Council of the European Union

Brussels, 27 October 2026
(OR. en)

14952/26

ENV 1300
MI 1069
RELEX 1400
DELACT 170

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	26 October 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2026) 7389 final
Subject:	COMMISSION DELEGATED REGULATION (EU) …/... of 26.10.2026 supplementing Regulation (EU) 2024/1157 of the European Parliament and of the Council by establishing criteria on the basis of which certain wastes shall be classified in Annex III

Delegations will find attached document C(2026) 7389 final.

Encl.: C(2026) 7389 final

EUROPEAN
COMMISSION

Brussels, 26.10.2026
C(2026) 7389 final

COMMISSION DELEGATED REGULATION (EU) …/...

of 26.10.2026

supplementing Regulation (EU) 2024/1157 of the European Parliament and of the Council by establishing criteria on the basis of which certain wastes shall be classified in Annex III

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

One of the main objectives of Regulation (EU) 2024/1157 on waste shipments (Waste Shipment Regulation (WSR)) is to facilitate the transboundary shipments of waste for recycling between Member States.

As green-listed waste can be shipped within the EU without a prior written notification, and without the prior consent of authorities, extending the list of such waste would decrease the administrative burden for operators. This act will support the overall objective to simplify rules and facilitate the transition to a single market for secondary raw materials, as also pursued in the recently published Clean Industrial Deal and as envisaged in the future Circular Economy Act.

In order to facilitate the harmonised classification of waste listed in Annex III, Annex IIIA, Annex IIIB or Annex IV in the Union, Article 29(6) of WSR empowers the Commission, to adopt delegated acts to supplement WSR by establishing criteria, such as contamination thresholds, on the basis of which certain waste should be classified in Annex III, Annex IIIA, Annex IIIB or Annex IV.

At present, glass waste is listed in Annex III by reference to Annex IX to the Basel Convention, under entry B2020, described as "glass waste in non-dispersible form: cullet and other waste and scrap of glass, except for glass from cathode-ray tubes and other activated glasses".

In the absence of a harmonised threshold for contamination of glass waste, its classification is not applied consistently across the Union. This gives rise to divergent approaches among Member States as to whether a given glass waste stream falls within Annex III of WSR and, consequently, whether it is eligible for shipment under the procedure applicable to green-listed waste.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

This Delegated Regulation has been developed to implement into EU law the below supplements to Annex III, pursuant to Article 80(1), 80(3) and 80(4) of the WSR.

A consultation of EU Member States and stakeholders on this issue supported supplementing Annex III to facilitate the shipment of green-listed glass waste between Member States.

The Commission launched a Public Consultation for public feedback, and during the period between 2 July 2025 and 31 October 2025 it received comments and input from 146 stakeholders, out of which several referred to glass waste.

In particular regarding glass waste, the public feedback consultation showed support for retaining it on the green list under Annex III, covered by entry B2020 in the Basel Convention, but highlighted the need of clearer, operational criteria such as explicit contamination limits to clearly determine when glass waste ceases to be "green-listed" due to contamination. The respondents' answers cantered on supplementing entry B2020 in Annex III with a 10% contamination threshold, which was considered a clear, science-based definition of acceptable quality that would ensure uniform enforcement across Member States.

The Commission has assessed the properties and the environmental risks related to the shipment and recycling of glass waste classified under entry B2020, such as the composition, potential hazardousness, presence of contaminants, emission and pollution controls related to

the recycling processes, quality of the recycled outputs, as well as the recycling capacity across Member States. Based on this assessment, the Commission concluded that these wastes will be managed in an environmentally sound manner within the Union when, in a consignment of glass waste, the content of contamination with other types of wastes shall not exceed a total maximum of 10% of the weight of the consignment.

The draft delegated act was published for public feedback on the Better Regulation Portal from 18 August to 15 September 2026.

The draft delegated act was discussed with experts designated by each Member State as well as with stakeholders during the meeting of the Expert Group on Waste, held on 14 September 2026.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

In order to facilitate the harmonised classification of waste listed in Annex III, Annex IIIA, Annex IIIB or Annex IV in the Union, Article 29(6) of WSR empowers the Commission to adopt delegated acts to supplement the WSR by establishing criteria, such as contamination thresholds, on the basis of which certain wastes shall be classified in Annex III, Annex IIIA ,Annex IIIB and IV.

