

Fitness check of the Polluter Pays Principle application to the environment

Fields marked with * are mandatory.

Introduction

The polluter pays principle (PPP) should be implemented in EU environmental policies, as set out in Article 191(2) of the Consolidated Version of the Treaty on the Functioning of the European Union [EUR-Lex - 12008E191 - EN \(europa.eu\)](#).

The PPP requires polluters to pay for the measures they take to stop pollution happening and for the pollution they cause. Implementing the principle provides an incentive to avoid damaging the environment at source and makes polluters responsible. For example, does an industrial operator pay for pollution abatement systems and risk management systems, and does that operator pay for remediation of any environmental damage that does occur, or for any costs to society of pollution? What is at stake therefore is environmental effectiveness, economic efficiency and a just transition that minimises social inequalities resulting from impacts on and policies for the environment and in which measures to protect the environment are implemented in a socially fair and inclusive way.

The European Court of Auditors has concluded that the PPP[1] is reflected and implemented to varying degrees in EU environmental policies and its coverage and implementation is therefore incomplete. Following up on the Court's recommendation, the Commission announced in its [Zero pollution action plan](#) that it would prepare a 'recommendation on how to better implement the polluter pays principle on the basis of a fitness check in 2024'.

The fitness check will consider whether EU and national policies ensure polluters bear the cost of measures to prevent, control and remedy pollution. It covers aspects such as the use of market-based instruments by the EU and the EU Member States, indirectly paying the polluter through environmentally harmful subsidies or possibly failing to implement the PPP in the context of EU funds, how environmental liabilities are dealt with and the use of pricing in policies.

The objective of this public consultation is to collect stakeholders' views — along with any evidence they might provide — on the implementation of the PPP in the EU, what is working well and not so well, and the EU added value of its implementation.

[1] [ECA \(2021\). Special Report 12/2021.](#)

About you

* Language of my contribution

- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch
- ☒ English
- ☐ Estonian
- ☐ Finnish
- ☐ French
- ☐ German
- ☐ Greek
- ☐ Hungarian
- ☐ Irish
- ☐ Italian
- ☐ Latvian
- ☐ Lithuanian
- ☐ Maltese
- ☐ Polish
- ☐ Portuguese
- ☐ Romanian
- ☐ Slovak
- ☐ Slovenian
- ☐ Spanish
- ☐ Swedish

* I am giving my contribution as

- ☐ Academic/research institution
- ☒ Business association
- ☐ Company/business
- ☐ Consumer organisation
- ☐ EU citizen
- ☐ Environmental organisation
- ☐ Non-EU citizen
- ☐ Non-governmental organisation (NGO)

- ☐ Public authority
- ☐ Trade union
- ☐ Other

* First name

FEAD

* Surname

Secretariat

* Email (this won't be published)

info@fead.be

* Organisation name

255 character(s) maximum

European Waste Management Association

* Organisation size

- ☒ Micro (1 to 9 employees)
- ☐ Small (10 to 49 employees)
- ☐ Medium (50 to 249 employees)
- ☐ Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

2157643512-49

* Country of origin

Please add your country of origin, or that of your organisation.

This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.

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| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |

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| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
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| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> San Marino |
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| <input type="radio"/> Australia | <input type="radio"/> Fiji | <input type="radio"/> Mauritania | <input type="radio"/> Slovakia |
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| <input type="radio"/> Bangladesh | <input type="radio"/> French Southern and Antarctic Lands | <input type="radio"/> Moldova | <input type="radio"/> South Georgia and the South Sandwich Islands |
| <input type="radio"/> Barbados | <input type="radio"/> Gabon | <input type="radio"/> Monaco | <input type="radio"/> South Korea |
| <input type="radio"/> Belarus | <input type="radio"/> Georgia | <input type="radio"/> Mongolia | <input type="radio"/> South Sudan |
| <input checked="" type="radio"/> Belgium | <input type="radio"/> Germany | <input type="radio"/> Montenegro | <input type="radio"/> Spain |
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| <input type="radio"/> Benin | <input type="radio"/> Gibraltar | <input type="radio"/> Morocco | <input type="radio"/> Sudan |
| <input type="radio"/> Bermuda | <input type="radio"/> Greece | <input type="radio"/> Mozambique | <input type="radio"/> Suriname |
| <input type="radio"/> Bhutan | <input type="radio"/> Greenland | <input type="radio"/> Myanmar/Burma | <input type="radio"/> Svalbard and Jan Mayen |
| <input type="radio"/> Bolivia | <input type="radio"/> Grenada | <input type="radio"/> Namibia | <input type="radio"/> Sweden |

