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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste - Outcome of the European Parliament's first reading (Strasbourg, 13 to 16 March 2017)

I. INTRODUCTION

The Committee on the Environment, Public Health and Food Safety presented a report consisting of 234 amendments (amendments 1-234) to the proposal for a Directive. In addition:

- the Greens/EFA political group submitted three amendments (amendments 235 and 237-8);
- the S&D and Greens/EFA political groups jointly submitted one amendment (amendment 236);
- the EFDD political group submitted three amendments (amendments 239-241);
- the S&D political submitted one amendment (amendment 242);
- the ENF political group submitted seven amendments (amendments 243-249);
- the EPP political group submitted two amendments (amendments 250-251); and
- the ECR political group submitted one amendment (amendment 252).

II. DEBATE

The debate, which took place on 14 March 2017, was a joint debate, which is summarised in document 7273/17.

III. VOTE

When it voted later on the same day of 14 March 2017, the plenary adopted 232 amendments (amendments 1-37, 39-99, 101-5, 107-137, 139-162, 164-199, 201-234, 236-8 and 242) to the proposal for a Directive.

Following an oral intervention from the Rapporteur, the plenary then approved her request for the proposal to be referred back to the Committee on the Environment, Public Health and Food Safety with a view to entering into inter-institutional negotiations.

The text of the amendments adopted by the plenary is set out in the annex to this document.

ANNEX

Waste ***I

Amendments adopted by the European Parliament on 14 March 2017 on the proposal for a directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste (COM(2015)0595 – C8-0382/2015 – 2015/0275(COD))[1]

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a directive
Recital -1 (new)

Text proposed by the Commission	*Amendment*
	(-1) The aim of this Directive is to lay down measures to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste, by reducing overall impacts of resource use and improving the efficiency of such use and by ensuring waste is valued as a resource with a view to contributing to a circular economy in the Union.

Amendment 2

Proposal for a directive
Recital -1 a (new)

[1] The matter was referred back for interinstitutional negotiations to the committee responsible pursuant to Rule 59(4), fourth subparagraph (A8-0034/2017).

Text proposed by the Commission	*Amendment*
	(-1a) In view of the Union's dependence on the import of raw materials and the rapid depletion of a significant amount of natural resources over the short term, it is a key challenge to reclaim as many resources as possible within the Union and to enhance the transition towards a circular economy.

Amendment 3

Proposal for a directive
Recital -1 b (new)

Text proposed by the Commission	*Amendment*
	(-1b) The circular economy offers important opportunities for local economies and offers the potential to create a win-win situation for all stakeholders involved.

Amendment 4

Proposal for a directive
Recital -1 c (new)

Text proposed by the Commission	*Amendment*
	(-1c) Waste management should be transformed into sustainable material management. The revision of Directive 2008/98/EC offers an opportunity to that end.

Amendment 5

Proposal for a directive
Recital -1 d (new)

Text proposed by the Commission	*Amendment*
	(-1d) In order to move successfully towards a circular economy, the full implementation of the action plan on "Closing the loop - An EU action plan for the Circular Economy" is necessary in addition to the revision and full implementation of the Waste Directives. The action plan should also increase the coherence, consistency and synergies between the circular economy and energy, climate, agriculture, industry and research policies.

Amendment 6

Proposal for a directive
Recital -1 e (new)

Text proposed by the Commission	*Amendment*
	(-1e) On 9 July 2015, the European Parliament adopted a resolution on "Resource efficiency: moving towards a circular economy"[1a] in which it stressed in particular the need to set binding waste reduction targets, develop waste prevention measures and lay down clear and unambiguous definitions.
	[1a] Texts adopted, P8_TA(2015)0266.

Amendment 7

Proposal for a directive
Recital 1

Text proposed by the Commission	*Amendment*
(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and ***rational*** utilisation of natural resources ***and*** promoting ***a more*** circular economy**.**	(1) Waste management in the Union should be improved, with a view to protecting, preserving and improving the quality of the environment, protecting human health, ensuring prudent and ***efficient*** utilisation of natural resources**,** promoting ***the principles of the*** circular economy***, enhancing the diffusion of renewable energy, increasing energy efficiency, reducing the dependence of the Union on imported resources, providing new economic opportunities and long-term competitiveness. In order to make the economy truly circular, it is necessary to take additional measures on sustainable production and consumption, focusing on the whole life cycle of products in a way that preserves resources and closes the loop. Using resources more efficiently would also bring substantial net savings for Union businesses, public authorities and consumers while reducing total annual greenhouse gas emissions***.

Amendment 8

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission	*Amendment*
	(1a) Increased efforts to move towards a circular economy could generate a two to four per cent reduction of greenhouse gas emissions per year, offering a clear incentive to invest in a circular economy. Raising resource productivity through improved efficiency and reducing resource waste can greatly lower both resource consumption and greenhouse gases emissions. Therefore, circular economy should be an integral part of

	climate policy as it creates synergies as highlighted in the reports of the International Resource Panel.

Amendment 9

Proposal for a directive
Recital 1 b (new)

Text proposed by the Commission	*Amendment*
	(1b) The circular economy should take into account explicit provisions in the 7th Environment Action Programme, which calls for the development of non-toxic material cycles so that recycled waste can be used as a major and reliable source of raw material for the Union.

Amendment 10

Proposal for a directive
Recital 2

Text proposed by the Commission	*Amendment*
(2) The targets laid down in Directive 2008/98/EC of the European Parliament and of the Council[14] for preparing for re-use and recycling of waste should be ***amended*** to make them better reflect the Union's ambition to move to a circular economy.	(2) The targets laid down in Directive 2008/98/EC of the European Parliament and of the Council[14] for preparing for re-use and recycling of waste should be ***increased*** to make them better reflect the Union's ambition to move to a ***resource efficient*** circular economy***, by taking the necessary measures to ensure that waste is considered as a useful resource***.
[14] Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).	[14] Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

Amendment 11

Proposal for a directive
Recital 3

Text proposed by the Commission	*Amendment*
(3) Many Member States have yet to develop the necessary waste management infrastructure. It is therefore essential to set long-term policy objectives in order to guide measures and investments, notably by preventing the creation of structural overcapacities for the treatment of residual waste and lock-ins of recyclable materials at the ***bottom*** of the waste hierarchy.	(3) Many Member States have yet to develop the necessary waste management infrastructure. It is therefore essential to set long-term policy objectives ***and to grant financial and political support*** in order to guide measures and investments, notably by preventing the creation of structural overcapacities for the treatment of residual waste, and lock-ins of recyclable materials at the ***lower levels*** of the waste hierarchy. ***In that context, in order to meet the relevant targets, it is essential to use the European Structural and Investment Funds to finance the development of the waste management infrastructure needed for prevention, re-use and recycling. It is also essential for Member States to amend their existing waste prevention programmes in accordance with this Directive and to adapt their investments accordingly.***

Amendment 12

Proposal for a directive
Recital 4

Text proposed by the Commission	*Amendment*
(4) Municipal waste constitutes approximately between 7 and 10% of the total waste generated in the Union; however, this waste stream is amongst the most complex ones to manage, and the way it is managed generally gives a good indication of the quality of the overall	(4) Municipal waste constitutes approximately between 7 and 10% of the total waste generated in the Union; however, this waste stream is amongst the most complex ones to manage, and the way it is managed generally gives a good indication of the quality of the overall

waste management system in a country. The challenges of municipal waste management result from its highly complex and mixed composition, direct proximity of the generated waste to citizens, ***and*** a very high public visibility. As a result, its management involves a need for a highly complex waste management system including an efficient collection scheme, a need to actively engage citizens and businesses, a need for infrastructure adjusted to the specific waste composition, and an elaborate financing system. Countries which have developed efficient municipal waste management systems generally perform better in overall waste management.	waste management system in a country. The challenges of municipal waste management result from its highly complex and mixed composition, direct proximity of the generated waste to citizens, a very high public visibility ***and its impact on the environment and human health.*** As a result, its management involves a need for a highly complex waste management system including an efficient collection scheme, ***an effective sorting system, a proper tracing of waste streams,*** a need to actively engage citizens and businesses, a need for infrastructure adjusted to the specific waste composition, and an elaborate financing system. Countries which have developed efficient municipal waste management systems generally perform better in overall waste management***, including the achievement of the recycling targets***. ***However, proper management of municipal waste alone is not enough to boost the transition to a circular economy in which waste is considered a resource. A life-cycle approach to products and waste is necessary to ignite this transition.***

Amendment 13

Proposal for a directive
Recital 4 a (new)

Text proposed by the Commission	*Amendment*
	(4a) Experience has shown that both publicly and privately run systems can help to achieve a circular economy system, and the decision of whether or not to use a given system frequently depends on geographical and structural conditions. The rules laid down in this Directive allow both for a system whereby the municipality has the general responsibility for collecting municipal waste and for a system in which such services are contracted out to private

	operators. The choice to switch between those systems should be the responsibility of the Member States.

Amendment 14

Proposal for a directive
Recital 5

Text proposed by the Commission	*Amendment*
(5) Definitions of municipal waste, construction and demolition waste, ***the*** final recycling process, ***and*** backfilling need to be included in Directive 2008/98/EC so that the scope of these concepts is clarified.	(5) Definitions of municipal waste, ***commercial and industrial waste,*** construction and demolition waste, ***preparation for re-use operator, organic recycling,*** final recycling process, backfilling, ***sorting, litter and food waste*** need to be included in Directive 2008/98/EC so that the scope of these concepts is clarified.

Amendment 15

Proposal for a directive
Recital 5 a (new)

Text proposed by the Commission	*Amendment*
	(5a) Based on Member State notifications and developments in the case-law of the Court of Justice of the European Union, the Commission should periodically review the Guidance on the interpretation of the key provisions of Directive 2008/98/EC, in order to improve, align and harmonise the concepts of waste and by-products across Member States.

Amendment 16

Proposal for a directive
Recital 5 b (new)

Text proposed by the Commission	*Amendment*
	(5b) The coherence between Directive 2008/98/EC and related Union legislative acts such as Directive 2009/28/EC of the European Parliament and of the Council[1a] and Regulation (EC) No 1907/2006 of the European Parliament and of the Council[1b] needs to be ensured. In particular, coherent interpretation and application of the definitions of "waste", "waste hierarchy" and "by-product" needs to be ensured under those legislative acts.

[1a] Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

[1b] Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

Amendment 17

Proposal for a directive
Recital 5 c (new)

Text proposed by the Commission	*Amendment*
	(5c) Hazardous and non-hazardous waste should be identified in accordance with Commission Decision 2014/955/EU[1a] and Commission Regulation (EU) No 1357/2014[1b].
	[1a] Commission Decision 2014/955/EU of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council (OJ L 370, 30.12.2014, p. 44).
	[1b] Commission Regulation (EU) No 1357/2014 of 18 December 2014 replacing Annex III to Directive 2008/98/EC of the European Parliament and of the Council on waste and repealing certain Directives (OJ L 365, 19.12.2014, p. 89).

Amendment 18

Proposal for a directive
Recital 6

Text proposed by the Commission	*Amendment*
(6) To ensure that recycling targets are based on reliable and comparable data and to enable more effective monitoring of progress in attaining those targets, the definition of municipal waste in Directive 2008/98/EC should be ***in line*** with 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	(6) To ensure that recycling targets are based on reliable and comparable data and to enable more effective monitoring of progress in attaining those targets, the definition of municipal waste in Directive 2008/98/EC should be ***aligned to*** 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. The definition of municipal waste in this Directive is neutral with regard to the public or private status of the operator managing waste.	for several years. The definition of municipal waste in this Directive is neutral with regard to the public or private status of the operator managing waste.

Amendment 19

Proposal for a directive
Recital 7

Text proposed by the Commission	*Amendment*
(7) Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of financial incentives aimed at achieving the waste prevention and recycling objectives of this Directive, such as landfill and incineration charges, pay as you throw schemes, extended producer responsibility schemes and incentives for local authorities.	(7) Member States should put in place adequate incentives for the application of the waste hierarchy, in particular, by means of financial***, economic and regulatory*** incentives aimed at achieving the waste prevention and recycling objectives of this Directive, such as landfill and incineration charges, pay as you throw schemes, extended producer responsibility schemes***, facilitation of food donation*** and incentives for local authorities. ***In order to contribute to the objectives laid down in this Directive, Member States are able to make use of economic instruments or measures such as those set out in the indicative list in the Annex to this Directive. Member States should also take measures to help achieve a high quality of sorted materials.***

Amendment 20

Proposal for a directive
Recital 7 a (new)

Text proposed by the Commission	*Amendment*
	(7a) Member States should introduce measures to encourage the development, production and marketing of products that are suitable for multiple use, that are

	technically durable and easily repairable and that are, after having become waste and been prepared for re-use or recycled, suitable to be placed on the market in order to facilitate proper implementation of the waste hierarchy. Those measures should take into account the impact of products throughout their life cycle and the waste hierarchy.

Amendment 21

Proposal for a directive
Recital 8

Text proposed by the Commission	*Amendment*
(8) In order to provide operators in markets for secondary raw materials with more certainty as to the waste or non-waste status of substances or objects and promote a level playing field, it is important to establish ***at the Union level harmonized conditions*** for substances or objects to be recognised as by-products and for waste that has undergone a recovery operation to be recognised as having ceased to be waste. ***Where necessary to ensure the smooth functioning of the internal market or a high level of environmental protection across the Union, the Commission should be empowered to adopt delegated acts establishing detailed criteria on the application of such harmonized conditions to certain waste, including for a specific use.***	(8) In order to provide operators in markets for secondary raw materials with more certainty as to the waste or non-waste status of substances or objects and promote a level playing field, it is important to establish ***clear rules*** for substances or objects to be recognised as by-products and for waste that has undergone a recovery operation to be recognised as having ceased to be waste.

Amendment 22

Proposal for a directive
Recital 8 a (new)

Text proposed by the Commission	*Amendment*
	(8a) In order to ensure the smooth functioning of the internal market, a substance or an object resulting from a production process the primary aim of which is not the production of that substance or object should be considered, as a general rule, to be a by-product if certain harmonised conditions are respected and a high level of environmental and human health protection across the Union is ensured. The Commission should be empowered to adopt delegated acts in order to establish detailed criteria on the application of the by-product status, prioritising the existing and replicable practices of industrial and agricultural symbiosis. In the absence of such criteria, Member States should be allowed, on a case-by-case basis only, to establish detailed criteria on the application of by-product status.

Amendment 23

Proposal for a directive
Recital 8 b (new)

Text proposed by the Commission	*Amendment*
	(8b) In order to ensure the smooth functioning of the internal market and a high level of environmental and human health protection across the Union, the Commission should, as a general rule, be empowered to adopt delegated acts establishing harmonised provisions related to the end-of-waste status to certain types of waste. Specific end-of-waste criteria should be considered at least for aggregates, paper, glass, metal, tyres and textiles. Where criteria have not been set at a Union level, Member States

	should be allowed to establish detailed end-of-waste criteria at national level for certain waste in accordance with conditions set at Union level. Where such detailed criteria have not been established either at national level, Member States should ensure that waste, which has undergone a recovery operation, is considered to have ceased to be waste if it complies with the Union level conditions which should be verified on a case-by-case basis by the competent authority in the Member State. The Commission should be empowered to adopt delegated acts in order to supplement this Directive by establishing general requirements to be followed by Member States when they adopt technical regulations under Article 6.

Amendment 24

Proposal for a directive
Recital 8 c (new)

Text proposed by the Commission	*Amendment*
	(8c) Once recycled material re-enters the economy due to it receiving end-of-waste status, either by complying with specific end-of-waste criteria or by being incorporated in a new product, it is required to be fully compliant with Union chemicals law.

Amendment 25

Proposal for a directive
Recital 8 d (new)

Text proposed by the Commission	*Amendment*
	(8d) The transition to a circular economy should take full advantage of digital innovation. To that end, electronic tools such as an online platform for trading waste as new resources should be developed, with the aim of making trading operations easier and of reducing the administrative burden for operators, thus enhancing industrial symbiosis.

Amendment 26

Proposal for a directive
Recital 8 e (new)

Text proposed by the Commission	*Amendment*
	(8e) Extended producer responsibility provisions in this Directive aim to support the design and production of goods which take fully into account and facilitate the efficient use of resources during the whole life cycle of the products, including their repair, re-use, disassembly and recycling, without compromising the free circulation of goods in the internal market. Extended producer responsibility is an individual obligation on producers who should be accountable for the end-of-life management of products that they place on the market. Producers should be able, however, to assume their responsibility individually or collectively. Member States should ensure the establishment of extended producer responsibility schemes for at least packaging, electrical and electronic equipment, batteries and accumulators, and end-of-life vehicles.

Amendment 27

Proposal for a directive
Recital 8 f (new)

Text proposed by the Commission	*Amendment*
	(8f) Extended producer responsibility schemes should be understood a as set of rules established by Member States to ensure that producers of products bear the financial and/or operational responsibility for the management of the post-consumer stage of a product's life cycle. Those rules should not prevent producers from fulfilling those obligations either individually or collectively.

