

FEAD feedback to the EC Roadmap on Sustainable Products

FEAD, the European Waste Management Association, representing the private waste and resource management industry across Europe **welcomes** the European Commission's initiative on sustainable products under the European Green Deal and the new Circular Economy Action Plan (CEAP). Private waste management companies are major operators in this service, operating in 60% of municipal waste markets in Europe, and in 75% of industrial and commercial waste.

FEAD considers that the EC initiative together with the initiative on **empowering consumers for the green transition** and the initiative on the **substantiation of environmental claims using product and organisational environmental footprint methods** are in the right direction towards accomplishing climate neutrality and resource efficiency, and realising the circular economy in the European Union, while allowing for synergies between sectors, enabling new investments, and creating economic growth and jobs, in line with the European Green Deal.

Sustainable products by definition are an integral part of the circular economy, which is embedded in the waste management activities. The waste management sector and the circular economy's contribution to the green transition are crucial as GHG emissions from raw material extraction and from products' manufacture need to be reduced and resource consumption needs to be minimised. Proper waste management and use of recycled materials in products bring in many cases significant CO₂ emissions reduction, products' footprints improvement and materials' efficiency, and the potential for recirculation of high-quality secondary raw materials in the market.

FEAD believes that product (eco)labels, in particular related to recycling, would foster change in consumer choices and behaviour, resulting in achieving the untapped potential to reduce greenhouse gas emissions. Consumers should be provided with the tools to shift towards green products and business. **An inventory of avoided CO₂ emissions for frequently used products should be made**, considering the amount of the raw materials used and the recycling process for each material.

However, in order to fully embrace the circular economy and fully achieve the sustainability of products, services and business models, we need even more ambitious and sound waste management practices. Therefore, the following key elements must be taken into consideration by **the EC and the EU legislator** in designing the new framework for sustainable products:

1) Better information flows on materials: Higher trust of the quality of recyclates requires better information on the composition of materials used in products and sharing of the information among all the relevant stakeholders. With regards to hazardous substances in

products, and the recycling and/or reuse requirements of parts or materials, a very high level of protection of the health and safety of users of those products should be ensured, and certainly, fully disclosures of substances used in the whole process is crucial.

Consumers and business partners along the value chain should be provided with valid information on how products are **designed, manufactured, and can be reused or dismantled**, how they ensure the **sustainable use of natural resources** and their **recyclability characteristics**.

2) Labelling: A label or product digital passport should inform consumers about both (i) whether and if so to which extent a product can be recycled (i.e., design for recycling), and (ii) when possible, the extent of recycled material in a product. The development of a common label showing the percentage of recyclates in products and packaging would build trust between consumers and producers, eventually leading to an increase in consumer demand for products which contain high levels of recycled content. The Commission should introduce a **European recycling label**, also useful for Green Public Procurement, related to recyclability and integration of recycled content in order to enable consumers and buyers to make the best-informed choices through transparent and reliable information and be able to make an own contribution to the circular economy. A proper eco-label should reflect the avoided CO₂ emissions at the manufacturing stage, and more generally, the CO₂ performances when using the product. Concerning the communication between stakeholders, we deem that the EC should consider potential communication requirements in business-to-consumer and business-to-business settings, including a minimum information content, or a common EU format (e.g. an EU label/ logo). We believe that a trustworthy EU Recycling Label can deliver reliable and accurate information.

As a side note, we do not regard the current structure of EU Ecolabel and equivalent national/regional schemes (e.g. Nordic Swan, Blue Angel, etc.) as specific enough to inform about (i) the extent of recycling material in a product and (ii) whether and if so to which extent a product can be recycled (i.e., design for recycling).

3) Mandatory eco-design: All products need to be **designed, manufactured, and used** in a way that ensures the **sustainable use of natural resources** and reinforces the **recycling and/or reuse** of parts or materials, while taking into consideration the need to enhance their **sustainability performance**. Eco-design should strive for true dismantlability and recyclability of products through targets and use of mandatory standards for products, reducing or phasing out harmful chemical substances and preventing waste. A robust eco-design policy will be a key tool for the prevention of the generation of waste. That is why this chain is interlinked with the waste management activities. Well-constructed global eco-design guidelines which reflect recycling processes will increase homogeneity of waste streams, promoting high quality recycling. Therefore, partnerships between producers and waste management organisations must be established to facilitate recyclability/dismantlability of products as well as financial incentives for products designed in accordance with eco-design guidelines. In addition, the scope of the Ecodesign Directive needs to be widened beyond energy related products.