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| ⦿ Bonaire Saint Eustatius and Saba | ⦿ Guadeloupe | ⦿ Nauru | ⦿ Switzerland |
| ⦿ Bosnia and Herzegovina | ⦿ Guam | ⦿ Nepal | ⦿ Syria |
| ⦿ Botswana | ⦿ Guatemala | ⦿ Netherlands | ⦿ Taiwan |
| ⦿ Bouvet Island | ⦿ Guernsey | ⦿ New Caledonia | ⦿ Tajikistan |
| ⦿ Brazil | ⦿ Guinea | ⦿ New Zealand | ⦿ Tanzania |
| ⦿ British Indian Ocean Territory | ⦿ Guinea-Bissau | ⦿ Nicaragua | ⦿ Thailand |
| ⦿ British Virgin Islands | ⦿ Guyana | ⦿ Niger | ⦿ The Gambia |
| ⦿ Brunei | ⦿ Haiti | ⦿ Nigeria | ⦿ Timor-Leste |
| ⦿ Bulgaria | ⦿ Heard Island and McDonald Islands | ⦿ Niue | ⦿ Togo |
| ⦿ Burkina Faso | ⦿ Honduras | ⦿ Norfolk Island | ⦿ Tokelau |
| ⦿ Burundi | ⦿ Hong Kong | ⦿ Northern Mariana Islands | ⦿ Tonga |
| ⦿ Cambodia | ⦿ Hungary | ⦿ North Korea | ⦿ Trinidad and Tobago |
| ⦿ Cameroon | ⦿ Iceland | ⦿ North Macedonia | ⦿ Tunisia |
| ⦿ Canada | ⦿ India | ⦿ Norway | ⦿ Türkiye |
| ⦿ Cape Verde | ⦿ Indonesia | ⦿ Oman | ⦿ Turkmenistan |
| ⦿ Cayman Islands | ⦿ Iran | ⦿ Pakistan | ⦿ Turks and Caicos Islands |
| ⦿ Central African Republic | ⦿ Iraq | ⦿ Palau | ⦿ Tuvalu |
| ⦿ Chad | ⦿ Ireland | ⦿ Palestine | ⦿ Uganda |
| ⦿ Chile | ⦿ Isle of Man | ⦿ Panama | ⦿ Ukraine |
| ⦿ China | ⦿ Israel | ⦿ Papua New Guinea | ⦿ United Arab Emirates |
| ⦿ Christmas Island | ⦿ Italy | ⦿ Paraguay | ⦿ United Kingdom |
| ⦿ Clipperton | ⦿ Jamaica | ⦿ Peru | ⦿ United States |

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| <input type="radio"/> Cocos (Keeling) Islands | <input type="radio"/> Japan | <input type="radio"/> Philippines | <input type="radio"/> United States Minor Outlying Islands |
| <input type="radio"/> Colombia | <input type="radio"/> Jersey | <input type="radio"/> Pitcairn Islands | <input type="radio"/> Uruguay |
| <input type="radio"/> Comoros | <input type="radio"/> Jordan | <input type="radio"/> Poland | <input type="radio"/> US Virgin Islands |
| <input type="radio"/> Congo | <input type="radio"/> Kazakhstan | <input type="radio"/> Portugal | <input type="radio"/> Uzbekistan |
| <input type="radio"/> Cook Islands | <input type="radio"/> Kenya | <input type="radio"/> Puerto Rico | <input type="radio"/> Vanuatu |
| <input type="radio"/> Costa Rica | <input type="radio"/> Kiribati | <input type="radio"/> Qatar | <input type="radio"/> Vatican City |
| <input type="radio"/> Côte d'Ivoire | <input type="radio"/> Kosovo | <input type="radio"/> Réunion | <input type="radio"/> Venezuela |
| <input type="radio"/> Croatia | <input type="radio"/> Kuwait | <input type="radio"/> Romania | <input type="radio"/> Vietnam |
| <input type="radio"/> Cuba | <input type="radio"/> Kyrgyzstan | <input type="radio"/> Russia | <input type="radio"/> Wallis and Futuna |
| <input type="radio"/> Curaçao | <input type="radio"/> Laos | <input type="radio"/> Rwanda | <input type="radio"/> Western Sahara |
| <input type="radio"/> Cyprus | <input type="radio"/> Latvia | <input type="radio"/> Saint Barthélemy | <input type="radio"/> Yemen |
| <input type="radio"/> Czechia | <input type="radio"/> Lebanon | <input type="radio"/> Saint Helena Ascension and Tristan da Cunha | <input type="radio"/> Zambia |
| <input type="radio"/> Democratic Republic of the Congo | <input type="radio"/> Lesotho | <input type="radio"/> Saint Kitts and Nevis | <input type="radio"/> Zimbabwe |
| <input type="radio"/> Denmark | <input type="radio"/> Liberia | <input type="radio"/> Saint Lucia | |