Amendment 28

Proposal for a directive
Recital 9

Text proposed by the Commission	*Amendment*
(9) Extended producer responsibility schemes form an essential part of efficient waste management, but their effectiveness and performance differ significantly between Member States. Thus, it is necessary to set minimum operating requirements for extended producer responsibility. Those requirements should reduce costs and boost performance, as well as ensure a level-playing field, including for small and medium sized enterprises, and avoid obstacles to the smooth functioning of the internal market. ***They*** should also contribute to the incorporation of end-of-life costs into product prices and provide incentives for producers to ***take better*** into account recyclability ***and*** reusability ***when designing their products***. The	(9) Extended producer responsibility schemes form an essential part of efficient waste management, but their effectiveness and performance differ significantly between Member States. Thus, it is necessary to set minimum operating requirements for extended producer responsibility ***schemes, be they individual or collective. It is necessary to make a distinction between those minimum requirements that apply to all schemes and those that only apply to collective schemes. Nevertheless, all*** those requirements should reduce costs and boost performance ***by measures such as facilitating better implementation of separate collection and sorting, ensuring better quality recycling, helping secure access to secondary raw material in a***

requirements should apply to both new and existing extended producer responsibility schemes. A transitional period is however necessary for existing extended producer responsibility schemes to adapt their structures and procedures to the new requirements.	***cost-efficient manner,*** as well as ensure a level-playing field, including for small and medium sized enterprises ***and e-commerce enterprises*** and avoid obstacles to the smooth functioning of the internal market***.*** ***Those requirements*** should also contribute to the incorporation of end-of-life costs into product prices and provide incentives for producers to ***develop smart business models and to take*** into account ***the waste hierarchy when designing their products through the stimulation of durability,*** recyclability, reusability ***and reparability. They should encourage the progressive substitution of substances of very high concern as defined in Article 57 of Regulation (EC) No 1907/2006 if there are suitable alternative substances or technologies that are economically and technically viable. The implementation of the minimum requirements for extended producer responsibility should be supervised by independent authorities and should not create any disproportionate financial or administrative burden for public bodies, economic operators and consumers.*** The requirements should apply to both new and existing extended producer responsibility schemes. A transitional period is however necessary for existing extended producer responsibility schemes to adapt their structures and procedures to the new requirements.

Amendment 29

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission	*Amendment*
	(9a) The provisions of this Directive on extended producer responsibility should apply without prejudice to the provisions on extended producer responsibility contained in other legal acts of the Union, in particular those covering specific waste

streams.

Amendment 30

Proposal for a directive
Recital 9 b (new)

Text proposed by the Commission	*Amendment*
	(9b) The Commission should without delay adopt guidelines on the modulation of contributions of producers in extended producer responsibility schemes in order to assist Member States in the implementation of this Directive in furtherance of the internal market. To ensure coherence in the internal market, the Commission should also be able to adopt harmonised criteria for that purpose by means of delegated acts.

Amendment 31

Proposal for a directive
Recital 9 c (new)

Text proposed by the Commission	*Amendment*
	(9c) When schemes are set up for the collective implementation of extended producer responsibility, Member States should put in place safeguards against conflicts of interest between contractors and extended producer responsibility organisations.

Amendment 32

Proposal for a directive
Recital 10

Text proposed by the Commission	*Amendment*
(10) Waste prevention is the most efficient way to improve resource efficiency ***and*** to reduce the environmental impact of waste***.*** It is important therefore that Member States take appropriate measures to prevent waste generation ***and*** monitor and assess progress in the implementation of such measures. In order to ensure a uniform measurement of the overall progress in the implementation of waste prevention measures, common indicators should be established.	(10) Waste prevention is the most efficient way to improve resource efficiency***,*** to reduce the environmental impact of waste, ***to promote durable, recyclable, reusable high-quality materials and to decrease the dependence on imports of increasingly rare raw materials. The development of innovative business models is key in this regard.*** It is important therefore that Member States ***lay down prevention targets and*** take appropriate measures to prevent waste generation ***and littering, including the use of economic instruments and other measures that progressively substitute substances of very high concern as defined in Article 57 of Regulation (EC) No 1907/2006 if there are suitable alternative substances or technologies that are economically and technically viable, combat planned obsolescence, support re-use, increase consumer empowerment through improved product information, and encourage information campaigns on waste prevention. Member States should also*** monitor and assess progress ***made*** in the implementation of such measures ***as well as progress in the reduction of waste generation and aim at decoupling it from economic growth.*** In order to ensure a uniform measurement of the overall progress ***made*** in the implementation of waste prevention measures, common indicators ***and methodologies*** should be established.

Amendment 33

Proposal for a directive
Recital 10 a (new)

Text proposed by the Commission	*Amendment*
	(10a) The promotion of sustainability in production and consumption can contribute significantly to waste prevention. Member States should take steps to make consumers aware of this and encourage them to participate more actively in order to improve resource efficiency.

Amendment 34

Proposal for a directive
Recital 10 b (new)

Text proposed by the Commission	*Amendment*
	(10b) The original waste producer has a key role to play in waste prevention and at the initial pre-sorting stage.

Amendment 35

Proposal for a directive
Recital 11 a (new)

Text proposed by the Commission	*Amendment*
	(11a) In order to reduce food loss and prevent food waste along the whole supply chain, a food waste hierarchy should be established, as laid down in Article 4a.

Amendment 36

Proposal for a directive
Recital 12

Text proposed by the Commission	*Amendment*
(12) Member States should take measures to promote prevention of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of ***halving*** food waste by 2030. These measures should aim to prevent food waste ***in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households***. Having regard to the environmental and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures ***and*** should measure progress in food waste ***reduction***. To facilitate exchange of good practice across the EU both between Member States and between food business operators, ***uniform methodologies*** for such measurement should be established. Reporting on food waste levels should take place on ***a biennial*** basis.	(12) Member States should take measures to promote prevention ***and reduction*** of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular its target of ***reducing*** food waste ***by 50 %*** by 2030. These measures should aim to prevent ***and reduce the total generation of*** food waste ***and reduce food losses along the whole supply chain, including primary production, transportation and storage***. Having regard to the environmental***, social*** and economic benefits of preventing food waste, Member States should establish specific food waste prevention measures, ***including awareness campaigns to demonstrate how to prevent food waste in their waste prevention programmes. With these measures, Member States should aim to achieve a Union-wide food waste reduction target of 30 % by 2025 and of 50 % by 2030. Member States*** should ***also*** measure progress ***made*** in ***the reduction of*** food waste ***and food losses***. To ***measure this progress and to*** facilitate exchange of good practice across the EU both between Member States and between food business operators***, a common methodology*** for such measurement should be established. Reporting on food waste levels should take place on ***an annual*** basis.

Amendment 37

Proposal for a directive
Recital 12 a (new)

Text proposed by the Commission	*Amendment*
	(12a) In order to prevent food waste, Member States should provide incentives

	for the collection of unsold food products in food retail and food establishments and for their redistribution to charitable organisations. Consumer awareness of the meaning of 'use-by' dates should also be improved in order to reduce food waste.

Amendment 39

Proposal for a directive
Recital 13

Text proposed by the Commission	*Amendment*
(13) Industrial, certain parts of commercial waste and extractive waste are extremely diversified in terms of composition and volume, and very different depending on the economic structure of a Member State, the structure of the industry or commerce sector that generates the waste and the industrial or commercial density in a given geographical area. ***Hence,*** for most industrial and extractive waste, an industry-oriented approach using Best Available Techniques reference documents 16 and similar instruments to address the specific issues related to the management of a given type of waste is a ***suitable*** solution. ***However,*** industrial and commercial packaging waste ***should continue to be*** covered by the requirements of Directive 94/62/EC and Directive 2008/98/EC, ***including their respective improvements.***	(13) Industrial, certain parts of commercial waste and extractive waste are extremely diversified in terms of composition and volume, and very different depending on the economic structure of a Member State, the structure of the industry or commerce sector that generates the waste and the industrial or commercial density in a given geographical area. For most industrial and extractive waste, an industry-oriented approach using Best Available Techniques reference documents 16 and similar instruments to address the specific issues related to the management of a given type of waste is a ***temporary*** solution ***to reach circular economy objectives. As*** industrial and commercial waste ***are*** covered by the requirements of Directive 94/62/EC and Directive 2008/98/EC, ***the Commission should consider the possibility of setting, by 31 December 2018, preparing for re-use and recycling targets for commercial waste and non-hazardous industrial waste to be met by 2025 and 2030.***

Amendment 40

Proposal for a directive
Recital 13 a (new)

Text proposed by the Commission	*Amendment*
	(13a) The Commission should actively promote sharing platforms as a circular economy business model. It should create a stronger integration between the action plan for the circular economy and the guidelines for a collaborative economy and investigate all possible measures to provide incentives for it.

Amendment 41

Proposal for a directive
Recital 13 b (new)

Text proposed by the Commission	*Amendment*
	(13b) The transition towards a circular economy needs to seek to achieve the smart, sustainable and inclusive growth goals set out in the Europe 2020 strategy, with particular reference to the targets relating to environmental protection, the shift to clean energy sources, sustainable local development and increased employment in the Member States. The development of a circular economy should, accordingly, also promote the involvement of entities such as small and medium-sized enterprises, social economy enterprises, non-profit institutions and waste management bodies that operate regionally and locally, in order to improve their overall management, foster innovation in processes and products and develop employment in the areas concerned.

Amendment 42

Proposal for a directive
Recital 14

Text proposed by the Commission	*Amendment*
(14) The targets for preparation for re-use and recycling of municipal waste should be increased in order to deliver substantial environmental, economic and social benefits.	(14) The targets for preparation for re-use and recycling of municipal waste should be increased ***at least to 60 % by 2025 and at least to 70 % by 2030*** in order to deliver substantial environmental, economic and social benefits ***and accelerate the shift towards a circular economy***.

Amendment 43

Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission	*Amendment*
	(14a) Member States should support the setting up of systems which promote re-use activities and the extension of the life span of products, provided that the quality and safety of products are not compromised. Such systems should be set up in particular for electrical and electronic equipment, textiles, furniture, construction materials, tyres and, as referred to in Article 5 of Directive 94/62/EC, packaging.

Amendment 44

Proposal for a directive
Recital 14 b (new)

Text proposed by the Commission	*Amendment*
	(14b) In order to promote re-use, Member

	States should be able to set up quantitative objectives and should take the necessary measures in respect of producers to enable re-use operators to have easy access to the instruction manuals, spare parts and technical information needed for re-use of products.

Amendment 45

Proposal for a directive
Recital 14 c (new)

Text proposed by the Commission	*Amendment*
	(14c) The role of social economy enterprises in the re-use and preparing for re-use sector needs to be acknowledged and consolidated. Member States should take the necessary measures to promote the role of social economy enterprises in that sector including, where appropriate, by means of economic instruments, public procurement, facilitated access to waste collection points, and any other appropriate economic or regulatory incentives. The new regulatory framework established by the Circular Economy Package should safeguard stakeholders' ability to continue their work in the re-use and preparing for re-use sector.

Amendment 46

Proposal for a directive
Recital 14 d (new)

Text proposed by the Commission	*Amendment*
	(14d) The switch to a circular economy offers numerous positive aspects, both economic (such as optimisation of the use of raw material resources), environmental (such as protecting the environment and reducing waste pollution) and social (such as socially-inclusive job creation potential and developing social ties). The circular economy is in keeping with the social and solidarity economy ethos and the implementation of the circular economy should primarily enable environmental and social benefits to be generated.

Amendment 47

Proposal for a directive
Recital 14 e (new)

Text proposed by the Commission	*Amendment*
	(14e) The actors involved in the social and solidarity-based economy should, through their activities, including preparation for re-use and re-use itself, help promote the social and solidarity-based economy. Steps should be taken to ensure the perpetuation of those activities in the Union.

Amendment 48

Proposal for a directive
Recital 15

Text proposed by the Commission	*Amendment*
(15) Through a progressive increase of the existing targets for preparation for re-use	(15) Through a progressive increase of the existing targets for preparation for re-use

and recycling of municipal waste, it should be ensured that economically valuable waste materials are ***re-used and*** effectively recycled, and that valuable materials found in waste are channelled back into the European economy, thus advancing the Raw Materials Initiative[17] and the creation of a circular economy.	and recycling of municipal waste, it should be ensured that economically valuable waste materials are effectively ***prepared for re-use and*** recycled, ***while ensuring a high-level protection of human health and the environment,*** and that valuable materials found in waste are channelled back into the European economy, thus advancing the Raw Materials Initiative[17] and the creation of a circular economy.
[17] COM(2008)699 and COM(2014)297.	[17] COM(2008)699 and COM(2014)297.

Amendment 49

Proposal for a directive
Recital 16

Text proposed by the Commission	*Amendment*
(16) Large differences exist between Member States with respect to their waste management performance, particularly as regards recycling of municipal waste. In order to take account of those differences, those Member States which in 2013 recycled less than 20% of their municipal waste according to Eurostat data should be given additional time to comply with the preparing for re-use and recycling targets established for 2025 ***and 2030***. In light of average annual progression rates observed in Member States over the past fifteen years, those Member States would need to increase their recycling capacity at levels that are well-above past averages to meet those targets. In order to ensure that steady progress towards the targets is made and that implementation gaps are tackled in due time, Member States that are given additional time should meet interim-targets and establish ***an*** implementation ***plan***.	(16) Large differences exist between Member States with respect to their waste management performance, particularly as regards recycling of municipal waste. In order to take account of those differences, those Member States which in 2013 recycled less than 20% of their municipal waste according to Eurostat data ***and which were not considered at risk of not achieving the target of preparing for re-use and recycling at least 50% of their municipal waste by 2025*** should be given additional time to comply with the preparing for re-use and recycling targets established for 2025. ***Those same Member States could also be given additional time to comply with the preparing for re-use and recycling targets established for 2030 if they are not considered at risk of not achieving the target of preparing for re-use and recycling at least 60 % of their municipal waste by 2030.*** In light of average annual progression rates observed

	in Member States over the past fifteen years, those Member States would need to increase their recycling capacity at levels that are well-above past averages to meet those targets. In order to ensure that steady progress towards the targets is made and that implementation gaps are tackled in due time, Member States that are given additional time should meet interim-targets and establish implementation ***plans, the effectiveness of which should be assessed by the Commission on the basis of defined criteria.***

Amendment 50

Proposal for a directive
Recital 16 a (new)

Text proposed by the Commission	*Amendment*
	(16a) In order to ensure the uptake of high quality secondary raw materials, the output of the final recycling process should uphold quality standards. For that reason, the Commission should request the European standardisation organisations to develop standards for both waste materials entering the final recycling process and secondary raw materials, in particular for plastics, based on the best production practices on the market.

Amendment 51

Proposal for a directive
Recital 17

Text proposed by the Commission	*Amendment*
(17) In order to ensure the reliability of the data gathered on preparation for re-use	(17) In order to ensure the reliability of the data gathered on preparation for re-use

it is essential to establish common rules for reporting. Similarly, it is important to lay down more precise rules on how Member States should report what is effectively recycled and can be counted towards the attainment of the recycling targets. To that ***effect, as a general rule***, the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. ***In order to limit administrative burdens, Member States should be allowed, under strict conditions, to report recycling rates on the basis of the output of sorting facilities.*** Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.	it is essential to establish common rules for reporting, ***taking into account the need to avoid imposing excessive administrative burdens on small and medium operators***. Similarly, it is important to lay down more precise rules on how Member States should report what is effectively recycled and can be counted towards the attainment of the recycling targets. ***Calculation of recycled municipal waste should be based on one harmonised method which will prevent Member States from reporting discarded waste as recycled waste.*** To that ***end,*** the reporting on the attainment of the recycling targets must be based on the input to the final recycling process. Losses in weight of materials or substances due to physical and/or chemical transformation processes inherent to the final recycling process should not be deducted from the weight of the waste reported as recycled.

Amendment 52

Proposal for a directive
Recital 18

Text proposed by the Commission	*Amendment*
(18) ***Member States should, for the purposes of calculating whether the*** preparation for re-use and recycling ***targets are achieved, be able to take into account products and components that are prepared*** for re-use ***by recognised re-use*** operators ***and by*** deposit-refund schemes and ***the recycling of*** metals that ***takes place*** in conjunction with incineration***. In order to ensure a uniform calculation of this data, the Commission will adopt detailed rules on the determination of recognised*** preparation for re-use ***operators and deposit-refund schemes, on the quality criteria for recycled metals and on the collection, verification and reporting of data.***	(18) ***In order to ensure a uniform calculation of data on*** preparation for re-use and recycling***, the Commission should adopt detailed rules on the determination of recognised preparation*** for re-use operators, deposit-refund schemes and ***final recycling operators, including specific rules on collection, traceability, verification and reporting of data, as well as on the quality criteria for recycled*** metals that ***have been recycled*** in conjunction with incineration ***or co-incineration. For the purposes of calculating whether the*** preparation for re-use ***and recycling targets have been achieved and after the adoption of the harmonised calculation method, Member States should be able to take into account***

	the recycling of metals that takes place in conjunction with incineration or co-incineration, such as energy recovery.

Amendment 53

Proposal for a directive
Recital 20

Text proposed by the Commission	*Amendment*
(20) Compliance with the obligation to set up separate collection systems for paper, metal, plastic ***and*** glass is essential in order to increase preparing for re-use and recycling rates in Member States. In addition bio-waste should be collected separately to contribute to an increase in preparing for re-use and recycling rates and the prevention of contamination of dry recyclable materials.	(20) Compliance with the obligation to set up separate collection systems for paper, metal, plastic***,*** glass***, textile and bio-waste*** is essential in order to increase preparing for re-use and recycling rates in Member States. In addition bio-waste should be collected separately ***and be recycled*** to contribute to an increase in preparing for re-use and recycling rates and the prevention of contamination of dry recyclable materials ***and to prevent incineration and landfilling. In addition, research into possible collection and recycling systems for other streams and new materials should be encouraged and intensified.***

Amendment 54

Proposal for a directive
Recital 20 a (new)

Text proposed by the Commission	*Amendment*
	(20a) The bio-economy plays a crucial role in ensuring the availability of raw materials across the Union. A more efficient use of municipal waste could create an important incentive for the bio-economy supply chain. In particular, a sustainable management of bio-waste offers the opportunity to substitute fossil

fuel-based feedstocks with renewable sources for the production of materials and commodities.

