

# **Your Voice In Europe: ROADMAP feedback for Analysis of the interface between chemicals, products and waste legislation and identification of policy options**

## **User's data:**

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## **Related document: Analysis of the interface between chemicals, products and waste legislation and identification of policy options**

## **Feedback:**

*Four issues have been identified that create obstacles for a smooth transition of recycled materials from waste to new products:*

*For #1: Insufficient information about substances of concern in products and waste; #2: Presence of substances of concern in recycled materials and in articles made thereof; and #4: Difficulties in applying EU waste classification methodologies and impacts on the recyclability of materials*

*There is a need to further align the assessment of hazardous property HP 14 ('Ecotoxic') for waste with the criteria laid down in Regulation (EC) No 1272/2008The EU legislation on classification, labelling and packaging.*

*For #3: Uncertainties about how materials can cease to be waste  
The Waste Framework Directive (Directive 2008/98/EC) has opened up the possibility to lift the waste status for certain waste streams. This proposition is attractive to Member States and to industry. For Member States, it allows reducing the total volume of waste and facilitates progress towards national waste recycling targets, especially in view of the provision in the present legislative proposal on the WFD to take account of end-of-waste materials as recycled. EoW may also stimulate resource efficiency by creating a market for new ex-waste products. For some industries, it will allow the use of certain waste streams outside the framework of the waste legislation and its specific requirements.*

*CEMBUREAU recognises that lifting the waste status could help some specific material recovery operations and may be justified for a limited selection of waste streams and for specific applications but insists that this is to be achieved only under strict conditions:*

- *Only non-hazardous, specifically defined waste streams should be considered for lifting of the waste status;*
- *The waste status must not be lifted for mixed waste;*
- *The lifting of the waste status must only be considered once all recovery operations have been completed;*
- *The recovery operation to prepare for end-of-waste must take place in an installation having all necessary permits, especially a waste permit;*
- *The no-longer waste material should comply with all REACH applicable requirements, e.g. registration; and*
- *When the no-longer waste is processed outside the scope of waste legislation, it should be ensured that there are no adverse impacts for human health or the environment due to the absence of constraints as e.g. the emission limits from the Industrial Emissions Directive.*

*Lifting the waste status should not become an easy way to by-pass waste legislation and should not lead to a leakage of ex-waste materials, circulating freely as products, out of the EU and as such subject to less demanding requirements.*

**Feedback file:**