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association', 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

* Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

☐ **Anonymous**

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

☒ **Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

☒ I agree with the [personal data protection provisions](#)

1. Are you familiar with the polluter pays principle?

- ☐ I have never heard about the polluter pays principle before this survey
- ☐ I have only a general idea of what the polluter pays principle means
- ☒ I am familiar with the polluter pays principle

2. How familiar are you with the implementation of the polluter pays principle?

- ☐ I have no idea how the principle is implemented
- ☐ I am familiar with its implementation in national legislation only
- ☐ I am familiar with its implementation in at least one piece of the EU environmental legislation
- ☒ I am familiar with its implementation in various pieces of the EU environmental legislation

3. How important do you consider it is to ensure that the polluter pays principle is implemented?

- ☐ It is a major priority
- ☒ It is important
- ☐ It is important, but only to a limited degree
- ☐ It is not important

Part 1: effectiveness

4. In your opinion, to what extent do polluters in the following sectors bear the costs for the pollution they are directly responsible for? [Rank from 1 'not at all' to 5 'too large an extent', or select 'don't know']

| | 1 Not at all | 2 Insufficient extent | 3 To some extent | 4 Sufficient extent | 5 Too large an extent | Don't know |
|--|-----------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------------------|----------------------------------|
| Agriculture, forestry and fishing | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Mining and quarrying | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacturing of food products and beverages | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacturing of tobacco products | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of textiles, wearing apparel, leather and related products | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of wood, paper and related products | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of coke and refined petroleum products | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of chemicals and chemical products incl. pharmaceutical ingredients and products | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of rubber and plastic products | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of basic metals and metal products | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of electronic and electrical equipment | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Manufacture of vehicles, transporting and storage | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Electricity, gas, steam and air conditioning supply | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Water supply; sewerage; waste management and remediation activities | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Construction | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Wholesale and retail | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Non-financial service activities | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

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| Financial and insurance activities | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Public administration and defence | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Other | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> |

























If other, please specify:

5. In your opinion, to what extent are the following polluter pays principle implementation instruments effective for **preventing/reducing** environmental pollution caused by human activities? [Rank each instrument from 1 'not effective at all' to 5 'fully effective', or select 'don't know']

| | 1 Not effective at all | 2 | 3 | 4 | 5 Fully effective | Don' t know |
|---|---------------------------------|-----------------------|----------------------------------|----------------------------------|-------------------------|-----------------------|
| Command and control measures (licensing procedures, bans, emission limit values, administrative orders and sanctions) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Market-based/economic instruments (subsidies /feed-in tariffs, taxes, charges, fees, tradable permits and quotas, Payment for Ecosystem Services, liability rules) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Voluntary approaches (voluntary agreements, environmental management systems (e.g. ISO 14001), labelling (e.g. eco-label) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| International agreements (i.e. international environmental agreements, and the inclusion of environmental provisions in trade agreements, cooperation agreements and partnerships with third countries) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

6. Not all pollution is reduced or stopped. In your opinion, to what extent are the following instruments of the polluter pays principle effective for **remedying** the remaining environmental pollution caused by human activities? [Rank each instrument from 1 'not effective at all' to 5 'fully effective', or select 'don't know']

| | 1 Not effective at all | 2 | 3 | 4 | 5 Fully effective | Don' t know |
|--|---------------------------------|---|---|---|-------------------------|-------------------|
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|---|---|---|---|---|---|---|
| Command and control law (licensing procedures, bans, emission limit values, administrative orders and sanctions) |  |  |  |  |  |  |
| Market-based/economic instruments (subsidies /feed-in tariffs, taxes, charges, fees, tradable permits and quotas, Payment for Ecosystem Services, liability rules) |  |  |  |  |  |  |
| Voluntary approaches (voluntary agreements, environmental management systems (e.g. ISO 14001), labelling (e.g. eco-label) |  |  |  |  |  |  |
| International agreements (i.e. international environmental agreements, and the inclusion of environmental provisions in trade agreements, cooperation agreements and partnerships with third countries) |  |  |  |  |  |  |

