

## European Commission – Call for Evidence for an Evaluation

To: DG Environment (Unit B3)

EERA recognises there have been many advantages in the EU WEEE Directive, which aimed at ensuring the polluter pays, and that the full life cycle of a product is obligated under extended producer responsibility requirements. The following represents our continued call for change.

**Harmonisation:** This has not been accomplished, causing conflicts within the industry and an increase in the burden of documentation, reporting and enforcement. The fact that on average only 45 percent of the WEEE is responsibly collected and treated in the EU, while the target from 2019 onwards has been 65 percent, is an indication that the policy circle is not functioning optimally. **EERA calls for harmonised requirements across Member States in the form of an EU Regulation**, thereby holding binding legal force to be transposed in every Member State and overruling national laws.

**Scope:** The current divergences between the different countries create imbalanced operational conditions (e.g. Greece uses 63 sub-categories). Furthermore some producer collective schemes still operate using a combination of the previous and most recent WEEE categories, causing confusion and a lack of cohesion, especially for inter-European shipments. **More emphasis should be placed on the classifications according to product content, hazards, and treatment requirements rather than size.**

**Collection:** As the collection practices are inconsistent across Europe, undocumented routes (especially illegal or less stringent export routes) will be at the forefront of the reasons why the EU's collection targets are not being met. Producers and producer collective schemes should remain responsible for **all** EEE they put on market, not strictly just WEEE that is 'available' to them. **EERA maintains that there should be a mandatory handover of WEEE to approved European WEEE collectors and compliant re-use and recycling operators.**

**Proper Treatment:** The WEEE Directive states:

***“..different national applications of the ‘producer responsibility’ principle may lead to substantial disparities in the financial burden on economic operators. Having different national policies on the management of WEEE hampers the effectiveness of recycling policies. For that reason, the essential criteria should be laid down at the level of the Union and minimum standards for the treatment of WEEE should be developed.”*** 2012/ 19/ EU (6).

The fact that some MS have implemented mandatory certification of WEEE operators is positive, but the leakage across internal European borders to those countries with poorer waste management controls fosters unfair competitive advantages and discourages the stability needed for investing and maintaining existing and new innovative recycling technologies. The continued tolerance of non-compliant routes leads to the loss of critical raw materials (CRMs) and valuable secondary materials. **EERA continues to press for mandatory treatment standards to be in place across Europe.**

**Recycling and Recovery Targets:** These are overly focused on weight-based metrics rather than quality focused goals that could include the recovery achievements of key CRMs and of the removal of hazardous components (e.g. batteries. Substantiated estimates provided by some MS allow inflated and uncorroborated data that also provides no evidence that correct treatment and recovery has been carried out. **EERA continues to advocate that targets should be more tailored to specific product types, with more emphasis placed on other targets within the waste hierarchy beyond solely material recovery, and with recycling and re-use rates being assessed in unison. Substantiated estimates should not be permitted.**

**We remain open to on-going collaboration.**

**NOTE:**

*EERA is a non-profit organisation and is the voice of WEEE recycling in Europe being the professional association for the re-use, recycling and re-processing industry. Our vision is for a resource efficient economy where WEEE is managed as a resource and is returned into the economy as a secondary raw material or as equipment prepared for re-use.*

*Our mission is to achieve a level playing field for fair competition in the WEEE value chain, harmonisation of regulations, effective and efficient recycling, and reprocessing with prevention of pollution, minimization of emissions, and a high quality of secondary raw materials and components. [www.eera-recyclers.com](http://www.eera-recyclers.com)*