Amendment 55

Proposal for a directive
Recital 20 b (new)

Text proposed by the Commission	*Amendment*
	(20b) In order to avoid waste treatment which locks in resources at the lower levels of the waste hierarchy, to enable high-quality recycling and to boost the uptake of quality secondary raw materials, Member States should ensure that bio-waste is separately collected and undergoes organic recycling in a way that fulfils a high level of environmental protection and the output of which meets relevant high quality standards.

Amendment 56

Proposal for a directive
Recital 20 c (new)

Text proposed by the Commission	*Amendment*
	(20c) Despite separate collection, a lot of recyclables still end up in mixed waste. With high-quality sorting, especially optical sorting, a considerable amount of materials can be sorted from the residual waste and subsequently recycled and reprocessed into secondary raw materials. Member States should thus take measures to ensure that also waste that is not separately collected is nevertheless sorted.

Amendment 57

Proposal for a directive
Recital 20 d (new)

Text proposed by the Commission	*Amendment*
	(20d) To avoid contamination of municipal waste with hazardous substances which could lower recycling quality and thus hamper the take-up of secondary raw materials, Member States should set up separate collection for hazardous waste from households.

Amendment 58

Proposal for a directive
Recital 21

Text proposed by the Commission	*Amendment*
(21) Proper management of hazardous waste still presents a problem in the Union, and data on its treatment are partly missing**.** It is therefore necessary to strengthen record keeping and traceability mechanisms through the establishment of electronic registries for hazardous waste in the Member States. Electronic data collection should be extended to other types of waste, ***where appropriate,*** in order to simplify record-keeping for businesses and administrations and improve the monitoring of waste flows in the Union.	(21) Proper management of hazardous waste still presents a problem in the Union, and data on its treatment are partly missing. It is therefore necessary to strengthen record keeping and traceability mechanisms through the establishment of electronic registries for hazardous waste in the Member States. Electronic data collection should be extended to other types of waste, in order to simplify record-keeping for businesses and administrations and improve the monitoring of waste flows in the Union.

Amendment 59

Proposal for a directive
Recital 21 a (new)

Text proposed by the Commission	*Amendment*
	(21a) Separate collection and regeneration of waste oils has significant economic and environmental benefits, including in terms of security of supply. Separate collection should be established, as well as targets for the regeneration of waste oils.

Amendment 60

Proposal for a directive
Recital 22

Text proposed by the Commission	*Amendment*
(22) This Directive sets long-term objectives for the Union's waste management and gives economic operators and Member States a clear direction for the investments needed to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure, Member States should make a sound use of the European Structural and Investment Funds by promoting prevention***,*** re-use ***and*** recycling, in line with the waste hierarchy	(22) This Directive sets long-term objectives for the Union's waste management and gives economic operators and Member States a clear direction for the investments needed to attain the objectives of this Directive. In developing their national waste management strategies and planning investments in waste management infrastructure ***and the circular economy***, Member States should make a sound use of the European Structural and Investment Funds by promoting ***first*** prevention ***and*** re-use***, followed by*** recycling, in line with the waste hierarchy. ***The Commission should, in accordance with the waste hierarchy, enable the use of Horizon 2020 and European Structural and Investment Funds in order to develop an effective financial framework that helps local authorities implement the requirements of this Directive and finance the introduction of innovative technologies and waste management.***

Amendment 61

Proposal for a directive
Recital 23

Text proposed by the Commission	*Amendment*
(23) Certain raw materials are of a high importance to the economy of the Union and their supply is associated with a high risk. In order to ensure security of supply of those raw materials and in line with the Raw Materials Initiative and the objectives and targets of the European Innovation Partnership on Raw Materials, Member States should take measures to ***achieve the best possible management*** of waste containing significant amounts of ***those*** raw materials, taking economic and technological feasibility and environmental benefits into account. The Commission has established a list of critical raw materials for the EU[18] . This list is subject to regular review by the Commission.	(23) Certain raw materials are of a high importance to the economy of the Union and their supply is associated with a high risk. In order to ensure security of supply of those raw materials and in line with the Raw Materials Initiative and the objectives and targets of the European Innovation Partnership on Raw Materials, Member States should take measures to ***promote the re-use of products and recycling*** of waste containing significant amounts of ***critical*** raw materials ***and to ensure that they are managed efficiently***, taking economic and technological feasibility and environmental ***and health*** benefits into account. The Commission has established a list of critical raw materials for the EU[18]. This list is subject to regular review by the Commission.
[18] COM(2014) 297.	[18] COM(2014) 297.

Amendment 62

Proposal for a directive
Recital 24

Text proposed by the Commission	*Amendment*
(24) To further support effective implementation of the Raw Materials Initiative, Member States should also ***promote the reuse of products constituting the main sources of raw materials. They should also*** include in their waste management plans nationally appropriate measures regarding collection and recovery of waste containing significant amounts of	(24) To further support effective implementation of the Raw Materials Initiative, Member States should also include in their waste management plans nationally appropriate measures regarding collection***, sorting*** and recovery of waste containing significant amounts of these raw materials. The measures should be included in the waste management plans

these raw materials. The measures should be included in the waste management plans when they are updated for the first time following the entry into ***effect*** of this Directive. The Commission will provide information about the relevant product groups and waste streams at EU level. This provision does not preclude the Member States to take measures for other raw materials considered as important to their national economy.	when they are updated for the first time following the entry into ***force*** of this Directive. The Commission will provide information about the relevant product groups and waste streams at EU level. This provision does not preclude the Member States to take measures for other raw materials considered as important to their national economy.

Amendment 63

Proposal for a directive
Recital 25

Text proposed by the Commission	*Amendment*
(25) Littering has direct detrimental impacts on the environment ***and*** the wellbeing of citizens***,*** and ***high*** clean-up costs are an unnecessary economic burden for society. The introduction of specific measures in waste management plans and proper enforcement by competent authorities should help eradicate this problem.	(25) Littering has direct ***and indirect*** detrimental impacts on the environment***,*** the wellbeing of citizens and ***the economy. High*** clean-up costs are an unnecessary economic burden for society. The introduction of specific measures in waste management plans and proper enforcement by competent authorities should help eradicate this problem. ***Prevention of littering is to be preferred over clean-up. Prevention of littering should be a shared effort between the competent authorities, producers and consumers. It is essential to change inappropriate behaviour of consumers to prevent litter. Producers whose products are likely to become litter should promote the sustainable use of their products in order to prevent littering. Furthermore, education and awareness raising play a crucial role in order to spur behavioural change.***

Amendment 64

Proposal for a directive

Recital 25 a (new)

Text proposed by the Commission	*Amendment*
	(25a) Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008[1a] is the binding legal instrument at Union level for assessing, monitoring and setting environmental targets in order to reach good environmental status in relation to marine litter. However, the main sources of marine litter are land-based activities and they are caused by poor practices in solid waste management, lack of infrastructure and a lack of public awareness. For that reason, Member States should adopt measures to reduce land-based litter that is likely to end up in the marine environment, in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25 September 2015, and in particular aim at achieving the target of reducing marine litter by 50 % by 2030 at Union level. Having regard to the environmental and economic benefits of preventing marine litter, Member States should establish specific marine litter prevention measures in their waste prevention programmes. With these measures, Member States should aim to achieve the Union-wide marine litter reduction targets of 30 % by 2025 and of 50 % by 2030. To measure progress towards these targets and to facilitate an exchange of good practices across the Union between Member States, uniform methodologies for the measurement of land-based marine litter should be established. Reporting on land-based marine litter levels should take place every year.
	[1a] Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for Community action in the field of marine

environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p.19).

Amendment 65

Proposal for a directive
Recital 25 b (new)

Text proposed by the Commission	*Amendment*
	(25b) Improper disposal of waste through littering and discharges of sewage and solid waste, such as plastic, have detrimental impacts on the marine environment and human health, as well as significant economic and social costs. Such waste also subverts the priority order of the waste hierarchy, in particular by avoiding preparing for re-use, recycling and other recovery prior to disposal. Given the transboundary nature of marine litter and the need to ensure harmonisation in efforts, Member States should take measures to achieve a target for their reduction, utilising monitoring protocols established under Article 11 of Directive 2008/56/EC.

Amendment 66

Proposal for a directive
Recital 25 c (new)

Text proposed by the Commission	*Amendment*
	(25c) Micro-beads in rinse-off cosmetic and personal care products reaching residential, commercial or industrial drainage systems after use are one of the most preventable direct sources of micro-

	plastic pollution. In order to contribute to the objectives laid down in this Directive, Member States should take measures to prevent the micro-bead ingredients and micro-plastics from entering waste water treatment systems and being discharged into the marine environment.

Amendment 67

Proposal for a directive
Recital 27

Text proposed by the Commission	*Amendment*
(27) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring good implementation, and are generating unnecessary administrative burdens. It is therefore appropriate to repeal provisions obliging Member States to produce such reports. Instead compliance monitoring should be ***exclusively*** based on the statistical data which Member States report every year to the Commission.	(27) Implementation reports prepared by Member States every three years have not proved to be an effective tool for verifying compliance and ensuring good implementation, and are generating unnecessary administrative burdens. It is therefore appropriate to repeal provisions obliging Member States to produce such reports. Instead compliance monitoring should be based on the statistical data which Member States report every year to the Commission. ***Nevertheless, Member States should submit to the Commission, on request and without delay, any information necessary for the Commission to evaluate the implementation of this Directive as a whole and of its impact on the environment and human health.***

Amendment 68

Proposal for a directive
Recital 28

Text proposed by the Commission	*Amendment*
(28) ***Statistical*** data reported by Member	(28) Data ***and information*** reported by

States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of ***statistics*** should be improved by introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Therefore, when reporting on the achievement of the targets set out in waste legislation, Member States shall use the ***most recent*** methodology developed by the Commission ***and*** the national statistical offices of the Member States.	Member States are essential for the Commission to assess compliance with waste legislation across the Member States. The quality, reliability and comparability of ***reported data*** should be improved by ***establishing a common methodology for collection and processing of data based on reliable sources and by*** introducing a single entry point for all waste data, deleting obsolete reporting requirements, benchmarking national reporting methodologies and introducing a data quality check report. Therefore, when reporting on the achievement of the targets set out in waste legislation, Member States shall use the ***common*** methodology developed by the Commission ***in cooperation with*** the national statistical offices of the Member States ***and the national, regional and local authorities responsible for waste management.***

Amendment 69

Proposal for a directive
Recital 28 a (new)

Text proposed by the Commission	*Amendment*
	(28a) Every three years, the Commission should publish a report based on the data and information reported by Member States in order to report to the Parliament and the Council on the progress achieved in reaching the recycling targets and in the implementation of new obligations laid down by this Directive. Those triennial reports should also evaluate the impact of Directive 2008/98/EC as a whole on the environment and human health and assess whether amendments are needed to keep Directive 2008/98/EC fit for purpose in view of the circular economy objectives.

Amendment 70

Proposal for a directive

Recital 28 b (new)

Text proposed by the Commission	*Amendment*
	(28b) In order to contribute to an appropriate governance, enforcement, cross-border cooperation and spread of best practices and innovations in the field of waste and to ensure the effective and consistent implementation of the targets laid down in Directive 2008/98/EC, the Commission should establish a platform for the exchange of information and the sharing of best practices between the Commission and the Member States on the practical implementation of that Directive. The results of the work of that platform should be made publicly available.

Amendment 71

Proposal for a directive
Recital 28 c (new)

Text proposed by the Commission	*Amendment*
	(28c) The economic potential as well as the environmental benefits of moving towards circular economy and increased resource efficiency are well established. Steps needed to closing the circle are presented in various policy documents and proposals, ranging from the European Resource Efficiency Platform's (EREP) manifesto for a more resource-efficient Europe published on 17 December 2012 and subsequent policy recommendations, to the European Parliament's own-initiative report on moving towards a circular economy

adopted on 25 June 2015, and finally the Commission's action plan for the circular economy published on 2 December 2016. They all present actions that go beyond waste, covering the whole cycle, and they should not only guide the ambition level of Union waste law, but also ensure that ambitious action is taken to close the whole circle.

Amendment 72

Proposal for a directive
Recital 28 d (new)

Text proposed by the Commission	*Amendment*
	(28d) Research and innovation as well as the creation of smart business models based on resource efficiency are essential for supporting the transition towards a circular economy in the Union where waste is perceived as a new resource. To achieve that aim, it is necessary to contribute, within Horizon 2020, to research and innovation projects that can demonstrate and test in the field the economic and environmental sustainability of a circular economy. At the same time, while adopting a systemic approach, those projects can contribute to developing legislation that is conducive to innovation and is easy to implement, by identifying possible regulatory uncertainties, barriers and gaps that hamper the development of business models based on resource efficiency.

Amendment 73

Proposal for a directive
Recital 28 e (new)

Text proposed by the Commission	*Amendment*
	(28e) On 2 December 2015, the Commission presented an EU action plan for the Circular Economy to stimulate Europe's transition towards a circular economy. Since the Commission established a concrete and ambitious programme of actions, with measures that cover the whole cycle, supplementary measures are needed in order to accelerate that transition.

Amendment 74

Proposal for a directive
Recital 28 f (new)

Text proposed by the Commission	*Amendment*
	(28f) Improving resource use could bring substantial net savings for Union businesses, public authorities and consumers while reducing total annual greenhouse gas emissions. For that reason, the Commission should propose, by the end of 2018, a lead indicator and a dashboard of sub-indicators on resource efficiency in order to monitor the progress towards the target of increasing resource efficiency at Union level by 30 % by 2030 compared with 2014 levels.

Amendment 75

Proposal for a directive
Recital 29

Text proposed by the Commission	*Amendment*
(29) In order to supplement or amend	(29) In order to supplement or amend

Directive 2008/98/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of ***Articles 5(2)***, ***6(2)***, ***7(1), 11a(2), 11a(6)***, ***26, 27(1)***, ***27(4)***, ***38(1)***, ***38(2) and 38(3).*** It is of particular importance that the Commission ***carries*** out appropriate consultations during its preparatory work, including at expert level***. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council***.	Directive 2008/98/EC, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of: ***- detailed criteria on the application of the conditions under which substances or objects are to be considered as by-products or considered to have ceased to be waste***, ***- general requirements to be followed by Member States when adopting technical regulations on end-of-waste status,*** ***- the establishment of the list of waste,*** ***- harmonised criteria to be followed when determining the financial contributions paid by producers to comply with their extended producer responsibility, as modulated on the real end-of-life cost of the products,*** ***- indicators to measure the progress in the reduction of waste generation and in the implementation of waste prevention measures,*** ***- a common methodology, including minimum quality requirements, for the uniform measurement of the levels of food waste,*** ***- a common methodology, including minimum quality requirements, for the uniform measurement of land-based marine litter,*** ***- minimum quality and operational requirements to determine the recognised preparation for re-use operators, deposit-refund schemes and final recycling***

operators, including specific rules on data collection, traceability, verification and reporting,

- a common methodology to calculate the weight of metals that have been recycled in conjunction with incineration or co-incineration, including the quality criteria for the recycled metals,

- technical criteria and operational procedures for disposal operations D2, D3, D4, D6, D7 and D12 as listed in Annex I to Directive 2008/98/EC and, if appropriate, a ban on those operations if they do not meet certain criteria related to the protection of human health and the environment,

- technical minimum standards for treatment activities that require a permit under Directive 2008/98/EC, where there is evidence that such standards would bring about a benefit in terms of the protection of human health and the environment,

- minimum standards for activities that require registration under Directive 2008/98/EC where there is evidence that such standards would bring about a benefit in terms of the protection of human health and the environment or in avoiding disruption to the internal market,

- the specification of the application of the formula for incineration facilities referred to in point R1 of Annex II to Directive 2008/98/EC,

- the methodology for data collection and processing, the organisation of the data collection and the sources of data as well as the format for the reporting of data by Member States to the Commission on the implementation of the targets on food waste reduction and marine litter reduction, on preparing for re-use, recycling and backfilling, on waste oils, and

- the adaptation of Annexes I to V to Directive 2008/98/EC to scientific and

	technical progress.
	It is of particular importance that the Commission ***carry*** out appropriate consultations during its preparatory work, including at expert level ***and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.***

Amendment 76

Proposal for a directive
Recital 30

Text proposed by the Commission	*Amendment*
(30) In order to ensure uniform conditions for the implementation of Directive 2008/98/EC, implementing powers should be conferred on the Commission in respect of ***Articles 9(4), 9(5), 33(2), 35(5) and 37(6).*** Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[19].	(30) In order to ensure uniform conditions for the implementation of Directive 2008/98/EC, implementing powers should be conferred on the Commission in respect of:
	- the format for the notification of the information on the adoption and the substantial revisions of waste management plans and waste prevention programmes, ***and***
	- minimum conditions for the operation of electronic registries on hazardous waste.
	Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and

of the Council[19].	
[19] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28/02/2011, p. 13).	[19] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28/02/2011, p. 13).

