EU, which will not have to comply with diverging requirements amongst the Member States. (in particular for labelling and rules for single-use packaging.)

Communication COM/2022/141:  
EU Strategy for Sustainable and Circular Textiles

# The EU Textiles Strategy

- Why?: The environmental impact of EU consumption of textiles (in clothes and furniture, medical and protective equipment, buildings and vehicles) continues to grow:
  - The 4<sup>th</sup> highest impact on the environment and climate change (after food, housing and mobility).
  - The 3<sup>rd</sup> highest area of consumption for water and land use.
  - The 5<sup>th</sup> highest for the use of primary raw materials and greenhouse gas emissions.
- Urgent action is needed.



# Objectives: the Commission's 2030 Vision for Textiles

- The textiles sector is greener, more competitive, resilient (to global shocks) and innovative.
- All textile products placed on the EU market are:
  - Durable, repairable and recyclable.
  - Largely made of recycled fibres.
  - Free of hazardous substances.
  - Produced in respect of social rights and the environment.
- Consumers benefit longer from high quality affordable textiles. (“Fast fashion is out of fashion”).
- Profitable re-use and repair services widely available.
- Circular clothes (rather than throw-away clothes) have become the norm, with sufficient capacities for recycling and minimal incineration and landfilling.
- Producers take responsibility for their products along the value chain.

# A set of Commission actions

- Setting design requirements for textiles: to make them last longer, easier to repair and recycle.
- Setting information requirements:
  - Introduction of clearer information on textiles
  - A digital product passport.
- Empowerment of consumers and tackling greenwashing, by ensuring the accuracy of companies' green claims.
- Raising consumers awareness about sustainable fashion.
  - Launch of the ReSet The Trend campaign (26/01/2023), to engage Europeans in the battle against “fast fashion” and raise public awareness about the EU textiles strategy.
- Discouragement of the destruction of unsold or returned textiles.

# A set of Commission actions

- Proposition of mandatory Extended Producer Responsibility for textiles (with eco-modulation of fee).
- Addressing the unintentional release of microplastics from synthetic textiles.
- Restriction of the export of textile waste.
- Promotion of sustainable textiles globally.
- Incentivise circular business models, including reuse and repair sectors.
- Publication of the Textiles Ecosystem Transition Pathway policy (in the first semester of 2023)
  - = an action plan for actors in the textiles ecosystem to successfully achieve the twin transition, i.e. the green and digital transitions.



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# Thank you for your attention.



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