



## EUROPEAN COMMISSION

*Brussels, 15.6.2016  
C(2016) 3717 final*

*Dear President,*

*The Commission would like to thank the Senát for its Opinion on the Circular Economy package {COM(2015) 593, 594, 595, 596 and 614 final}.*

*The Commission welcomes the overall support of the Senát for the package. The package establishes a concrete programme of measures to help European businesses and consumers make the transition to a stronger, more competitive and circular economy where resources are used in a more sustainable way. It provides incentives and tools to "close the loop" of product lifecycles, ranging from more innovative and efficient ways of producing and consuming to higher levels of recycling and re-use. The transition to the circular economy model has the potential to create many jobs in Europe, while preserving precious and increasingly scarce resources and reducing environmental impacts of resource use.*

*The Commission would like to stress that the Opinion of the Senát on the previous waste legislative proposal – presented in 2014 and withdrawn in 2015 – provided an important contribution and was duly taken into account by the Commission when drawing up the new proposals. These include ambitious yet realistic recycling and landfill reduction targets as an important contribution to the circular economy, calculated on a clearly defined and consistent basis. At the same time, the new proposals take better account of differences between Member States as regards waste management. A range of EU financial support measures is available to Member States and private operators to facilitate the achievement of these objectives.*

*In response to the more technical questions in the Opinion the Commission would like to refer the Senát to the attached annex.*

*The points made above and in the annex are based on the proposals presented by the Commission which are currently in the legislative process involving both the European Parliament and the Council, in which your government is represented.*

*Mr Milan ŠTĚCH  
President of the Senát  
Valdštejnské náměstí 17/4  
CZ – 118 01 PRAGUE 1*

*The Commission hopes that these clarifications address the issues raised by the Senát and is looking forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Karmenu Vella  
Member of the Commission*

## ANNEX

*The Commission has carefully considered each of the issues raised by the Sénat in its Opinion and is pleased to offer the following clarifications.*

### Point 3

*The Commission is pleased to note the Sénat's acknowledgement that action by Member States is needed to enable the transition to a circular economy.*

### Point 5

*The Commission welcomes the Sénat's support to its vision laid out in the Action Plan to address the full life-cycle of products.*

### Point 6

*As regards definitions, the Commission has inter alia proposed a harmonised definition of municipal waste in order to ensure common interpretation, facilitate compliance and enable more effective monitoring of the progress on the recycling and landfilling targets based on reliable and comparable data. The proposed definition is based on the definition used for statistical purposes by the European Statistical Office and the Organisation for Economic Co-operation and Development, on the basis of which Member States have been reporting data for several years. With regard to the definition of final recycling process and the calculation method, the Commission's proposal clarifies the existing calculation rules with the intention to only take into account what is genuinely recycled, but with a certain level of tolerance for impurities. The clarification does not represent a complete departure from existing rules, but should nonetheless substantially help to improve the reliability and comparability of reported data.*

*With regard to the definition of preparation for re-use, the proposal is linked to the objective to facilitate re-use and give the option to the Member States to calculate re-use activities towards the recycling targets for municipal and packaging waste.*

*With regard to the definition of bio-waste, the objective of the proposal is to extend the definition to cover more innovative biodegradable products, such as biodegradable plastic bags which are used to collect bio-waste.*

### Point 7

*The Commission has proposed delegated acts to supplement certain non-essential elements of the legislative proposals, i.e. where there is a need to establish more detailed technical rules, so that the framework legislation can remain relatively simple and stable, for example as regards a common methodology for the calculation of the weight of metals that have been recycled in conjunction with incineration, measuring food waste, or the rules on data collection, verification and reporting from preparation for re-use operators.*

### Point 8

*The proposed general requirements for extended producer responsibility schemes should be seen as a set of basic rules which the Member States may decide to supplement. Provisions in*

*Article 8a(1), second indent, read in conjunction with Article 8a(4), aim at meeting at least the EU quantitative targets. These provisions do not aim to limit the scope of the producer responsibility which is the prerogative of the Member States.*

*Point 9*

*The Commission welcomes the support by the Sénat to work on methodologies contributing to measuring food waste.*