Amendment 77

Proposal for a directive
Recital 33

Text proposed by the Commission	*Amendment*
(33) Since the objectives of this Directive, namely to improve waste management in the Union, and thereby contributing to the protection, preservation and improvement of the quality of the environment, the health of the oceans and the safety of seafood by reducing marine litter, and to the prudent and rational utilisation of natural resources across the Union, cannot be sufficiently achieved by the Member States, but can, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,	(33) Since the objectives of this Directive, namely to improve waste management in the Union, and thereby contributing to the protection, preservation and improvement of the quality of the environment, the health of the oceans and the safety of seafood by reducing marine litter, and to the prudent***, reduced*** and rational utilisation of natural resources across the Union, cannot be sufficiently achieved by the Member States, but can, by reason of the scale or effects of the measures, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

Amendment 78

Proposal for a directive
Recital 33 a (new)

Text proposed by the Commission	*Amendment*
	(33a) Member States should ensure high levels of occupational health and safety in the production, recycling, repairing, preparing for re-use and waste sectors, taking into account the specific risks faced by workers in those sectors, and should ensure that existing Union law in this field is properly implemented and enforced.

Amendment 79

Proposal for a directive
Recital 33 b (new)

Text proposed by the Commission	*Amendment*
	(33b) This Directive has been adopted taking into account the commitments set out in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making and it should be implemented and applied in accordance with the guidance contained in that Agreement.

Amendment 80

Proposal for a directive
Article 1 – paragraph 1 – point -1 (new)

Directive 2008/98/EC

Article 1 – paragraph 1

Present text	*Amendment*
	(-1) In Article 1, paragraph 1 is replaced by the following:
This Directive lays down measures to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use.	"This Directive lays down measures to protect the environment and human health by preventing or reducing the ***generation of waste, the*** adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use***, which are crucial for the transition to a circular economy and for guaranteeing the Union's long-term competitiveness***.";

Amendment 81

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a

Directive 2008/98/EC

Article 3 – point 1 a

Text proposed by the Commission	*Amendment*
‘'1a. "municipal waste" means	‘'1a. "municipal waste" means
(a) mixed waste and separately collected waste from households including:	(a) mixed waste and separately collected waste from households including:
– paper and cardboard, glass metals, plastics, bio-waste, wood, textiles, waste electrical and electronic equipment, waste batteries and accumulators;	– paper and cardboard, glass metals, plastics, bio-waste, wood, textiles, waste electrical and electronic equipment, waste batteries and accumulators;
– bulky waste, including ***white goods,*** mattresses***,*** furniture;	– bulky waste, including mattresses ***and*** furniture;
– garden waste, including leaves, grass clipping;	– garden waste, including leaves, grass clipping;
(b) mixed waste and separately collected waste from ***other sources*** that is ***comparable*** to household waste in nature***,*** composition ***and quantity***.	(b) mixed waste and separately collected waste from ***small businesses, office buildings and institutions including schools, hospitals, and government***

	buildings that is ***similar*** to household waste in nature ***and*** composition.
(c) market cleansing waste and waste from street cleaning services, including street sweepings, the content of litter containers, waste from park and garden maintenance. Municipal waste does not include waste from sewage network and treatment, including sewage sludge and construction and demolition waste;'	(c) market cleansing waste and waste from street cleaning services, including street sweepings, the content of litter containers, waste from park and garden maintenance. Municipal waste does not include waste from sewage network and treatment, including sewage sludge and construction and demolition waste. ***The definition of municipal waste in this Directive shall apply regardless of the public or private status of the operator managing waste;";***

Amendment 82

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point a a (new)

Directive 2008/98/EC

Article 3 – point 1 b (new)

Text proposed by the Commission	*Amendment*
	(aa) the following point is inserted:
	"1b. "Commercial and industrial waste" means mixed waste and separately collected waste from commercial and industrial activities and/or premises.
	Commercial and industrial waste does not include municipal waste, construction and demolition waste or waste from sewage network or treatment, including sewage sludge;";

Amendment 83

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point b

Directive 2008/98/EC

Article 3 – point 2 a

Text proposed by the Commission	*Amendment*
2a. "non-hazardous waste" means waste which ***displays none of the hazardous properties listed in Annex III;***	2a. "non-hazardous waste" means waste which ***is not covered by point 2 of this Article;***

Amendment 84

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point c

Directive 2008/98/EC

Article 3 – point 4

Text proposed by the Commission	*Amendment*
4. "bio-waste" means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, comparable waste from food processing plants and other waste with similar biodegradability properties ***that is comparable in nature, composition and quantity***;	4. "bio-waste" means biodegradable garden and park waste, food and kitchen waste from households, restaurants, caterers and retail premises, comparable waste from food processing plants and other waste with similar biodegradability ***and compostability*** properties;

Amendment 85

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point d a (new)

Directive 2008/98/EC

Article 3 – point 9

Present text	*Amendment*
	(da) point 9 is replaced by the following:
9. ‘waste management’ means the collection, transport, recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker;	"9. ‘waste management’ means the collection, transport, ***sorting,*** recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker;";

Amendment 86

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point d b (new)

Directive 2008/98/EC

Article 3 – point 11

Present text	*Amendment*
	(db) point 11 is replaced by the following:
11. ‘separate collection’ means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment;	"11. ‘separate collection’ means the collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment***, in particular preparing for re-use and recycling operations;";***

Amendment 87

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point e

Directive 2008/98/EC

Article 3 – point 16

Text proposed by the Commission	Amendment
16. "preparing for re-use" means checking, cleaning or repairing recovery operations, by which ***waste,*** products or components of products that have been collected by a recognised preparation for re-use operator ***or deposit-refund scheme*** are prepared so that they can be re-used without any other pre-processing;	16. "preparing for re-use" means checking, cleaning or repairing recovery operations, by which products or components of products that ***have become waste and*** have been collected by a recognised preparation for re-use operator are prepared so that they can be re-used without any other pre-processing;

Amendment 88

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point e a (new)

Directive 2008/98/EC

Article 3 – point 16 a (new)

Text proposed by the Commission	*Amendment*
	(ea) the following point is inserted:
	"16a. "preparation for re-use operator" means an undertaking handling waste and working along the preparing for re-use process chain in accordance with the applicable rules;";

Amendment 89

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point e b (new)

Directive 2008/98/EC

Article 3 – point 16 b (new)

Text proposed by the Commission	*Amendment*
	(eb) the following point is inserted:
	“16b. "remanufacturing" means the process of bringing a product to a like-new condition through reusing, reconditioning, and replacing component parts;”;

Amendment 90

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point e c (new)

Directive 2008/98/EC

Article 3 – point 17

Present text	*Amendment*
	(ec) point 17 is replaced by the following:
17. ‘recycling’ means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes ***the reprocessing of organic material*** but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations;	"17. "recycling" means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes ***organic recycling*** but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations;";

Amendment 91

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point e d (new)

Directive 2008/98/EC

Article 3 – point -17 a (new)

Text proposed by the Commission	*Amendment*
	(ed) the following point is inserted:
	"- 17a. "organic recycling" means recycling in the form of an aerobic or an anaerobic treatment, or another treatment of the biodegradable parts of waste, which produces products, materials or substances; mechanical biological treatment and landfill are not considered to be a form of organic recycling;";

Amendment 92

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f

Directive 2008/98/EC

Article 3 – point 17 a

Text proposed by the Commission	*Amendment*
17a. "final recycling process" means the recycling process which begins when no further ***mechanical*** sorting operation is needed and waste materials ***enter a production process and*** are effectively reprocessed into products, materials or substances;	17a. "final recycling process" means the recycling process which begins when no further sorting operation is needed and waste materials are effectively reprocessed into products, materials or substances;

Amendment 93

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f

Directive 2008/98/EC

Article 3 – point 17 b

Text proposed by the Commission	*Amendment*
17b. "backfilling" means any recovery operation where suitable waste is used for reclamation purposes in excavated areas or for engineering purposes in landscaping or construction instead of other non-waste materials which would otherwise have been used for that purpose;	17b. "backfilling" means any recovery operation ***other than recycling*** where suitable ***non-hazardous inert*** waste ***or other non-hazardous waste*** is used for reclamation purposes in excavated areas or for engineering purposes in landscaping or construction instead of other non-waste materials which would otherwise have been used for that purpose ***and is used in quantities that do not exceed that which is strictly necessary for the reclamation or engineering purpose***;

Amendment 94

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f a (new)

Directive 2008/98/EC

Article 3 – point 17 c (new)

Text proposed by the Commission	*Amendment*
	(fa) The following point is inserted:
	"17c. "dilution" means the mixing of waste with one or more other materials or wastes with the aim of lowering, without chemical transformation, the concentration of one or more component present in the waste, in order to allow the diluted waste to be sent to a treatment or recycling operation which is not allowed for the non-diluted waste.";

Amendment 95

Proposal for a directive
Article 1 – point 2 – point f b (new)

Directive 2008/98/EC

Article 3 – point 20 a (new)

Text proposed by the Commission	*Amendment*
	(fb) the following point is added:
	"20a. "decontamination" means any operation that consists of removing or treating the unwanted hazardous components or pollutants from waste in order to destroy them.";

Amendment 96

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f c (new)

Directive 2008/98/EC

Article 3 – point 20 b (new)

Text proposed by the Commission	*Amendment*
	(fc) the following point is added:
	"20b."sorting" means any waste management operation which separates collected waste into different fractions and sub-fractions;";

Amendment 97

Proposal for a directive

Article 1 – paragraph 1 – point 2 – point f d (new)

Directive 2008/98/EC

Article 3 – point 20 c (new)

Text proposed by the Commission	*Amendment*
	(fd) the following point is added:
	"20c. "litter" means waste of small size in publicly accessible areas that has been improperly discarded in the environment, whether wilfully or by negligence;";

Amendment 98

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f e (new)

Directive 2008/98/EC

Article 3 – point 20 d (new)

Text proposed by the Commission	*Amendment*
	(fe) the following point is added:
	"20d. "food waste" means food intended for human consumption, either in edible or inedible status, removed from the production or supply chain to be discarded, including at primary production, processing, manufacturing, transportation, storage, retail and consumer levels, with the exception of primary production losses;";

Amendment 99

Proposal for a directive
Article 1 – paragraph 1 – point 2 – point f f (new)

Directive 2008/98/EC

Article 3 – point 20 e (new)

Text proposed by the Commission	*Amendment*
	(ff) the following point is added:
	"20e. "residual waste" means waste resulting from a treatment or a recovery operation, including recycling, which cannot be recovered further and, as a result, has to be disposed of;";

Amendment 101

Proposal for a directive
Article 1 – paragraph 1 – point 2 a (new)

Directive 2008/98/EC

Article 4 – paragraph 2 – subparagraph 1

Present text	*Amendment*
	(2a) In Article 4(2), the first subparagraph is replaced by the following:
2. When applying the waste hierarchy referred to in paragraph 1, Member States shall take measures to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste.	"2. When applying the waste hierarchy referred to in paragraph 1, Member States shall take measures to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste. ***That may require that certain waste undergoes a decontamination process***

prior to further treatment.";

Amendment 102

Proposal for a directive
Article 1 – paragraph 1 – point 3

Directive 2008/98/EC

Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission	*Amendment*
3. Member States shall make use of adequate economic instruments to provide incentives for the application of the waste hierarchy.	3. Member States shall make use of adequate economic instruments ***and take other measures*** to provide incentives for the application of the waste hierarchy. ***Those instruments and measures may include the instruments and measures indicated in Annex IVa to encourage the implementation of the waste prevention programmes referred to in Article 29 and to support the activities aimed at achieving the preparing for re-use and recycling targets set out in paragraph 2 of Article 11 in order to maximise the uptake of secondary raw materials and to offset the cost disparities with virgin raw materials***.

Amendment 103

Proposal for a directive
Article 1 – paragraph 1 – point 3

Directive 2008/98/EC

Article 4 – paragraph 3 – subparagraph 2

Text proposed by the Commission	*Amendment*
Member States shall report to the Commission the specific instruments put in place in accordance with this paragraph by [insert date eighteen months after the entry into force of this Directive] and every ***five*** years following that date.	Member States shall report to the Commission the specific instruments put in place in accordance with this paragraph by [insert date eighteen months after the entry into force of this Directive] and every ***three*** years following that date.

Amendment 104

Proposal for a directive
Article 1 – paragraph 1 – point 3 a (new)

Directive 2008/98/EC

Article 4 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	(3a) In Article 4, the following paragraph is added:
	"3a. Member States shall establish fee systems in order to ensure the financing of the waste management infrastructure for municipal waste that is necessary for the implementation of this Directive.";

Amendment 105

Proposal for a directive
Article 1 – paragraph 1 – point 3 b (new)

Directive 2008/98/EC

Article 4 – paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	(3b) In Article 4, the following paragraph is added:
	"3b. Member States shall apply the waste hierarchy in order to enhance the transition towards a circular economy. To this end, in accordance with Regulation (EU) No 1303/2013 of the European Parliament and of the Council[1a], Member States shall apply the waste hierarchy when allocating all Union funds and they shall prioritise prevention, re-use, preparation for re-use and recycling in the investments in the waste management infrastructure.
	[1a] Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).";

Amendment 107

Proposal for a directive
Article 1 – paragraph 1 – point 3 c (new)

Directive 2008/98/EC

Article 4 a (new)

Text proposed by the Commission	*Amendment*
	(3c) The following Article is inserted:
	"Article 4a
	Food waste hierarchy
	1. The following specific food waste hierarchy shall apply in order of priority in food waste prevention and management legislation and policy:
	(a) source prevention;
	(b) edible food rescue, prioritising human use over animal feed and the reprocessing into non-food products;
	(c) organic recycling;
	(d) energy recovery;
	(e) disposal.
	2. Member States shall provide incentives for the prevention of food waste, such as setting up voluntary agreements, facilitating food donation or, where appropriate, taking financial or fiscal measures.";

Amendment 108

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point a

Directive 2008/98/EC

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
1. ***Member States shall ensure that*** a substance or object resulting from a production process the primary aim of which is not the production of that substance or object ***is*** considered not to be waste, but to be a by-product if the	1. A substance or object resulting from a production process the primary aim of which is not the production of that substance or object ***shall be*** considered not to be waste, but to be a by-product if the

following conditions are met:	following conditions are met:

Amendment 109

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point b

Directive 2008/98/EC

Article 5 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a in order to ***establish*** detailed criteria on the application of the conditions laid down in paragraph 1 to specific substances or objects.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a in order to ***supplement this Directive by establishing*** detailed criteria on the application of the conditions laid down in paragraph 1 to specific substances or objects. ***The Commission shall prioritise the existing and replicable practices of industrial symbiosis in the development of the detailed criteria.***

Amendment 110

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point b a (new)

Directive 2008/98/EC

Article 5 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	(ba) the following paragraph is inserted:
	"2a. Where criteria have not been set at Union level in accordance with the procedure set out in paragraph 2, Member States may, on a case-by-case basis, establish detailed criteria on the

	application of the conditions laid down in paragraph 1 to specific substances or objects, including limit values for pollutants where necessary.";

Amendment 111

Proposal for a directive
Article 1 – paragraph 1 – point 4 – point c

Directive 2008/98/EC

Article 5 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Member States shall notify the Commission of technical regulations adopted under ***paragraph 1*** in accordance with Directive ***2015/1535/EC*** of the European Parliament and of the Council ***of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (*) where so required by that Directive.***	3. Member States shall notify the Commission of technical regulations adopted under ***paragraph 2a*** in accordance with Directive ***(EU) 2015/1535*** of the European Parliament and of the Council*.
_____	_____
(*) OJ L 241, 17.9.2015, p.1.	**** Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).***

Amendment 112

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point a – point i

Directive 2008/98/EC

Article 6 – paragraph 1 – introductory part

Text proposed by the Commission	*Amendment*
1. Member States shall ensure that waste which has undergone a recovery operation is considered to have ceased to be waste if it complies with the following conditions:	1. Member States shall ensure that waste which has undergone a ***recycling or other*** recovery operation is considered to have ceased to be waste if it complies with the following conditions:

Amendment 113

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 2

Text proposed by the Commission	*Amendment*
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a in order to ***establish*** detailed criteria on the application of the conditions laid down in paragraph 1 to ***certain*** waste. Those detailed criteria shall include limit values for pollutants where necessary and shall take into account any possible adverse ***environmental*** effects of the substance or object.	2. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a, ***on the basis of the monitoring of the situations in Member States,*** in order to ***supplement this Directive by establishing*** detailed criteria on the application of the conditions laid down in paragraph 1 to ***specific*** waste. Those detailed criteria shall include limit values for pollutants where necessary and shall take into account any possible adverse effects of the substance or object ***on human health and/or the environment***.

Amendment 114

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Waste which ***is considered to have*** ceased to be waste in accordance with paragraph 1 may be ***considered to be prepared for reuse, recycled or recovered*** for the purpose of the calculation of the achievement of the targets set out in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU of the European Parliament and of the Council(*) ***respectively*** if it has been subject to a preparing for reuse, recycling or recovery in accordance with those Directives.	3. Waste which ***has*** ceased to be waste in accordance with paragraph 1 may be ***taken into account*** for the purpose of the calculation of the achievement of the ***preparation for re-use, recycling or recovery*** targets set out in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU of the European Parliament and of the Council(*) if it has been subject to ***respectively*** a preparing for reuse, recycling or recovery ***operation*** in accordance with those Directives***. The weight of waste which is considered to have ceased to be waste may be reported as recycled if the materials or substances that have ceased to be waste are to be subject to reprocessing, excluding energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.***

Amendment 115

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Where criteria have not been set at Union level in accordance with the procedure set out in paragraph 2, Member States may establish detailed criteria on the application of the conditions laid

down in paragraph 1 to specific waste, including limit values for pollutants.

Amendment 116

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	3b. Where those criteria have not been established at national level, Member States shall ensure that waste which has undergone a recovery operation, is considered to have ceased to be waste if it complies with conditions laid down in paragraph 1, which shall be verified on a case-by-case basis by the national competent authority.