This delegated act, based on this empowerment, provides for changes in Annexes III to Regulation (EU) 2024/1157. These changes consist in clarifying the acceptable level of contamination of batches of glass waste with other types of waste in view of listing the waste in Annex III and not as a mixture of waste.

These changes are based on the input provided during the open public consultation and the analysis by the Commission, which show that a contamination threshold of 10% will support more harmonised classification of non-hazardous glass waste under entry B2020 within the Union.

This delegated act forms part of a broader and coordinated set of measures adopted on the basis of WSR in order to further specify the classification of certain waste streams eligible for shipment subject to the general information requirements. It supplements that Regulation by establishing a contamination threshold for glass waste B2020 listed in Annex III. In parallel, a separate delegated act concerns the inclusion and reclassification of certain specific non-hazardous waste streams in Annexes III, IIIA, IIIB and IV to WSR. Those measures contribute to a more harmonised and coherent framework for the classification of waste eligible for shipment under the general information requirements, with a view to reducing administrative burdens and supporting uniform application across the Union.

The delegated act has no implications for the EU budget.

COMMISSION DELEGATED REGULATION (EU) …/...

of 26.10.2026

supplementing Regulation (EU) 2024/1157 of the European Parliament and of the Council by establishing criteria on the basis of which certain wastes shall be classified in Annex III

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006[1] in particular Article 29(6) thereof,

Whereas:

(1) Regulation (EU) 2024/1157 lays down measures to protect the environment and human health and to contribute to climate neutrality and to achieving a circular economy and zero pollution by preventing or reducing the adverse impacts which can result from shipments of waste and from the treatment of the waste at its destination. It establishes procedures and control regimes for shipments of waste, depending on the origin, destination and route of the shipment, the type of waste and the type of treatment to be applied to the waste at its destination.

(2) In order to facilitate the harmonised classification of waste listed in Annex III, Annex IIIA, Annex IIIB or Annex IV in the Union, Article 29(6) of Regulation (EU) 2024/1157 empowers the Commission to adopt delegated acts supplementing Regulation (EU) 2024/1157 by establishing criteria, such as contamination thresholds, on the basis of which certain wastes shall be classified in Annex III, Annex IIIA, Annex IIIB and Annex IV.

(3) As regards shipments of non-hazardous glass waste between Member States, and in order to ensure the harmonised classification of that waste as listed in Annex III and not as a mixture of waste pursuant to Article 3(1) of Regulation (EU) 2024/1157, it is necessary to clarify to what extent such waste can be contaminated with other types of waste. Such threshold should reflect the collection and treatment practices applied in the Union, while remaining proportionate by safeguarding the management of the waste in an environmentally sound manner.

(4) This Delegated Regulation forms part of a coordinated set of measures adopted pursuant to Regulation (EU) 2024/1157 in order to clarify and specify the classification of certain waste streams eligible for shipment subject to the general information requirements. While this Delegated Regulation supplements that Regulation by establishing a contamination threshold for glass waste listed in its Annex III, a parallel delegated act concerns the inclusion of certain specific non-hazardous waste streams in Annexes III, IIIA, IIIB and IV to that Regulation. Those

[1] OJ L 145, 30.4.2024, p. 1.

measures are complementary in scope and contribute to a more harmonised and coherent framework for the classification of waste as eligible for shipment subject to the general information requirements, thereby reducing administrative burdens and supporting uniform application across the Union.

(5) Regulation (EU) 2024/1157 should therefore be supplemented accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes criteria on the basis of which certain wastes shall be classified in Annex III of Regulation (EU) 2024/1157.

Article 2

Criteria

For waste classified under entry B2020, it shall be understood that in a consignment of glass waste, the content of contamination with other types of wastes shall not exceed a total maximum of 10% of the weight of the consignment.

Article 3

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26.10.2026

For the Commission
The President
Ursula VON DER LEYEN