Eco-design has to be taken into consideration also regarding chemicals: As long as substances of concern can be placed on the market legally by manufacturers of virgin raw materials, recycling companies will at some point in time have to deal with those “legacy substances”. The long-term policy goal should be to achieve toxic/risk free material cycles,

but this should start at the initial design stage where products enter the material cycle for the first time. While ambitious targets push for more recycling in terms of quantity, a qualitative approach is also needed, as recyclers are investing in downstream parts of the value chain. This investment will only be made possible by the proper implementation of the existing international and European legislation (REACH, RoHS, POPs) at all stages and by all actors, with the aim of phasing out the use of these substances. Regarding the treatment of waste containing specific substances, it is crucial that the EU proposes clear, legally certain, and appropriate management rules.

4) Mandatory recycled content in the products: particularly in packaging, automotive, construction, paper, EEE and textile sectors. Mandatory recycled content is an instrument that will enable the full realisation of the circular economy in the Union and a tool to that will intensify the use of recyclates, by shifting the market demand towards secondary raw materials. That is what the experience of introducing mandatory recycling content in the Single-Use Plastics Directive showed. Another example of rules towards binding recycled content is the targets already set in the Packaging and Packaging Waste Directive.

5) Mandatory green public procurement rules should include mandatory minimum sustainability requirements, including for eco-labelled recyclable products and/or products incorporating recycled content, which would also aid the shift in consumer behaviour.

Public Authorities at all levels will have to provide incentives for promoting the use of recycled materials via GPP. This can be done via a mandatory sectorial approach as already laid down in the Directive 2009/33/EC. The so-called Clean Vehicles Directive is setting requirements for the emission levels in the procurement process. Green public Procurement should become the default choice with a “comply or explain” clause, allowing for exemptions only on objective and justified grounds.

6) A hierarchy for raw materials: A hierarchy on materials, where recycled materials would be ranked higher in the hierarchy than virgin materials, would be an effective tool for a more resource efficient economy, and to stimulate the recycling activities, as the Waste treatment Hierarchy did years ago for the waste management routes. Pursuant to this hierarchy, any activities and use of materials with low-energy content, in particular secondary raw materials, should be positively treated in the EU market compared to those manufactured products with a much higher energy content.

7) Financial or fiscal tools (e.g. reduced VAT or “CO₂ bonus”): reduced levies for sustainable products incorporating recycled content, reflecting savings of CO₂-emissions.

8) Development of valid Green Claims which can be used in promotion towards consumers if specific scientific ecological criteria (e.g. specific amount of recycled content in a product) are met in order to avoid misleading green washing.

9) Isolation and filling material affecting the plastic waste stream: To respond to the higher insulation and energy efficiency standards currently imposed in the construction sector, a lot of manufacturers inject materials, such as wood or Polyurethane into roller shutters and profiles. The use of these isolation materials was cited by the recycling companies as an important barrier to recycling. These materials cannot be removed or sorted and has a **disruptive effect on the final high-quality recycling of the plastic (PVC)**. The use of **filling** materials during the installation of profiles constitutes another barrier to

recycling. When assembling profiles, if a profile does not fit perfectly, filling material is used, usually Polyurethane (PUR) or silicone. This is also done to meet isolation standards. These fillers can only be separated during the recycling process if their presence in the PVC waste stream remains limited. However, an excess presence of these materials leads to incineration or landfilling of the recyclate, rendering an entire batch unusable. This event is expected to increase further in the coming years as a result of the stricter insulation standards imposed in the construction sector. Thus, **eco-design principles should not come at the expense of the energy/isolation requirements of construction products.**

10) Energy Efficiency: There is a real necessity to improve the circular economy and in so doing, the **energy efficiency** and the **decarbonization** of the Union would also increase. **Recovering the energy content of waste is an essential complement of material recovery and the circular economy.** Besides, the European Commission has recognised the potential and need for energy recovery from waste.¹

11) Incorporating environmental costs into the economy.

12) Strict rules for products failures, products with short life-span and greenwashing.

13) Better enforcement of the environmental rules adopted.

FEAD is committed to the objectives of the European Green Deal and considers the above-mentioned measures apt for providing the adequate stimuli both for addressing GHG emissions and for enhancing of the circular economy in Europe. We believe that under a uniform and binding regulatory framework for sustainable products, services, and business models, consumers and business partners, with their power of choice, can be the engine of the environmental revolution.

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¹ <https://ec.europa.eu/environment/waste/waste-to-energy.pdf>