Amendment 117

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 3 c (new)

Text proposed by the Commission	*Amendment*
	3c. In view of ensuring coherence in the internal market, the Commission shall be empowered to adopt delegated acts in accordance with Article 38a in order to supplement this Directive by establishing general requirements to be followed by Member States when they adopt technical

	regulations under paragraph 3a and 3b of this Article.

Amendment 118

Proposal for a directive
Article 1 – paragraph 1 – point 5 – point b

Directive 2008/98/EC

Article 6 – paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States shall notify the Commission of technical regulations adopted under ***paragraph 1*** in accordance with Directive 2015/1535/EC ***of the European Parliament and of the Council where so required by that Directive.***	4. Member States shall notify the Commission of technical regulations adopted under ***paragraphs 3a and 3b*** in accordance with Directive 2015/1535/EC.

Amendment 119

Proposal for a directive
Article 1 – paragraph 1 – point 6 – point a a (new)

Directive 2008/98/EC

Article 7 – paragraph 4

Present text	*Amendment*
	(aa) paragraph 4 is replaced by the following:
4. The reclassification of hazardous waste as non-hazardous waste may not be achieved by diluting or mixing the waste with the aim of lowering the initial concentrations of hazardous substances to a level below the thresholds for defining waste as hazardous.	"4. The reclassification of hazardous waste as non-hazardous waste ***or a change of the hazardous properties*** may not be achieved by diluting or mixing the waste with the aim of lowering the initial concentrations of hazardous substances to a level below the thresholds for defining

	waste as hazardous ***or for establishing a hazardous property.";***

Amendment 120

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point -a (new)

Directive 2008/98/EC

Article 8 – paragraph 1 – subparagraph 1

Present text	*Amendment*
	(-a) in paragraph 1, the first subparagraph is replaced by the following:
1. In order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States ***may*** take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility.	"1. In order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States ***shall*** take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility.";

Amendment 121

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point a

Directive 2008/98/EC

Article 8 – paragraph 1 – subparagraph 3

Text proposed by the Commission	*Amendment*
Such measures may also include the establishment of extended producer responsibility schemes defining specific	Such measures may also include the establishment of extended producer responsibility schemes***, which cover***

operational and financial obligations for producers of products.	***individual or collective fulfilment of extended producer responsibility. Such schemes shall consist of a set of rules*** defining specific operational and***/or*** financial obligations for producers of products ***in which the producer's responsibility is extended to the post-consumer state of a product's life cycle. Member States shall set up such schemes for at least packaging as defined in point (1) of Article 3 of Directive 94/62/EC, electrical and electronic equipment as defined in point (a) of Article 3(1) of Directive 2012/19/EU, batteries and accumulators as defined in point (1) of Article 3 of Directive 2006/66/EC and end-of-life vehicles as defined in point (2) of Article 2 of Directive 2000/53/EC.***

Amendment 122

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point a a (new)

Directive 2008/98/EC

Article 8 – paragraph 2 – subparagraph 1

Present text	*Amendment*
	(aa) in paragraph 2, the first subparagraph is replaced by the following:
2. Member States ***may*** take appropriate measures ***to*** encourage the design of products in order to reduce their environmental impacts and the generation of waste in the course of the production and subsequent use of products, and in order to ensure that the recovery and disposal of products that have become waste take place in accordance with Articles 4 and 13.	"2. Member States ***shall*** take appropriate measures ***that*** encourage ***producers to improve*** the design of products ***and components of products*** in order to ***enhance resource efficiency***, reduce their environmental impacts and the generation of waste in the course of the production and subsequent use of products, and in order to ensure that the recovery and disposal of products that have become waste take place in accordance with Articles 4 and 13.";

Amendment 123

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b

Directive 2008/98/EC

Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission	*Amendment*
Such measures ***may*** encourage***, inter alia,*** the development, production and marketing of products that are suitable for multiple use, that are technically durable and that are, after having become waste, ***suitable for preparation*** for re-use ***and recycling*** in order to facilitate proper implementation of the waste hierarchy. The measures ***should*** take into account the impact of products throughout their life cycle.	Such measures ***shall*** encourage the development, production and marketing of products ***and materials*** that are suitable for multiple use, that are technically durable and ***easily repairable and*** that are, after having become waste ***and been prepared*** for re-use ***or recycled, suitable to be placed on the market*** in order to facilitate proper implementation of the waste hierarchy. The measures ***shall*** take into account the impact of products throughout their life cycle, ***including the potential for multiple recycling, where appropriate, and the waste hierarchy.***

Amendment 124

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b a (new)

Directive 2008/98/EC

Article 8 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	(ba) the following paragraph is inserted:

	"2a. Member States shall notify to the Commission measures adopted under paragraphs 1 and 2 by [insert date thirty-six months after the entry into force of this Directive] and thereafter every three years following that date. The Commission shall publish the notifications received.";

Amendment 125

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point b b (new)

Directive 2008/98/EC

Article 8 – paragraph 4

Present text	*Amendment*
	(bb) paragraph 4 is replaced by the following:
4. The extended producer responsibility shall be applied without prejudice to the responsibility for waste management as provided for in Article 15(1) ***and without prejudice to existing waste stream specific and product specific legislation***.	"4. The extended producer responsibility shall be applied without prejudice to the responsibility for waste management as provided for in Article 15(1). ***The provisions of Articles 8 and 8a are without prejudice to the provisions concerning extended producer responsibility contained in other Union legal acts.";***

Amendment 126

Proposal for a directive
Article 1 – paragraph 1 – point 7 – point c

Directive 2008/98/EC

Article 8 – paragraph 5

Text proposed by the Commission	*Amendment*
5. The Commission shall ***organise*** an exchange of information between Member States and the actors involved in producer responsibility schemes on the practical implementation of the requirements defined in Article 8a and on best practices to ensure adequate governance and cross-border cooperation of extended producer responsibility schemes. This includes, inter alia, exchange of information on the organisational features and the monitoring of producer responsibility organisations, the selection of waste management operators and the prevention of littering. The Commission shall publish the results of the exchange of information.	5. ***No later than ... [insert date 6 months after the entry into force of this Directive],*** the Commission shall ***set up a platform for*** an exchange of information between Member States, ***civil society organisations, regional and local authorities*** and the actors involved in producer responsibility schemes on the practical implementation of the requirements defined in Article 8a and on best practices to ensure adequate governance and cross-border cooperation of extended producer responsibility schemes ***and a smooth functioning of the internal market.*** This includes, inter alia, exchange of information on the organisational features and the monitoring of producer responsibility organisations, ***the development of harmonised criteria for the financial contributions referred to in point (b) of Article 8a(4),*** the selection of waste management operators and the prevention of ***waste generation and*** littering. The Commission shall publish the results of the exchange of information ***and may provide guidelines on relevant aspects.*** ***No later than ... [insert date 12 months after the entry into force of this Directive], based on a study and taking into account the input from the platform, the Commission shall adopt guidelines on the determination of the financial contributions referred to in point (b) of Article 8a(4). To ensure coherence in the internal market, the Commission may adopt delegated acts in accordance with Article 38a in order to supplement this Directive by establishing harmonised criteria to be followed by Member States when determining the financial contributions referred to in point (b) of Article 8a(4).***

Amendment 127

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – title

Text proposed by the Commission	*Amendment*
General requirements for extended producer responsibility schemes	General ***minimum*** requirements for extended producer responsibility schemes

Amendment 128

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 1

Text proposed by the Commission	*Amendment*
- define in a clear way the roles and responsibilities of producers of products placing goods on the market of the Union, organisations implementing extended producer responsibility on their behalf, private or public waste operators, local authorities and, where appropriate, recognised preparation for re-use operators;	- define in a clear way the roles and responsibilities of ***all actors involved, including*** producers of products placing goods on the market of the Union, organisations implementing extended producer responsibility on their behalf ***in the framework of collective schemes***, private or public waste operators, ***distributors, regional and*** local authorities and, where appropriate, ***re-use and repair networks, social economy enterprises and*** recognised preparation for re-use operators;

Amendment 129

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 2

Text proposed by the Commission	*Amendment*
- define measurable waste management targets, in line with the waste hierarchy, aiming to attain at least the quantitative targets relevant for the scheme as laid down in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU;	- define measurable ***waste reduction targets and*** waste management targets, in line with the waste hierarchy, aiming to attain at least the quantitative targets relevant for the scheme as laid down in this Directive, Directive 94/62/EC, Directive 2000/53/EC, Directive 2006/66/EC and Directive 2012/19/EU;

Amendment 130

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 3

Text proposed by the Commission	*Amendment*
- establish a reporting system to gather data on the products placed on the Union market by the producers subject to extended producer responsibility. Once these products become waste, the reporting system shall ensure that data is gathered on the collection and treatment of that waste specifying, where appropriate, the waste material flows;	- establish a reporting system to gather ***reliable and accurate*** data on the products placed on the Union market by the producers subject to extended producer responsibility. Once these products become waste, the reporting system shall ensure that ***reliable and accurate*** data is gathered on the collection and treatment of that waste specifying, where appropriate, the waste material flows;

Amendment 131

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 1 – indent 4

Text proposed by the Commission	*Amendment*
– ensure equal treatment and non-discrimination between producers of products and with ***regards*** to small and medium enterprises.	– ensure equal treatment and non-discrimination between producers of products***, as well as between providers of collection, transport and treatment services*** and with ***regard*** to small and medium enterprises.

Amendment 132

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 2

Text proposed by the Commission	*Amendment*
2. Member States shall take the necessary measures to ensure that the waste holders targeted by the extended producer responsibility schemes established in accordance with Article 8, paragraph 1, are informed about the available waste collection systems and the prevention of littering. Member States shall also take measures to create incentives for the waste holders to ***take part in the*** separate collection systems in place, notably through economic incentives or regulations, when appropriate.	2. Member States shall take the necessary measures to ensure that the waste holders targeted by the extended producer responsibility schemes established in accordance with Article 8, paragraph 1, are informed about the available ***take-back systems, re-use and repair networks, recognised preparation for re-use operators,*** waste collection systems and the prevention of littering. Member States shall also take measures to create incentives for the waste holders to ***assume their responsibility to deliver their waste into*** separate collection systems in place, notably through economic incentives

or regulations, when appropriate.

Amendment 133

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 3 – point a

Text proposed by the Commission	*Amendment*
(a) has a clearly defined geographical, product and material coverage;	(a) has a clearly defined geographical, product and material coverage ***that is based on the sales area and without limiting these areas to the territories in which the collection and management of waste are profitable***;

Amendment 134

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 3 – point b

Text proposed by the Commission	*Amendment*
(b) has the necessary operational and financial means to meet its extended producer responsibility obligations;	(b) has the necessary operational and***/or*** financial means to meet its extended producer responsibility obligations;

Amendment 135

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 3 – point d – indent 2

Text proposed by the Commission	*Amendment*
- the financial ***contributions*** paid by the producers;	***- in the framework of collective schemes***, the financial ***contribution*** paid by the producers ***per unit sold or per tonne of product placed on the market***;

Amendment 136

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 3 – point d – indent 3

Text proposed by the Commission	*Amendment*
- the selection procedure for waste management operators.	- ***in the framework of collective schemes,*** the selection procedure for waste management operators***;***

Amendment 137

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 3 – point d – indent 3 a (new)

Text proposed by the Commission	*Amendment*
	- the attainment of the waste reduction targets and waste management

targets referred to in the second indent of paragraph 1.

Amendment 139

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 4 – point a

Text proposed by the Commission	*Amendment*
a) cover the entire cost of waste management for the products it puts on the Union market, ***including all the following***:	a) cover the entire cost of waste management for the products it puts on the Union market, ***as follows***:
– costs of separate collection, sorting and treatment operations required ***to meet the waste management targets referred to in paragraph 1, second indent,*** taking into account the revenues from re-use or sales of secondary raw material from their products;	– costs of separate collection, sorting***, transport*** and treatment operations required to ***ensure the proper management of waste*** taking into account the revenues from re-use or sales of secondary raw material from their products;

Amendment 140

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 4 – point b

Text proposed by the Commission	*Amendment*
(b) are modulated on the basis of the real end-of-life cost of individual products or groups of similar products, notably by taking into account their re-usability and recyclability;	(b) ***in the framework of collective schemes,*** are modulated on the basis of the real end-of-life cost of individual products or groups of similar products, notably by taking into account their ***durability, reparability***, re-usability and recyclability

	and the presence of hazardous substances hereby taking a life-cycle approach and aligned with the requirements set by relevant Union law, and when available, based on harmonised criteria in order to ensure a smooth functioning of the internal market;

Amendment 141

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 4 – point c

Text proposed by the Commission	*Amendment*
(c) are based on the optimised cost of the services provided in cases where public waste management operators are responsible for implementing operational tasks on behalf of the extended producer responsibility scheme.	(c) are based on the optimised cost of the services provided in cases where public waste management operators are responsible for implementing operational tasks on behalf of the extended producer responsibility scheme. ***The optimised cost of the service shall be transparent and reflect the costs incurred by public waste management operators when implementing operational tasks on behalf of extended producer responsibility schemes.***

Amendment 142

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 5 – subparagraph 1

Text proposed by the Commission	*Amendment*
Member States shall establish an adequate monitoring and enforcement framework with the view to ensure that the producers of products are implementing their extended producer responsibility obligations, the financial means are properly used, and all actors involved in the implementation of the scheme report reliable data.	Member States shall establish an adequate monitoring and enforcement framework with the view to ensure that the producers of products are implementing their extended producer responsibility obligations, ***including in the case of distance sales,*** the financial means are properly used, and all actors involved in the implementation of the scheme report reliable data.

Amendment 143

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 5 – subparagraph 2

Text proposed by the Commission	*Amendment*
Where, in the territory of a Member State, multiple organisations implement extended producer responsibility obligations ***on behalf of the producers, Member State shall establish an independent authority to oversee the implementation of extended producer responsibility obligations.***	***Member States shall designate or establish an independent authority to oversee the implementation of*** extended producer responsibility obligations ***and in particular to verify the extended producer responsibility organisations' compliance with the requirements laid down in this Directive.***

Amendment 144

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 2008/98/EC

Article 8 a – paragraph 6

Text proposed by the Commission	*Amendment*
6. Member States shall establish a platform to ensure a regular dialogue between ***the*** stakeholders involved in the implementation of extended producer responsibility, including private or public waste operators, local authorities and, where applicable, recognised preparation for re-use operators.'	6. Member States shall ***designate or*** establish a platform to ensure a regular dialogue between ***all*** stakeholders involved in the implementation of extended producer responsibility, including ***producers and distributors***, private or public waste operators, ***social economy actors***, local authorities, ***civil society organisations*** and, where applicable, ***re-use and repair networks and*** recognised preparation for re-use operators.

Amendment 145

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph -1 (new)

Text proposed by the Commission	*Amendment*
	-1. In order to contribute to the prevention of waste, Member States shall aim to achieve at least the following objectives:
	(a) a significant reduction in waste generation;
	(b) decoupling of waste generation from economic growth;
	(c) a progressive substitution of substances of very high concern as defined in Article 57 of Regulation (EC) No 1907/2006 if there are suitable alternative substances or technologies that are economically and technically viable;
	(d) a Union food waste reduction target of 30 % by 2025 and of 50 % by 2030

	compared to the 2014 baseline;
	(e) a Union marine litter reduction target of 30 % by 2025 and 50 % by 2030 compared to the 2014 baseline.

Amendment 146

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall take measures ***to prevent waste generation. These measures shall:***	1. ***For the purpose of achieving the objectives set out in paragraph -1***, Member States shall take ***at least the following*** measures***:***
– ***encourage*** the use of products that are resource efficient, durable, reparable and recyclable;	– ***promote and support sustainable production and consumption models and*** the use of products that are resource efficient, durable, ***easy to share, reusable,*** reparable and recyclable;
	- ***discourage the placing on the market of products with planned obsolescence;***
- identify and target products that are the main sources of raw materials of a high importance to the economy of the Union and whose supply is associated with a high risk to prevent that those materials become waste;	- identify and target products that are the main sources of raw materials of a high importance to the economy of the Union and whose supply is associated with a high risk to prevent that those materials become waste;
– ***encourage*** the setting up of systems promoting ***reuse activities, including in particular for electrical and electronic equipment, textiles and furniture;***	– ***incentivise the extension of the life span of products, where environmentally beneficial, and support*** the setting up of systems promoting ***repair, re-use, remanufacturing and reconditioning activities of products as referred to in Article 9a;***
– reduce waste generation in processes related to industrial production, extraction	– reduce waste generation in processes related to industrial production,

of minerals ***and*** construction and demolition, taking into account best available techniques;	***manufacturing,*** extraction of minerals***,*** construction and demolition, ***including via means such as pre-demolition audits, and in processes related to commerce and services,*** taking into account best available techniques ***and best practices;***
– reduce the generation of food waste ***in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and foodservices as well as in households.***	– reduce ***the total*** generation of food waste***;***
	- reduce food losses along the whole supply chain, including primary production, transportation and storage;
	– prevent littering by identifying the products that are the main sources of littering in the natural environment, including the marine environment, and take measures to reduce littering from these sources;
	- ensure communication of substances of very high concern from the supply chain to consumers and waste treatment operators;
	– develop and support information campaigns to raise awareness on the issues surrounding waste prevention and littering.

Amendment 147

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or	2. Member States shall monitor and assess the implementation of the waste prevention measures. For that purpose, they shall use appropriate qualitative or

quantitative indicators and targets, notably on the per capita quantity of municipal waste that is disposed of or subject to energy recovery.	quantitative indicators and targets, notably on the per capita quantity of municipal waste ***generated and the amount of municipal waste*** that is disposed of or subject to energy recovery.

