



EUROPEAN COMMISSION

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Dear Chairs,

The Commission would like to thank the Folketing for its Opinion on the Commission's proposals for a Directive amending Directive 2008/98/EC on waste and of a Directive amending Directive 94/62/EC on packaging and packaging waste {COM(2015) 595 and 596 final}.

The Circular Economy 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.

These actions will contribute to a number of EU priorities: job creation, economic growth, investment, industrial innovation, social fairness, climate change and global efforts to secure sustainable development.

The Commission welcomes the Folketing's overall support for the objectives and measures set out in the Circular Economy package, particularly as regards the ambitious and realistic recycling targets. The Commission shares the Folketing's view on the need to take measures to reduce waste generation. For that reason the Commission proposes measures aimed at stepping up waste prevention and re-use activities as well as simplification of the rules on by-products and the end-of-waste status. Moreover, the Commission agrees with the Folketing on the need to also promote circular economy objectives at an international level.

The Commission notes the Folketing's call for measures to address the barriers it identifies to increasing waste recycling, to phasing out hazardous substances and to tackling plastic waste. The Commission is pleased to have this opportunity to provide clarifications in the attached Annex.

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*cc: Ms Pia KJÆRSGAARD
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The Commission hopes that these clarifications address the issues raised by the Folketing and looks 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 Folketing in its Opinion and is pleased to offer the following clarifications.

On product design:

With regard to product design, the Commission agrees with the Folketing on the need to move toward smarter product designs that are more resource efficient. The action plan for the Circular Economy¹ envisages a number of measures to promote durability, re-usability, reparability and recyclability in product design, in particular in the framework of the Ecodesign Directive 2009/125/EC² and through provisions on extended producer responsibility in the legislative proposal on waste.

On new business models:

The Commission encourages and supports industrial symbiosis and the development of new business and consumption models, including the switch from products to services, through funding under Horizon 2020 and the Cohesion Policy, in view of capitalising on the opportunities presented by longer-life products. In order to facilitate industrial symbiosis, the Commission proposes to simplify the rules on waste status in the context of production and recovery processes.

On the demand for secondary raw materials:

With regard to the demand for secondary raw materials, the Commission considers that Green Public Procurement, meaning the procurement of goods with a reduced environmental impact by public authorities, can play an important role in promoting an increased use of recycled materials in products by facilitating the access of such products to public markets and improving their economic viability, provided that the producer's claims on recycled content can be easily verified. As the choice between the use of primary or secondary materials is also driven by the quality of those materials, the action plan for the Circular Economy aims to facilitate the availability of quality secondary raw materials through measures such as the separate collection of bio-waste, stricter rules on how to calculate recycling rates, which will facilitate better sorting of waste, and, where appropriate, the development of quality standards for secondary raw materials.

On hazardous substances:

To address the issue of hazardous substances posing a problem for recycling, work is already in progress to deliver an analysis of the interface between the legislation on chemicals, products and waste. This work will look into possible options to reduce the presence and improve the tracking of chemicals of concern in products.

¹ COM (2015) 614.

² OJ L 285, 31.10.2009, pp. 10-35.

On plastic waste:

In order to address concerns related to plastic waste, including plastic in the marine environment, the aforementioned action plan envisages the adoption of a strategy on plastics in 2017 that will address the challenges posed by plastics throughout the value chain, in particular their recyclability, leakage to the environment and the presence of substances of concern in certain plastics.