7. In your opinion, what are the most important obstacles to ensure that polluters pay for the pollution they are responsible for? [Rank from 1 'not important' to 5 'very important', or select 'don't know']

| | 1 Not important | 2 Slightly important | 3 Moderately important | 4 Important | 5 Very important | Don' t know |
|--|-----------------------|----------------------------|----------------------------------|----------------------------------|----------------------------------|-----------------------|
| The polluter pays principle is implemented by the most polluting industrial installations, but not by all | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Public funds are used to support pollution prevention and control actions instead of the polluter paying for them | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Public funds are used for pollution remediation activities even though the polluters are known, exist, and could be made liable | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National authorities fail to enforce environmental legislation and to make the polluters pay | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Industrial installations are not liable for environmental damage (because it is not captured by national liability rules or by the EU's Environmental Liability Directive) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| The polluter pays principle is implemented only partially, as polluters are not required to meet the cost to society of the impact of residual pollution (i.e. pollution that stays within legal requirements) | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| The price of products and services does not fully reflect (internalise) the environmental damage (externalities) of the products and services' lifecycles | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| It is difficult to identify the polluters and make them accountable when the pollution originates from diffuse sources (sources that are hard to trace) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| EU Member States supplement the income or lower the costs of consumers and producers in the form of subsidies which results in increasing negative environmental impacts (environmentally harmful subsidies) | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

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|--|-----------------------|-----------------------|-----------------------|----------------------------------|----------------------------------|-----------------------|
| Concerns about competitiveness of the EU versus non-EU countries implementing the principle differently, potentially leading to relocation of production (and associated pollution) outside the EU | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Concerns about competitiveness between EU countries implementing the principle differently | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Concerns about the social impact (e.g., on vulnerable households) of implementing the principle more fully | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Lack of political willingness to introduce and enforce implementation of the principle | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

8. In your opinion, are there other factors that may have hindered the effective implementation of the polluter pays principle and prevented it from fully meeting its objectives?

Part 2: efficiency

9. In your opinion, does the implementation of the polluter pays principle cause disproportionate costs to operators and consumers? Please rate your level of agreement or disagreement with the following statements (rate from 1 'completely disagree' to 5 'completely agree', or select 'don't know']

| | 1 Completely disagree | 2 Mostly disagree | 3 Neither agree nor disagree | 4 Mostly agree | 5 Completely agree | Don't know |
|---|-----------------------------|----------------------------------|---------------------------------------|-----------------------|--------------------------|-----------------------|
| The implementation of the polluter pays principle has led to disproportionate costs in the production of products and the provision of services by EU companies | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The implementation of the polluter pays principle has led to disproportionately high prices of products and services for EU consumers | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The costs of the implementation of the polluter pays principle has negatively impacted the profitability and competitiveness of EU companies vs their competitors | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

10. In your opinion, has the polluter pays principle been implemented to the detriment of some social groups?

- ☐ Yes
- ☒ No
- ☐ In part
- ☐ Don't know

If you wish, please provide examples.

Part 3: relevance

11. In your opinion, to what extent does the implementation of the polluter pays principle contribute to the achievement of the following objectives of the European Green Deal? [Please rate from 1 'not at all' to 5 'full extent', or select 'don't know']

| | 1 Not at all | 2 | 3 | 4 | 5 Full extent | Don't know |
|--|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| A zero-pollution ambition for a toxic-free environment | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Preserving and restoring ecosystems and biodiversity | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| A fair, healthy and environmentally friendly food system | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

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|---|-----------------------|-----------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| Accelerating the shift to sustainable and smart mobility | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Building and renovating in an energy and resource efficient way | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Mobilising industry for a clean and circular economy | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Supplying clean, affordable and secure energy | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Increasing the EU's Climate ambition for 2030 and 2050 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Just transition and leaving no one behind | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |

12. In your opinion, is the implementation of the polluter pays principle in the EU acquis adequate to tackle new or emerging environmental issues and changes in technology (i.e. issues that are not yet generally recognised but potentially having a major impact on human wellbeing and the environment, such as new materials and new production methods, or the increasing use of digital tools)?