Amendment 148

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. The Commission shall adopt delegated acts in accordance with Article 38a in order to supplement this Directive by establishing indicators to measure the progress in the reduction of waste generation and in the implementation of the waste prevention measures listed in paragraph 1 of this Article. Those delegated acts shall be adopted within 18 months of the entry into force of this Directive.

Amendment 149

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3

Text proposed by the Commission	*Amendment*
3. Member States shall monitor and assess the implementation of their food	3. Member States shall monitor and assess the implementation of their food

waste prevention measures by measuring food waste on the basis of ***methodologies established in accordance with paragraph 4.***	waste prevention measures by measuring ***the levels of*** food waste on the basis of ***a common methodology. By 31 December 2017, the Commission shall adopt a delegated act in accordance with Article 38a in order to supplement this Directive by establishing the methodology, including minimum quality requirements, for the uniform measurement of the levels of food waste. That methodology shall take into account the waste prevention measures implemented through donations or other ways of preventing food from becoming waste.***

Amendment 236

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3a (new)

Text proposed by the Commission	*Amendment*
	3a. By 31 December 2020, the Commission shall examine the possibility of setting up binding Union-wide food waste reduction targets to be met by 2025 and 2030 on the basis of the measurements calculated in accordance with the common methodology established pursuant to paragraph 3. To that end, the Commission shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and to the Council.

Amendment 150

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3 b (new)

Text proposed by the Commission	*Amendment*
	3b. Member States shall monitor and assess the implementation of their land-based marine litter prevention measures by measuring the levels of land-based marine litter on the basis of a common methodology. By 31 December 2017, the Commission shall adopt a delegated act in accordance with Article 38a to establish the methodology, including minimum quality requirements, for the uniform measurement of land-based marine litter.

Amendment 151

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 3 c (new)

Text proposed by the Commission	*Amendment*
	3c. By 31 December 2018, the Commission shall examine the possibility of setting up Union-wide waste prevention targets to be met by 2025 and 2030 on the basis of a common indicator that is calculated by reference to the total amount of municipal waste generated per capita. To that end, the Commission shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and to the Council.

Amendment 152

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 4

Text proposed by the Commission	*Amendment*
4. The Commission may adopt implementing acts to establish indicators to measure the overall progress in the implementation of waste prevention measures. In order to ensure uniform measurement of the levels of food waste, the Commission shall adopt an implementing act to establish a common methodology, including minimum quality requirements. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 39(2).	***deleted***

Amendment 153

Proposal for a directive
Article 1 – paragraph 1 – point 9

Directive 2008/98/EC

Article 9 – paragraph 5

Text proposed by the Commission	*Amendment*
5. Every year, the European Environment Agency shall publish a report describing the evolution as regards the prevention of waste generation for each Member State and for the Union as a whole, including on decoupling of waste	***deleted***

generation from economic growth and on the transition towards a circular economy.

Amendment 154

Proposal for a directive
Article 1 – paragraph 1 – point 9 a (new)

Directive 2008/98/EC

Article 9 a (new)

Text proposed by the Commission	*Amendment*
	(9a) The following Article is inserted:
	"Article 9a
	Re-use
	1. Member States shall support the setting up of systems which promote re-use activities and the extension of the life span of products provided that the quality and safety of products are not compromised.
	2. Member States shall take measures to promote the re-use of products, in particular those containing significant amounts of critical raw materials. These measures may include encouraging the establishment and support of recognised re-use networks, deposit-refund and return-refill schemes and incentivising remanufacturing, refurbishment and repurposing of products.
	Member States shall make use of economic instruments and measures and may set up quantitative targets.
	3. Member States shall take the necessary measures to enable that re-use operators have access to instruction manuals, spare parts, technical information, or any other instrument,

	equipment or software required for the re-use of products, without prejudice to intellectual property rights.";

Amendment 155

Proposal for a directive
Article 1 – paragraph 1 – point 9 b (new)

Directive 2008/98/EC

Article 9 b (new)

Text proposed by the Commission	*Amendment*
	(9b) The following Article is inserted:
	"Article 9b
	Sharing platforms
	1. The Commission shall actively promote sharing platforms as a business model. The Commission shall create a strong connection between those platforms and the new guidelines for a collaborative economy and shall investigate all possible measures to provide incentives for them including extended producer responsibility, public procurement and ecodesign.
	2. Member States shall support the setting up of systems promoting sharing platforms in all sectors.";

Amendment 156

Proposal for a directive
Article 1 – paragraph 1 – point 9 c (new)

Directive 2008/98/EC

Article 10 – paragraph 2

Present text	*Amendment*
	(9c) In Article 10, paragraph 2 is replaced by the following:
2. ***Where necessary*** to comply with paragraph 1 and to facilitate or improve recovery, waste shall be collected separately ***if technically, environmentally and economically practicable*** and shall not be mixed with other waste or other material with different properties.	"2. ***In order*** to comply with paragraph 1 and to facilitate or improve recovery, waste shall be collected separately and shall not be mixed with other waste or other material with different properties.
	By way of derogation from the first subparagraph, Member States may exclude sparsely populated areas where it is demonstrated that separate collection does not deliver the best overall environmental outcome taking into account life-cycle thinking.
	Member States shall notify the Commission of their intention to make use of this derogation. The Commission shall review the notification and assess whether the derogation is justified, taking into account the objectives of this Directive. Where the Commission has raised no objections within nine months of the notification, the derogation shall be considered to be granted. Where the Commission objects, it shall adopt a decision and inform the Member State accordingly.";

Amendment 157

Proposal for a directive
Article 1 – paragraph 1 – point 9 d (new)

Directive 2008/98/EC

Article 10 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	(9d) In Article 10, the following paragraph is added:
	"2a. Member States shall take measures to ensure that waste that has been separately collected in accordance with Article 11(1) and Article 22 is not accepted in an incineration plant, with the exception of residue resulting from the sorting of that waste.";

Amendment 158

Proposal for a directive
Article 1 – paragraph 1 – point 9 e (new)

Directive 2008/98/EC

Article 10 – paragraph 2 b (new)

Text proposed by the Commission	*Amendment*
	(9e) In Article 10, the following paragraph is added:
	"2b. Member States shall take the necessary measures to decontaminate hazardous waste before recovery, where appropriate.";

Amendment 159

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point –a (new)

Directive 2008/98/EC

Article 11 – Title

Present text	*Amendment*
	(-a) the title is replaced by the following:
Re-use and recycling	"***Preparation for*** re-use and recycling";

Amendment 160

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point a

Directive2008/98/EC

Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commissoin	*Amendment*
1. Member States shall take measures, ***as appropriate,*** to promote preparing for re-use activities, ***notably*** by ***encouraging*** the establishment of and ***support for re-use*** and ***repair*** networks ***and*** by facilitating the access of such networks to waste collection points***, and*** by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures.	1. Member States shall take measures to promote preparing for re-use activities, ***inter alia,*** by ***facilitating*** the establishment of and ***recognition of preparation for re-use operators*** and networks, ***in particular those operating as social enterprises,*** by facilitating the access of such ***recognised operators and*** networks to waste collection points ***as well as*** by promoting the use of economic instruments, procurement criteria, quantitative objectives or other measures.

Amendment 161

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point a

Directive2008/98/EC

Article 11 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collection of waste ***where technically, environmentally and economically practicable and appropriate*** to meet the necessary quality standards for the relevant recycling sectors ***and to attain the targets set out in paragraph 2.***	Member States shall take measures to promote high quality recycling and, to this end, shall set up separate collection of waste***, as referred to in Article 10(2),*** to meet the necessary quality standards for the relevant recycling sectors.

Amendment 162

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point a a (new)

Directive2008/98/EC

Article 11 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission	*Amendment*
	(aa) in paragraph 1, the following subparagraph is inserted:
	"Member States shall make use of regulatory and economic instruments in order to incentivise the uptake of secondary raw materials.";

Amendment 164

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point a b (new)

Directive2008/98/EC

Article 11 – paragraph 1 – subparagraph 3

Present text	*Amendment*
	(ab) in paragraph 1, the third subparagraph is replaced by the following:
"Subject to Article 10(2), by 2015 separate collection shall be set up for at least the following: paper, metal, plastic and glass."	"Subject to Article 10(2), by 2015 separate collection shall be set up for at least the following: paper, metal, plastic and glass. ***In addition, Member States shall set up mandatory separate collection of textiles by 2020.";***

Amendment 165

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point b

Directive 2008/98/EC

Article 11 – paragraph 1 – subparagraph 4

Text proposed by the Commission	*Amendment*
Member States shall take measures to ***promote*** sorting ***systems for*** construction and demolition waste ***and*** for at least the following: wood, ***aggregates,*** metal, glass and plaster.	Member States shall take measures to ***ensure*** sorting ***of*** construction and demolition waste for at least the following: wood***, mineral fractions (concrete, bricks, tiles and ceramics),*** metal, ***plastics, gypsum,*** glass and plaster. ***Member States may use measures as listed in Annex IVa.***
	Member States shall incentivise pre-demolition audits in order to minimise the content of pollutants or other undesirable substances in construction and demolition waste and thus contribute to high quality recycling.

Amendment 166

Proposal for a directive

Article 1 – paragraph 1 – point 10 – point b a (new)

Directive 2008/98/EC

Article 11 – paragraph 1 – subparagraph 4 a (new)

Text proposed by the Commission	*Amendment*
	(ba) In paragraph 1, the following subparagraph is inserted:
	"Member States shall take measures to promote sorting systems for commercial and industrial waste for at least the following: metals, plastics, paper and cardboard, bio-waste, glass and wood.";

Amendment 167

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point b b (new)

Directive 2008/98/EC

Article 11 – paragraph 2 – introductory part

Present text	*Amendment*
	(bb) the introductory part of paragraph 2 is replaced by the following:
In order to comply with the objectives of this Directive, and move towards a European ***recycling society*** with a high level of resource efficiency, Member States shall take the necessary measures designed to achieve the following targets:	"In order to comply with the objectives of this Directive, and move towards a European ***circular economy*** with a high level of resource efficiency, Member States shall take the necessary measures designed to achieve the following targets:";

Amendment 168

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point d

Directive 2008/98/EC

Article 11 – paragraph 2 – point c

Text proposed by the Commission	*Amendment*
(c) by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60% by weight;	(c) by 2025, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of 60% by weight ***of municipal waste generated, including a minimum of 3% of total municipal waste prepared for re-use***;

Amendment 169

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point d

Directive 2008/98/EC

Article 11 – paragraph 2 – point d

Text proposed by the Commission	*Amendment*
(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of ***65%*** by weight.	(d) by 2030, the preparing for re-use and the recycling of municipal waste shall be increased to a minimum of ***70%*** by weight ***of municipal waste generated, including a minimum of 5 % of total municipal waste prepared for re-use;***

Amendment 170

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 3 – subparagraph 1

Text proposed by the Commission	*Amendment*
3. ***Estonia, Greece, Croatia, Latvia, Malta, Romania and Slovakia may obtain five additional years for the attainment of the targets referred to in paragraph 2(c) and (d).*** The Member State shall ***notify*** the Commission ***of its intention*** to ***make use of this provision*** at the latest 24 months before the ***respective deadlines*** laid down in ***paragraphs 2(c) and (d). In the event of an extension, the Member State shall take the necessary measures to increase the preparing for re-use and the recycling of municipal waste to a minimum of 50% and 60% by weight, by 2025 and 2030 respectively.***	3. ***A Member State may request a five-year extension to attain the target referred to in point (c) of paragraph 2 if it fulfils the following conditions:***
	(a) it has prepared for re-use and recycled less than 20 % of its municipal waste in 2013; and
	(b) it is not included in the list of Member States at risk of not achieving the target of preparing for re-use and recycling at least 50 % of their municipal waste by 2025 established pursuant to point (b) of Article 11b(2).
	The Member State shall ***submit a request to*** the Commission to ***obtain such an extension*** at the latest 24 months before the ***deadline*** laid down in ***point (c) of paragraph 2, but not before the publication of the report referred to in Article 11b concerning the achievement of the target laid down in this paragraph.***

Amendment 171

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 3 – subparagraph 2

Text proposed by the Commission	*Amendment*
The notification shall be accompanied by an implementation plan presenting the measures needed to ensure compliance with the targets before the new deadline. The plan shall also include a detailed timetable for the implementation of the proposed measures and an assessment of their expected impacts.	***The request for extension*** shall be accompanied by an implementation plan presenting the measures needed to ensure compliance with the target before the new deadline. The plan shall ***be drafted on the basis of an evaluation of the existing waste management plans and shall*** also include a detailed timetable for the implementation of the proposed measures and an assessment of their expected impacts. ***In addition, the plan referred to in the third subparagraph shall comply at least with the following requirements:*** ***(a) it uses appropriate economic instruments to provide incentives for the application of the waste hierarchy as referred to in Article 4(1) of this Directive;*** ***(b) it demonstrates efficient and effective use of Structural and Cohesion Funds and other measures through demonstrable long-term investments which finance the development of the waste management infrastructures that are needed to meet the relevant targets***; ***(c) it provides high-quality statistics and generates clear forecasts of waste management capacities and of the distance to the targets as specified in Article 11(2) of this Directive, Article 6(1) of Directive 94/62/EC and Article 5(2a), (2b) and (2c) of Directive 1999/31/EC;*** ***(d) it has set out waste prevention programme as referred to in Article 29 of this Directive.*** ***The Commission shall assess whether the requirements set out in points (a) to (d) of the fourth subparagraph are fulfilled. Unless the Commission raises objections to the presented plan within five months of the date of receipt, the request for extension shall be deemed to be accepted.***

	If the Commission raises objections to the presented plan, it shall require the Member State concerned to submit a revised plan within two months of receipt of those objections.
	The Commission shall assess the revised plan within two months of its receipt and shall accept or reject the request for extension in writing. In the absence of a decision from the Commission within that deadline, the request for extension shall be deemed to be accepted.
	The Commission shall inform the European Parliament and the Council about the outcome of its decisions within two months of taking those decisions.
	If the extension referred to in the first subparagraph is granted but the Member State does not prepare for re-use and recycle at least 50 % of its municipal waste by 2025, that extension shall be considered as automatically cancelled.

Amendment 172

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. A Member State may request a five year extension to attain the target referred to in point (d) of paragraph 2 if it fulfils

	the following conditions:
	(a) it complies with the conditions set out in points (a) and (b) of the first subparagraph of paragraph 3; and
	(b) it is not included in the list of Member States at risk of not achieving the target of preparing for re-use and recycling at least 60% of their municipal waste by 2030 established pursuant to point (b) of Article 11b(2).
	In order to request the extension referred to in the first subparagraph of this Article, a Member State shall submit its request to the Commission in accordance with paragraph 3 of this Article at least 24 months before the deadline laid down in point (d) of paragraph 2 of this Article, but not before the publication of the report referred to in Article 11b concerning the achievement of the target laid down in this paragraph.
	If such an extension is granted but the Member State does not prepare for re-use and recycle at least 60 % of its municipal waste by 2030, that extension shall be considered as automatically cancelled.

Amendment 173

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 4

Text proposed by the Commission	*Amendment*
4. By 31 December 2024 at the latest, the Commission shall examine the target laid down in paragraph 2(d) with a view to increasing it, ***and*** considering ***the setting of targets for other waste streams.*** To this end, a report of the Commission,	4. By 31 December 2024 at the latest, the Commission shall examine the target laid down in paragraph 2(d) with a view to increasing it, considering ***best practices and measures used by Member States to reach this target***. To this end, a report of

accompanied by a proposal, if appropriate, shall be sent to the European Parliament and the Council.	the Commission, accompanied by a proposal, if appropriate, shall be sent to the European Parliament and the Council.

Amendment 174

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	4a. The Commission shall examine the possibility of setting preparing for re-use and recycling targets that apply to commercial waste, non-hazardous industrial waste and other waste streams to be met by 2025 and 2030. To that end, by 31 December 2018, the Commission shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and the Council.

Amendment 175

Proposal for a directive
Article 1 – paragraph 1 – point 10 – point e

Directive 2008/98/EC

Article 11 – paragraph 4 b (new)

Text proposed by the Commission	*Amendment*
	4b. The Commission shall consider the possibility of setting preparing for re-use and recycling targets that apply to construction and demolition waste to be

	met by 2025 and 2030. To that end, by 31 December 2018, the Commission shall draw up a report, accompanied by a legislative proposal, if appropriate, which shall be sent to the European Parliament and the Council.

Amendment 176

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 1

Text proposed by the Commission	*Amendment*
1. For the purpose of calculating whether the targets laid down in Article 11(2)(c) and (d) and 11(3) have been attained,	1. For the purpose of calculating whether the targets laid down in Article 11(2)(c) and (d) and 11(3) have been attained,
(a) the weight of the municipal waste recycled shall be ***understood*** as the weight of the input waste entering ***the*** final recycling process***;***	(a) the weight of the municipal waste recycled shall be ***calculated*** as the weight of the input waste entering ***a*** final recycling process ***in a given year;***
(b) the weight of the municipal waste prepared for reuse shall be ***understood*** as the weight of municipal waste that has been recovered or collected by a recognised preparation for re-use operator and has undergone all necessary checking, cleaning and repairing operations to enable re-use without further sorting or pre-processing***;***	(b) the weight of the municipal waste prepared for reuse shall be ***calculated*** as the weight of municipal waste that has been recovered or collected ***in a given year*** by a recognised preparation for re-use operator and has undergone all necessary checking, cleaning and repairing operations to enable re-use without further sorting or pre-processing***.***
(c) Member States may include products and components prepared for re-use by recognised preparation for re-use operators or deposit-refund schemes. For the calculation of the adjusted rate of municipal waste prepared for re-use and recycled taking into account the weight of the products and components prepared for re-use, Member States shall use verified data from the operators and apply the	

formula set out in Annex VI.

Amendment 177

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. By 31 December 2018, the Commission shall request the European standardisation organisations to develop European quality standards for waste materials entering the final recycling process and for secondary raw materials, in particular for plastics, based on best available practices.

Amendment 178

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 2

Text proposed by the Commission	*Amendment*
2. In order to ensure harmonised conditions for the application of paragraph 1***(b)*** and ***(c) and of Annex VI***, the Commission shall adopt delegated acts in accordance with Article 38a establishing minimum quality and operational requirements for the determination of recognised preparation for re-use operators ***and*** deposit-refund schemes, including	2. In order to ensure harmonised conditions for the application of paragraph 1***(a)*** and ***(b)***, the Commission shall adopt delegated acts in accordance with Article 38a establishing minimum quality and operational requirements for the determination of recognised preparation for re-use operators***,*** deposit-refund schemes ***and final recycling operators***, including

specific rules on data collection, verification and reporting.	specific rules on data collection, ***traceability***, verification and reporting.

Amendment 179

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 3

Text proposed by the Commission	*Amendment*
3. ***By way of derogation from paragraph 1, the weight of the output of any sorting operation may be reported as the weight of the municipal waste recycled provided that:***	3. ***Member States shall ensure that records are kept on the weight of products and materials when leaving (i.e., output) the recovery or recycling/preparing for re-use facility.***
(a) such output waste is sent into a final recycling process;	
(b) the weight of materials or substances that are not subject to a final recycling process and that are disposed or subject to energy recovery remains below 10% of the total weight to be reported as recycled.	

Amendment 180

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States shall establish an effective system of quality control and	4. ***In accordance with paragraph 2,*** Member States shall establish an effective

traceability of the municipal waste to ensure ***that conditions*** laid down in paragraph ***3(a) and (b) are met***. The system may consist of either electronic registries set up pursuant to Article 35(4), technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste.	system of quality control and traceability of the municipal waste to ensure ***compliance with the rules*** laid down in paragraph ***1***. The system may consist of either electronic registries set up pursuant to Article 35(4), technical specifications for the quality requirements of sorted waste or any equivalent measure to ensure the reliability and accuracy of the data gathered on recycled waste. ***Member States shall inform the Commission about the method chosen for quality control and traceability.***

Amendment 181

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 5

Text proposed by the Commission	*Amendment*
5. For the purposes of calculating whether the targets laid down in Article 11(2)(c) and (d) and Article 11(3) have been achieved Member States may take into account the recycling of metals that takes place in conjunction with incineration in proportion to the share of the municipal waste incinerated provided that the recycled metals meet certain quality requirements.	5. For the purposes of calculating whether the targets laid down in Article 11(2)(c) and (d) and Article 11(3) have been achieved Member States may***, after the adoption by the Commission of the delegated act referred to in paragraph 6 of this Article,*** take into account the recycling of metals that takes place in conjunction with incineration ***or co-incineration*** in proportion to the share of the municipal waste incinerated ***or co-incinerated*** provided that the recycled metals meet certain quality requirements ***and that waste has been sorted prior to incineration or the obligation to set up separate collection for paper, metal, plastic, glass and bio-waste has been complied with***.

Amendment 182

Proposal for a directive
Article 1 – paragraph 1 – point 11

Directive 2008/98/EC

Article 11 a – paragraph 6

Text proposed by the Commission	*Amendment*
6. In order to ensure harmonised conditions for the application of paragraph 5, the Commission shall adopt delegated acts in accordance with Article 38a establishing a common methodology for the calculation of the weight of metals that have been recycled in conjunction with incineration, including, the quality criteria for the recycled metals.	6. In order to ensure harmonised conditions for the application of paragraph 5, the Commission shall adopt delegated acts in accordance with Article 38a establishing a common methodology for the calculation of the weight of metals that have been recycled in conjunction with incineration ***or co-incineration***, including, the quality criteria for the recycled metals.

Amendment 183

Proposal for a directive
Article 1 – paragraph 1 – point 12

Directive 2008/98/EC

Article 11 b – paragraph 1

Text proposed by the Commission	*Amendment*
1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the achievement of the targets laid down in Articles 11(2)(c) and (d) ***and (3)*** three years before each time-limit laid down in those provisions at the latest.	1. The Commission shall, in cooperation with the European Environment Agency, draw up reports on the progress towards the achievement of the targets laid down in Articles 11(2)(c) and (d)***, Article 11(3) and (3a) and Article 21(1a)*** three years before each time-limit laid down in those provisions at the latest.

Amendment 184

Proposal for a directive
Article 1 – paragraph 1 – point 12

Directive 2008/98/EC

Article 11 b – paragraph 2 – point b a (new)

Text proposed by the Commission	*Amendment*
	(ba) examples of best practices that are used throughout the Union and that could provide guidance for progressing towards achieving the targets.

Amendment 185

Proposal for a directive
Article 1 – paragraph 1 – point 12

Directive 2008/98/EC

Article 11 b – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. Where necessary, the reports referred to in paragraph 1 shall address the implementation of other requirements of this Directive such as the forecasting of the attainment of the targets contained in the waste prevention programmes referred to in Article 29 and the percentage and the per capita quantity of municipal waste that is disposed of and subject to energy recovery.

Amendment 186

Proposal for a directive
Article 1 – paragraph 1 – point 12 a (new)

Directive 2008/98/EC

Article 12 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	(12a) In Article 12, the following paragraph is added:
	"1a. Member States shall take the necessary measures to ensure that, by 2030, the amount of municipal waste disposed of is reduced to a maximum of 10 % of the total amount of municipal waste generated.";

Amendment 187

Proposal for a directive
Article 1 – paragraph 1 – point 12 b (new)

Directive 2008/98/EC

Article 12 – paragraph 1 b (new)

Text proposed by the Commission	*Amendment*
	(12b) In Article 12, the following paragraph is added:
	"1b. The Commission shall review the disposal operations listed in Annex I. In light of that review, the Commission shall adopt delegated acts supplementing this Directive laying down technical criteria and operational procedures for the disposal operations D2, D3, D4, D6, D7, and D12. If appropriate, those delegated acts shall establish a ban on the disposal operations that do not meet the requirements laid down in Article 13.";

Amendment 188

Proposal for a directive
Article 1 – paragraph 1 – point 12 c (new)

Directive 2008/98/EC

Article 12 – paragraph 1 c (new)

Text proposed by the Commission	*Amendment*
	(12c) In Article 12, the following paragraph is added:
	"1c. Member States shall take specific measures to prevent the disposal of waste, both directly and indirectly, into the marine environment. Member States shall report to the Commission the measures put into place to implement this paragraph 18 months after the entry into force of this Directive and every two years following that date. The Commission shall publish a biennial report based on the information provided within six months.
	The Commission shall adopt implementing acts to establish modalities and indicators for the implementation of this paragraph. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 39(2).";

Amendment 189

Proposal for a directive
Article 1 – paragraph 1 – point 12 d (new)

Directive 2008/98/EC

Article 15 – paragraph 4 a (new)

Text proposed by the Commission	*Amendment*
	(12d) In Article 15, the following paragraph is added:
	"4a. In accordance with Directive 2014/24/EU, Member States may take measures to ensure that the selection procedure for waste management operators, carried out by local authorities and organisations which implement extended producer responsibility on behalf of a producer of products, includes social clauses with a view to supporting the role of social and solidarity enterprises and platforms.";

Amendment 190

Proposal for a directive
Article 1 – paragraph 1 – point 12 e (new)

Directive 2008/98/EC

Article 18 – paragraph 3

Present text	*Amendment*
	(12e) In Article 18, paragraph 3 is replaced by the following:
3. ***Subject to technical and economic feasibility criteria,*** where hazardous waste has been mixed in a manner contrary to paragraph 1, ***separation*** shall ***be*** carried out where ***possible and necessary in order to comply with Article 13***.	"3. Where hazardous waste has been mixed in a manner contrary to paragraph 1, ***Member States*** shall ***ensure, without prejudice to Article 36, that separation is*** carried out where ***technically feasible.***
	Where separation is not technically feasible, the mixed waste shall be treated in an installation permitted to treat such a mixture as well as the individual components of this mixture.";

Amendment 191

Proposal for a directive
Article 1 – paragraph 1 – point 12 f (new)

Directive 2008/98/EC

Article 20 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	(12f) in Article 20, the following subparagraph is inserted:
	"By 1 January 2020, Member States shall set up separate collection and reception systems for hazardous waste generated by households to ensure that hazardous waste is treated correctly and does not contaminate other municipal waste streams.";

Amendment 192

Proposal for a directive
Article 1 – paragraph 1 – point 12 g (new)

Directive 2008/98/EC

Article 20 – paragraph 1 b (new)

Text proposed by the Commission	*Amendment*
	(12g) in Article 20, the following paragraph is inserted:
	"By ... [18 months after the date of entry into force of this Directive], the Commission shall draw up guidelines to assist and facilitate Member States in the collection and the safe management of hazardous waste generated by households.";

Amendment 193

Proposal for a directive
Article 1 – paragraph 1 – point 12 h (new)

Directive 2008/98/EC

Article 21 – paragraph 1 – point a

Present text	*Amendment*
	(12h) In Article 21(1), point a is replaced by the following:
(a) waste oils are collected separately***, where this is technically feasible***;	"(a) waste oils are collected separately;";

Amendment 194

Proposal for a directive
Article 1 – paragraph 1 – point 12 i (new)

Directive 2008/98/EC

Article 21 – paragraph 1 – point c

Present text	*Amendment*
	(12i) In Article 21(1), point c is replaced by the following:
(c) ***where this is technically feasible and economically viable***, waste oils of different characteristics are not mixed and waste oils are not mixed with other kinds of waste or substances, if such mixing impedes their ***treatment.***	"(c) waste oils of different characteristics are not mixed and waste oils are not mixed with other kinds of waste or substances, if such mixing impedes their ***regeneration.***";

Amendment 195

Proposal for a directive
Article 1 – paragraph 1 – point 12 j (new)

Directive 2008/98/EC

Article 21 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	(12j) In Article 21, the following paragraph is inserted:
	"1a. Member States shall take the necessary measures designed to achieve that, by 2025, regeneration of waste oils is increased to a minimum of 85 % of the generated waste oils.
	Waste oils sent to another Member State for the purpose of regeneration in that other Member State may only be counted towards the attainment of the target by the Member State in which those waste oils were collected, and if the relevant requirements of Regulation (EC) No 1013/2006 on transboundary shipments of hazardous waste are satisfied.
	Waste oils exported from the Union for regeneration, preparing for re-use or recycling shall only count towards the attainment of the target by the Member State in which they were collected if, in accordance with Regulation (EC) No 1013/2006, the exporter can prove that the shipment of waste complies with the requirements of that Regulation and that the regeneration treatment of waste oils outside the Union took place in conditions that are equivalent to the requirements of the relevant Union environmental law.";

Amendment 196

Proposal for a directive
Article 1 – paragraph 1 – point 12 k (new)

Directive 2008/98/EC

Article 21 – paragraph 2

Present text	*Amendment*
	(12k) In Article 21, paragraph 2 is replaced by the following:
2. ***For the purposes of separate collection of waste oils and their proper treatment,*** Member States may, according to their national conditions, apply additional measures such as technical requirements, producer responsibility, economic instruments or voluntary agreements.	"2. ***To comply with the obligations set out in paragraphs 1 and 1a,*** Member States may, according to their national conditions, apply additional measures such as technical requirements, producer responsibility, economic instruments or voluntary agreements.";

Amendment 197

Proposal for a directive
Article 1 – paragraph 1 – point 12 l (new)

Directive 2008/98/EC

Article 21 – paragraph 3

Present text	*Amendment*
	(12l) In Article 21, paragraph 3 is replaced by the following:
3. ***If waste oils, according to national legislation, are subject to requirements of regeneration,*** Member States may ***prescribe that such waste oils shall be regenerated if technically feasible and,*** where Articles 11 or 12 of Regulation (EC) No 1013/2006 apply, restrict the transboundary shipment of waste oils from their territory to incineration or co-incineration facilities in order to give priority to the regeneration of waste oils.	***"***3. Member States may, where Articles 11 or 12 of Regulation (EC) No 1013/2006 apply, restrict the transboundary shipment of waste oils from their territory to incineration or co-incineration facilities in order to give priority to the regeneration of waste oils.";

Amendment 198

Proposal for a directive
Article 1 – paragraph 1 – point 13

Directive 2008/98/EC

Article 22 – paragraph 1

Text proposed by the Commission	*Amendment*
Member States shall ensure ***the*** separate collection of bio-waste ***where technically, environmentally and economically practicable and appropriate to ensure the relevant quality standards for compost and to attain the targets set out in Article 11(2)(a), (c) and (d) and 11(3).***	***1.*** Member States shall ensure separate collection ***at source*** of bio-waste***, in accordance with Article 10(2).***

Amendment 199

Proposal for a directive
Article 1 – paragraph 1 – point 13

Directive 2008/98/EC

Article 22 – paragraph 1 a (new)

Text proposed by the Commission	*Amendment*
	1a. Member States shall encourage home-composting.

Amendment 237

Proposal for a directive
Article 1 – paragraph 1 – point 13

Directive 2008/98/EC

Article 22 – paragraph 2

Text proposed by the Commission	*Amendment*
They shall take measures, ***as appropriate, and*** in accordance with Articles 4 and 13, to ***encourage the following:***	***2. Member States*** shall take measures, ***including traceability and input- and output-related quality assurance schemes,*** in accordance with Articles 4 and 13, to ***ensure the organic recycling of bio-waste in a way that fulfils a high level of environmental protection and the output of which meets relevant high quality standards.***
(a) the recycling, including composting, and digestion of bio-waste;	
(b) the treatment of biowaste in a way that fulfils a high level of environmental protection;	
(c) the use of environmentally safe materials produced from bio-waste.	

Amendment 242

Proposal for a directive
Article 1 – paragraph 1 – point 13

Directive 2008/98/EC

Article 22 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	2a. The weight of bio-waste recycled shall be understood as the weight of the input waste entering an organic recycling process in a given year.
	The weight of materials or substances that are not subject to a final recycling process and that are disposed of or subject to energy recovery shall not be reported as recycled.

Amendment 201

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 2008/98/EC

Article 22 – paragraph 2 b (new)

Text proposed by the Commission	*Amendment*
	2b. The Commission shall, by 31 December 2018, propose an amendment to Regulation (EC) No 2150/2002 of the European Parliament and of the Council[1a] to introduce European waste codes for municipal bio-waste that has been separately collected at source.
	[1a] Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics (OJ L 332, 9.12.2002, p. 1).

Amendment 238

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 2008/98/EC

Article 22 – paragraph 2 c (new)

Text proposed by the Commission	*Amendment*
	2c. By 31 December 2018, the Commission shall request the European standardisation organisations to develop European quality standards for bio-waste entering organic recycling processes, for compost and for digestate, based on best

available practices.

Amendment 202

Proposal for a directive
Article 1 – paragraph 1 – point 13 a (new)

Directive 2008/98/EC

Article 24 – paragraph 1 – point b

Present text	*Amendment*
	(13a) In Article 24, point b is replaced by the following:
b) recovery of waste.	"b) recovery of ***non-hazardous*** waste.";

Amendment 203

Proposal for a directive
Article 1 – paragraph 1 – point 14

Directive 2008/98/EC

Article 26 – paragraph 3

Text proposed by the Commission	*Amendment*
Member States may exempt the competent authorities from keeping a register of establishments or undertakings which collect or transport quantities of non-hazardous waste not exceeding 20 tonnes annually.	Member States may exempt the competent authorities from keeping a register of establishments or undertakings which collect or transport quantities of non-hazardous waste not exceeding 20 tonnes ***and of hazardous waste not exceeding 2 tonnes*** annually.

Amendment 204

Proposal for a directive
Article 1 – paragraph 1 – point 14

Directive 2008/98/EC

Article 26 – paragraph 4

Text proposed by the Commission	*Amendment*
The Commission may adopt delegated acts in accordance with Article 38a in order to adapt the threshold for quantities of non-hazardous waste.	***deleted***

Amendment 205

Proposal for a directive
Article 1 – paragraph 1 – point 15 – point a

Directive 2008/98/EC

Article 27 – paragraph 1

Text proposed by the Commission	*Amendment*
1. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a setting out technical minimum standards for treatment activities which require a permit pursuant to Article 23 where there is evidence that a benefit in terms of the protection of human health and the environment would be gained from such minimum standards.	1. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a setting out technical minimum standards for ***any*** treatment activities***, in particular for separate collection, sorting and recycling of waste,*** which require a permit pursuant to Article 23 where there is evidence that a benefit in terms of the protection of human health and the environment would be gained from such minimum standards.

Amendment 206

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point a – point ii

Directive 2008/98/EC

Article 28 – paragraph 3 – point f

Text proposed by the Commission	*Amendment*
(f) measures to combat all forms of littering and to clean up all types of litter.	(f) measures to combat ***and prevent*** all forms of littering and to clean up all types of litter.