- ☒ Adequate
- ☐ Neither adequate nor inadequate
- ☐ Inadequate
- ☐ Don't know

Part 4: coherence

13. In your opinion, is the polluter pays principle coherently and consistently implemented in the following areas? [Please rate your answer from 1 'completely disagree' to 5 'completely agree', or select 'don't know']

| | 1 Completely disagree | 2 Mostly disagree | 3 Neither agree nor disagree | 4 Mostly agree | 5 Completely agree | Don't know |
|--|-----------------------------|----------------------------------|--|-----------------------|--------------------------|-----------------------|
| Across environmental policies and mechanisms at the EU level | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Across environmental policies and mechanisms at the Member State level | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Across relevant policies (e. g., agriculture, transport, trade) and strategies at the EU level | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | | | | | | |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Across relevant policies (e. g., agriculture, transport, trade) and strategies at the Member State level | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Across trade agreements | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

14. In your opinion, what is the impact of the EU implementation of the polluter pays principle outside the EU? [Please rate your answer from 1 'very negative' to 5 'very positive', or select 'don't know']

| | 1 Very negative | 2 Negative | 3 Neither positive nor negative | 4 Positive | 5 Very positive | Don't know |
|--|-----------------------|----------------------------------|---|----------------------------------|-----------------------|-----------------------|
| Impact on the competitiveness of EU industries vs non-EU industries | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Impact on environmental legislation in other developed world regions | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Impact on environmental legislation in least-developed countries | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Part 5: EU added value

15. In your opinion, to what extent have EU requirements led to your Member State implementing the polluter pays principle in its policies?

- ☒ To a large extent
- ☐ To a limited extent
- ☐ Not at all
- ☐ Don't know

16. Market based instruments on Member State level are one approach to implement the polluter pays principle to pollution. Are there cases where you consider the polluter pays principle would have better been implemented through an EU level market based instrument (such as taxes, charges, fees, tradable permits and quotas, Payment for Ecosystem Services)? Please explain your answer below, possibly pointing to specific examples.

Please provide any other comment or suggestion you would like to share regarding the evaluation of the implementation of the polluter pays principle in the EU legislation.

FEAD fully supports the “polluter pays principle” (PPP). The linked EPR schemes allow for the financial responsibility for collection and disposal of waste to be assumed by the producer. Nevertheless, it is also the Member States’ duty to ensure that producer’s responsibility organisations (PROs) do not hold a dominant position and make use of abusive clauses leading to market distortions, competition issues and priority access to materials.

EPR schemes can play a positive role especially for difficult waste streams and waste streams where efficient and comprehensive separate collection and recycling by individual producers is difficult to organise. Thus, FEAD has e.g. supported the introduction of EPR for textiles as a way to incentivise needed investments in textile recycling facilities and stimulate a recycling market. On the contrary, for materials where a functioning comprehensive separate collection and recycling market exists, the added value is limited. Therefore, a case-by-case assessment should be carried out as to what is the most appropriate tool to implement the polluter-pays principle. Where an EPR scheme is implemented, it should also be assessed whether it should be a financial EPR or an organisational EPR.

For wastewater, the quaternary treatment necessary to remove micro-pollutants from urban wastewater and monitoring and new advanced equipment to be installed in certain treatment plants will imply additional costs. Therefore, FEAD has also supported the polluter-pays principle to cover such costs. It is essential that the producers placing on the Union market products containing substances which, at the end of their life, are found as micro-pollutants in urban wastewaters (‘micro-pollutant substances’) take responsibility for the additional treatment required to remove those substances, generated in the context of their professional activities. Considering that in Europe wastewater management system is already well established and functional, each Member States should be able to organise the extended producer responsibility taking into consideration the actual situation, with the possibility to involve those organisations already in place to act as intermediaries.

One of the most significant examples of lacking implementation of the polluter pays principle concerns the damage done to our environment and to human health due to wrongly discarded lithium-ion batteries. The fire incidents that very regularly affect waste management plants and other infrastructure cause enormous damage to property and even human lives. These are constant and unsolved problems for which the producers necessarily need to be called accountable. Here, again an extended producer responsibility scheme would constitute a very effective tool obliging the producers to bear the costs incurred due to the repair of the damage initially caused by their placing batteries on the market. Since the dangers inherent to wrongfully discarded batteries are imminent, this EPR scheme should, inter alia, necessarily cover large awareness-raising campaigns, as well as an improvement of the collection of batteries. In this context, it should also be emphasised that an EU-wide and mandatory deposit-refund system for batteries must remain a priority.

On another note, FEAD considers that the tax on non-recycled plastic packaging (European plastic contribution) should be effectively born by the producer and not by the Member States (i.e., the taxpayers), and that it should be widely and consistently implemented across the EU. The tax should be modulated according to the recycled content (as it has been introduced in the UK). This measure would be a good incentive to promote recycling.

Please upload a document if you wish to share a more extensive contribution or any background materials that will help us to understand your answers. [Please note the maximum file size is 1 MB, however, multiple files may be uploaded].

Please upload your file(s)

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