Amendment 207

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point a – point ii a (new)

Directive 2008/98/EC

Article 28 – paragraph 3 – point f a (new)

Text proposed by the Commission	*Amendment*
	(iia) the following point is added:
	"(fa) sufficient funding opportunities for local authorities to promote waste prevention and develop optimal separate collection schemes and infrastructure in order to comply with the objectives set out in this Directive.";

Amendment 208

Proposal for a directive
Article 1 – paragraph 1 – point 16 – point b

Directive 2008/98/EC

Article 28 – paragraph 5

Text proposed by the Commission	*Amendment*
5. Waste management plans shall conform to the waste planning requirements laid down in Article 14 of Directive 94/62/EC, the targets laid down in Article 11(2) ***and (3)*** of this Directive and the requirements in Article 5 of Directive 1999/31/EC.	5. Waste management plans shall conform to the waste planning requirements laid down in Article 14 of Directive 94/62/EC, the targets laid down in Article 11(2) of this Directive and the requirements in Article 5 of Directive 1999/31/EC.

Amendment 209

Proposal for a directive
Article 1 – paragraph 1 – point 17 – point a

Directive 2008/98/EC

Article 29 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall establish waste prevention programmes setting out waste prevention measures in accordance with ***Articles 1, 4 and*** 9.	1. ***In order to contribute towards reaching at least the objectives listed in Article 1, Article 4 and paragraph -1 of Article 9,*** Member States shall establish waste prevention programmes***,*** setting out ***at least*** waste prevention measures in accordance with ***paragraph 1 of Article*** 9.

Amendment 210

Proposal for a directive
Article 1 – paragraph 1 – point 17 – point a a (new)

Directive 2008/98/EC

Article 29 – paragraph 1 – subparagraph 2

Present text	*Amendment*
	(aa) in paragraph 1, the second subparagraph is replaced by the following:
Such programmes shall be integrated either into the waste management plans provided for in Article 28 or into other environmental policy programmes, as appropriate, or shall function as separate programmes. If any such programme is integrated into the waste management plan or into other programmes, the waste prevention measures shall be clearly identified.	"Such programmes shall be integrated either into the waste management plans provided for in Article 28 or into other environmental policy programmes, as appropriate, or shall function as separate programmes. If any such programme is integrated into the waste management plan or into other programmes, the waste prevention ***objectives and*** measures shall be clearly identified."

Amendment 211

Proposal for a directive
Article 1 – paragraph 1 – point 17 – point a b (new)

Directive 2008/98/EC

Article 29 – paragraph 2

Present text	*Amendment*
	(ab) in paragraph 2, the first subparagraph is replaced by the following:
2. The programmes ***provided for*** in paragraph 1 ***shall set out the waste prevention objectives.*** Member States shall describe the ***existing*** prevention measures ***and*** evaluate the usefulness of the examples of measures indicated in Annex IV or other appropriate measures.	"2. ***In*** the programmes ***referred to*** in paragraph 1**,** Member States shall describe, ***at least, the implementation of*** the prevention measures ***referred to in paragraph 1 of Article 9 and their contribution to the achievement of the objectives set out in paragraph -1 of Article 9. Member States shall, where relevant, describe the contribution of***

instruments and measures listed in Annex IVa and shall evaluate the usefulness of the examples of measures indicated in Annex IV or other appropriate measures.

Amendment 212

Proposal for a directive
Article 1 – paragraph 1 – point 17 – point a c (new)

Directive 2008/98/EC

Article 29 – paragraph 2 a (new)

Text proposed by the Commission	*Amendment*
	(ac) the following paragraph is inserted:
	"2a. Member States shall adopt specific food waste prevention programmes within their waste prevention programmes as referred to in this Article.";

Amendment 213

Proposal for a directive
Article 1 – paragraph 1 – point 17 a (new)

Directive 2008/98/EC

Article 30 – paragraph 2

Present text	*Amendment*
	(17a) In Article 30, paragraph 2 is replaced by the following:
2. The European Environment Agency ***is invited to include in its annual*** report a review of progress in the completion and implementation of waste prevention programmes.	"2. The European Environment Agency ***shall publish every two years a*** report ***containing*** a review of the progress ***made*** in the completion and implementation of waste prevention programmes ***and the achievements made as regards the***

	objectives of the waste prevention programmes for each Member State and for the Union as a whole, including the decoupling of waste generation from economic growth and the transition towards a circular economy.";

Amendment 214

Proposal for a directive
Article 1 – paragraph 1 – point 19 – point b

Directive 2008/98/EC

Article 35 – paragraph 4

Text proposed by the Commission	*Amendment*
4. Member States shall set up an electronic registry or coordinated registries to record the data on hazardous waste referred to in paragraph 1 covering the entire geographical territory of the Member State concerned. Member States ***may*** establish such registries for ***other waste streams, in particular those*** waste streams for which targets are set in Union legislation. Member States shall use the data on waste reported by industrial operators in the European Pollutant Release and Transfer Register set up under Regulation (EC) No 166/2006 of the European Parliament and of the Council (*).	4. Member States shall set up an electronic registry or coordinated registries***, or use already established electronic registries or coordinated registries,*** to record the data on hazardous waste referred to in paragraph 1 covering the entire geographical territory of the Member State concerned. Member States ***shall*** establish such registries for ***at least the*** waste streams for which targets are set in Union legislation. Member States shall use the data on waste reported by industrial operators in the European Pollutant Release and Transfer Register set up under Regulation (EC) No 166/2006 of the European Parliament and of the Council (*).

Amendment 215

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 1

Text proposed by the Commission	*Amendment*
1. Member States shall report the data concerning the ***implementation of Article 11(2)(a) to (d) and Article 11(3)*** for each calendar year to the Commission. They shall ***report*** this data electronically within ***18*** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 6. The first reporting shall cover the data for the period from 1 January 2020 to 31 December 2020.	1. Member States shall report the data concerning the ***progress towards the achievement of the targets laid down in paragraph -1 of Article 9, points (a) to (d) of Article 11(2)***, ***Article 11(3) and (3a) and Article 21*** for each calendar year to the Commission. They shall ***collect and process*** this data ***in accordance with the common methodology referred to in paragraph 6 of this Article and report it*** electronically within ***12*** months of the end of the reporting year for which the data are collected. The data shall be reported in the format established by the Commission in accordance with paragraph 6. The first reporting***, with respect to the targets in points (c) and (d) of Article 11(2) and in Article 11(3),*** shall cover the data for the period from 1 January 2020 to 31 December 2020.

Amendment 216

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Member States shall report the data concerning the implementation of Article 9(4) to the Commission every second year. They shall report this data electronically within 18 months of the end of the reporting period for which the data are	***deleted***

collected. The data shall be reported in the format established by the Commission in accordance with paragraph 6. The first reporting shall cover the period from 1 January 2020 to 31 December 2021.

Amendment 217

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. For the purpose of verifying compliance with points (c) and (d) of Article 11(2), the amount of municipal waste prepared for re-use shall be reported separately from the amount of waste recycled.

Amendment 218

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 5

Text proposed by the Commission	*Amendment*
5. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. The report shall assess the organisation of the data collection, the sources of data and the methodology used	5. The Commission shall review the data reported in accordance with this Article and publish a report on the results of its review. ***Until the delegated act referred to in paragraph 6 has been adopted,*** the report shall assess the

in Member States ***as well as*** the completeness, reliability, timeliness and consistency of ***that*** data. The assessment may include specific recommendations for improvement. The report shall be drawn up every three years.	organisation of the data collection, the sources of data and the methodology used in Member States. ***The Commission shall in any event assess*** the completeness, reliability, timeliness and consistency of ***the*** data. The assessment may include specific recommendations for improvement. The report shall be drawn up ***nine months after the first reporting of the data by the Member States and*** every three years ***thereafter***.

Amendment 219

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. In the report referred to in paragraph 5, the Commission shall include information on the implementation of this Directive as a whole and evaluate its impact on human health and the environment. If appropriate, a proposal to revise this Directive may accompany the report.

Amendment 220

Proposal for a directive
Article 1 – paragraph 1 – point 21

Directive 2008/98/EC

Article 37 – paragraph 6

Text proposed by the Commission	*Amendment*
6. The Commission shall adopt	6. The Commission shall adopt

implementing acts laying down the format for reporting data in accordance with ***paragraphs*** 1 ***and 2*** and for the reporting on backfilling operations. ***Those implementing acts shall be adopted in accordance with the procedure referred to in Article 39(2).***	***delegated*** acts ***in accordance with Article 38a in order to supplement this Directive by*** laying down ***the common methodology for data collection and processing, the organisation of the data collection and the sources of data and the rules on the*** format for reporting data in accordance with ***paragraph*** 1 and for the reporting on ***preparing for re-use and*** backfilling operations.

Amendment 221

Proposal for a directive
Article 1 – paragraph 1 – point 21 a (new)

Directive 2008/98/EC

Article 37 a (new)

Text proposed by the Commission	*Amendment*
	(21a) the following Article is inserted:
	"Article 37a
	Framework for the Circular Economy
	In order to support the measures referred to in Article 1, and no later than 31 December 2018, the Commission shall:
	(a) draw up a report assessing the need for Union targets, particularly for a Union resource efficiency target, and for cross-cutting regulatory measures in the area of sustainable consumption and production. It shall be accompanied by a legislative proposal, if appropriate;
	(b) draw up a report on the consistency between the Union's regulatory frameworks for products, waste and chemicals in order to identify obstacles hampering the shift to a circular economy;
	(c) draw up a report to identify the interactions between legislative acts that

may hamper the development of synergies between different industries and prevent the subsequent use of by-products and the preparation for re-use and recycling of waste for specific applications. This report shall be accompanied by a legislative proposal, if appropriate, or by a guidance on how to remove identified barriers and how to unleash the market potential of by-products and secondary raw materials;

(d) present a comprehensive review of Union ecodesign legislation in order to broaden its scope to cover all main product groups, including non-energy related product groups, and gradually to include relevant resource-efficiency features in the mandatory requirements for product design and to adapt eco-labelling provisions.";

Amendment 222

Proposal for a directive
Article 1 – paragraph 1 – point 21 a (new)

Directive 2008/98/EC

Article 38 – title

Present text	*Amendment*
	(21a) in Article 38, the title is replaced by the following:
Interpretation and adaptation to technical progress	"***Exchange of information and sharing of best practices,*** interpretation and adaptation to technical progress***"***

Amendment 223

Proposal for a directive
Article 1 – paragraph 1 – point 22

Article 38 – paragraph -1 (new)

Text proposed by the Commission	*Amendment*
	- 1. The Commission shall establish a platform for a regular and structured exchange of information and sharing of best practices between the Commission and the Member States, including with regional and municipal authorities, on the practical implementation of the requirements of this Directive with a view to ensuring adequate governance, enforcement, cross-border cooperation and the spread of best practices and innovations in the field of waste management.
	In particular, the platform shall be used to:
	- exchange information and share best practices with regard to the instruments and incentives used in accordance with Article 4(3) in order to boost the achievement of the objectives laid down in Article 4.
	- exchange information and share best practices as regards measures laid down in paragraphs 1 and 2 of Article 8;
	- exchange information and share best practices with regard to prevention and the setting up of systems which promote re-use activities and the extension of life span;
	- exchange information and share best practices on the implementation of the obligations with regard to separate collection;
	- exchange information and share best practices with regard to the instruments and incentives towards achieving the targets laid down in points (c) and (d) of Article 11(2) and in Article 21;

	- share best practices for developing measures and systems to trace municipal waste streams from sorting to final recycling process, which is of key importance in controlling quality of waste and measure the losses in waste streams and recycling processes.
	The Commission shall make the results of that exchange of information and sharing of best practices publicly available.

Amendment 224

Proposal for a directive
Article 1 – paragraph 1 – point 22

Directive 2008/98/EC

Article 38 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
The Commission ***may*** develop guidelines for the interpretation of the definitions of recovery and disposal.	The Commission ***shall*** develop guidelines for the interpretation of the definitions of ***waste, municipal waste, prevention, re-use, preparing for re-use,*** recovery and disposal.

Amendment 225

Proposal for a directive
Article 1 – paragraph 1 – point 22

Directive 2008/98/EC

Article 38 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 38a necessary to amend Annexes VI.	***deleted***

Amendment 226

Proposal for a directive
Article 1 – paragraph 1 – point 23

Directive 2008/98/EC

Article 38 a – paragraph 2

Text proposed by the Commission	*Amendment*
2. The power to adopt the delegated acts referred to in Articles 5(2), 6(2), 7(1), 11a(2), 11a(6), ***26,*** 27(1), 27(4), 38(1)***,*** 38(2) ***and 38(3)*** shall be conferred on the Commission for an indeterminate period of time from [enter date of entry into force of this Directive].	2. The power to adopt the delegated acts referred to in Articles 5(2), 6(2), ***6(4),*** 7(1), ***8(5), 9(2a), 9(3), 9(3a),*** 11a(2), 11a(6), ***12(1b),*** 27(1), 27(4), ***37(6),*** 38(1) ***and*** 38(2) shall be conferred on the Commission for an indeterminate period of time from [enter date of entry into force of this Directive].

Amendment 227

Proposal for a directive
Article 1 – paragraph 1 – point 23

Directive 2008/98/EC

Article 38 a – paragraph 3

Text proposed by the Commission	*Amendment*
3. The delegation of power referred to in Articles 5(2), 6(2), 7(1), 11a(2), 11a(6), ***26,*** 27(1), 27(4), 38(1)***,*** 38(2) ***and 38(3)*** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Articles 5(2), 6(2), ***6(4),*** 7(1), ***8(5), 9(2a), 9(3), 9(3a),*** 11a(2), 11a(6), ***12(1b),*** 27(1), 27(4), ***37(6),*** 38(1) ***and*** 38(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment 228

Proposal for a directive
Article 1 – paragraph 1 – point 23

Directive 2008/98/EC

Article 38 a – paragraph 3 a (new)

Text proposed by the Commission	*Amendment*
	3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

Amendment 229

Proposal for a directive
Article 1 – paragraph 1 – point 23

Directive 2008/98/EC

Article 38 a – paragraph 5

Text proposed by the Commission	*Amendment*
5. A delegated act adopted pursuant to Articles 5(2), 6(2), 7(1), 11a(2), 11a(6), ***26,*** 27(1), 27(4), 38(1)***,*** 38(2) ***and 38(3)*** shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	5. A delegated act adopted pursuant to Articles 5(2), 6(2), ***6(4),*** 7(1), ***8(5), 9(2a), 9(3), 9(3a)*** 11a(2), 11a(6), ***12(1b),*** 27(1), 27(4), ***37(6),*** 38(1) ***and*** 38(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Amendment 230

Proposal for a directive
Article 1 – paragraph 1 – point 24 a (new)

Directive 2008/98/EC

Annex II – point R13 a (new)

Text proposed by the Commission	*Amendment*
	(24a) In Annex II, the following point is inserted:
	"R13 a: preparation for re-use.";

Amendment 231

Proposal for a directive

Article 1 – paragraph 1 – point 24 b (new)

Directive 2008/98/EC

Annex IV a (new)

Text proposed by the Commission	*Amendment*
	(24b) Annex IVa is inserted in accordance with the Annex to this Directive.

Amendment 232

Proposal for a directive

Article 1 – paragraph 1 – point 25

Directive 2008/98/EC

Annex VI (new)

Text proposed by the Commission	*Amendment*
(25) Annex VI is added in accordance with the Annex to this Directive.	***deleted***

Amendment 233

Proposal for a directive
Annex I

Directive 2008/98/EC

Annex VI

Text proposed by the Commission	*Amendment*
Calculation method for preparing for re-use of products and components for the purpose of Article 11(2)(c) and (d) and Article 11 (3)	***deleted***
In order to calculate the adjusted rate of recycling and preparation for re-use in accordance with Article 11(2)(c) and (d) and Article 11(3), Member States shall use the following formula:	
$$E=\frac{(A+R)*100}{(P+R)}$$	
E: adjusted recycling and re-use rate in a given year;	
A: weight of municipal waste recycled or prepared for re-use in a given year;	
R: weight of products and components prepared for re-use in a given year;	
P: weight of municipal waste generated in a given year.	

Amendment 234

Proposal for a directive
Annex -I (new)

Directive 2008/98/EC

Annex IV a (new)

Text proposed by the Commission	*Amendment*
	Annex -I
	The following Annex IVa is inserted:
	"Annex IVa
	Indicative list of instruments to promote a

shift to a circular economy

1. Economic instruments:

1.1 progressive increase of landfill taxes and/or fees for all categories of waste (municipal, inert, others);

1.2 introduction or increase of incineration taxes and/or fees;

1.3 introduction of 'pay-as-you-throw' systems;

1.4 measures to improve the cost efficiency of existing and forthcoming producer responsibility schemes;

1.5 extension of the scope of the financial and/or operational producer responsibility to new waste streams;

1.6 economic incentives for local authorities to promote prevention, develop and intensify separate collection schemes;

1.7 measures to support the development of the re-use sector;

1.8 measures to suppress subsidies that are not consistent with the waste hierarchy;

2. Other measures:

2.1 sustainable public procurement to promote sustainable production and consumption;

2.2 technical and fiscal measures to support the development of markets for re-used products and recycled (including composted) materials as well as to improve the quality of recycled materials;

2.3 implement best available techniques for waste treatment aiming at removal of substances of very high concern where this is technically and economically viable;

2.4 measures to increase public awareness of proper waste management and litter reduction, including ad hoc campaigns to ensure waste reduction at source and a high level of participation in the separate collection schemes;

2.5 measures to ensure an appropriate coordination, including by digital means, between all competent public authorities involved in waste management, and to ensure the involvement of other key stakeholders;

2.6 use of the European Structural and Investment Funds in order to finance the development of the waste management infrastructure needed to meet the relevant targets.".
