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General Secretariat

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WORKING PAPER

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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Competitiveness and Growth (Industry)
Subject:	Critical Raw Materials Act: 4-Column Table with Member State comments on the European Parliament's position: batch III

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a framework for ensuring a secure and sustainable supply of critical raw materials and amending Regulations (EU) 168/2013, (EU) 2018/858, 2018/1724 and (EU) 2019/1020 (Text with EEA relevance) 2023/0079(COD)

Batch III: Chapter V – Section 1 (articles 25 to 28) and Section 2 (articles 29 and 30).
Comments from MS: SE PL NL SI DK IE SK HR BE FI FR CZ IT DE LT PT AT RO

(302 Lines)

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
50	(41) Most critical raw materials are metals, which can be in principle endlessly recycled, albeit with sometimes deteriorating qualities. This offers the potential to move to a truly circular economy in the context of the green transition. After an initial phase of rapid growth of demand for critical raw material for new technologies, where primary extraction and processing will still constitute the predominant source, recycling should become increasingly important and reduce the need for primary extraction and its associated impacts. Today, however, recycling rates of most critical raw materials are low, and recycling systems and technologies are often not adapted to the specificities of these raw materials. Action addressing the different factors holding back the circularity potential is thus required.	(41) Most critical raw materials are metals, which can be in principle endlessly recycled, albeit with sometimes deteriorating qualities. This offers the potential to move to a truly circular economy in the context of the green transition. After an initial phase of rapid growth of demand for critical raw material for new technologies, where primary extraction and processing will still constitute the predominant source, recycling and re-use , should become increasingly important and reduce the need for primary extraction and its associated impacts. Today, however, recycling and re-use rates of most critical raw materials are low, including due to a lack of consideration of recyclability at the design phase of products , and recycling systems and technologies are often not adapted to the specificities of	(41) Most critical raw materials are metals, which can be in principle endlessly recycled, albeit with sometimes deteriorating qualities. This offers the potential to move to a truly circular economy in the context of the green transition while increasing the availability of critical raw materials and thereby contributing to ensure security of supply . After an initial phase of rapid growth of demand for critical raw material for new technologies, where primary extraction and processing will still constitute the predominant source, countered with measures to reduce the need for critical raw materials by promoting resource efficiency , recycling should become increasingly important and reduce the need for primary extraction and its associated impacts. This should be done while maintaining a	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): No remarks. NL: (Comments): Council Mandate. It is important to link circularity to securing supply. Resource efficiency should also be included. SI: (Comments): SI would like to stick to the GA, however we can accept a reference to ‘re-use from the EP amendment. IE: (Comments): Prefer Council Mandate SK: (Comments): We fully agree with the Council addition to the original COM proposal, considering that well-

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		<p>these raw materials. Action addressing the different factors holding back the circularity potential is thus required.</p> <p>Regardless of the amount of strategic raw materials consumed in 2030, the Union should aim at the circularity of those raw materials.</p>	<p>high level of recycling capacity in the Union via a strong market for secondary critical raw materials. Today, however, recycling rates of most critical raw materials are low, with end-of-life products such as batteries, electrical and electronic equipment, vehicles and semi-conductors being shipped outside of the Union for recycling. and Recycling systems and technologies are often not adapted to the specificities of these raw materials, and a number of products that contain critical raw material can therefore not be recycled. Innovation plays an important role in reducing the need for critical raw materials, reducing the risks of shortage of supply and for the development of recycling technologies to properly and safely extract materials from end-of-life products. Prompt action addressing the different factors holding back the circularity potential is thus required.</p>	<p>functioning secondary raw materials markets are vital and crucial for most CRMs and SRMs, including for ferrous scrap. To achieve full and efficient circularity, secondary raw materials markets should be explicitly supported in the text. In our view, only the Council text sufficiently addresses this issue.</p> <p>BE:</p> <p>(Comments):</p> <p>Amendments of EP are OK; compromise proposal: add EP amendments to text</p> <p>Council:(41) Most critical raw materials are metals, which can be in principle endlessly recycled, albeit with sometimes deteriorating qualities. This offers the potential to move to a truly circular economy in the context of the green transition while increasing the availability of critical raw materials and thereby contributing to ensure security of supply. After an initial phase of rapid growth of demand for critical raw material for new technologies, where primary extraction and processing will still constitute the predominant source, countered with measures to reduce the need for critical</p>

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				<p>raw materials by promoting resource efficiency, recycling <u>and re-use</u> should become increasingly important and reduce the need for primary extraction and its associated impacts. This should be done while maintaining a high level of recycling capacity in the Union via a strong market for secondary critical raw materials. Today, however, recycling <u>and re-use</u> rates of most critical raw materials are low, <u>including due to a lack of consideration of recyclability at the design phase of products, with end-of-life products such as batteries, electrical and electronic equipment, vehicles and semi-conductors being shipped outside of the Union for recycling.</u> and Recycling systems and technologies are often not adapted to the specificities of these raw materials, and a number of products that contain critical raw material can therefore not be recycled. Innovation plays an important role in reducing the need for critical raw materials, reducing the risks of shortage of supply and for the development of recycling technologies to</p>

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				<p>properly and safely extract materials from end-of-life products. Prompt action addressing the different factors holding back the circularity potential is thus required.<u>Regardless of the amount of strategic raw materials consumed in 2030, the Union should aim at the circularity of those raw materials.</u></p> <p>IT: (Comments): Maintain Council's proposal, we can be flexible on introducing re-use of EP</p> <p>LT: (Comments): LT supports Council Madate</p> <p>PT: (Comments): We support the Council's mandate<i>with adjustment from EP proposal:</i>(41) Most critical raw materials are metals, which can be in principle endlessly recycled, albeit with sometimes deteriorating qualities. This offers the potential to move to a truly circular economy in the context of the green transition while increasing the availability of critical raw materials and thereby contributing to ensure security of supply. After an</p>

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				<p>initial phase of rapid growth of demand for critical raw material for new technologies, where primary extraction and processing will still constitute the predominant source, countered with measures to reduce the need for critical raw materials by promoting resource efficiency, recycling should become increasingly important and reduce the need for primary extraction and its associated impacts. This should be done while maintaining a high level of recycling capacity in the Union via a strong market for secondary critical raw materials. Today, however, recycling rates of most critical raw materials are low, <u>including due to a lack of consideration of recyclability at the design phase of products, with end-of-life products such as batteries, electrical and electronic equipment, vehicles and semi-conductors being shipped outside of the Union for recycling.</u> and Recycling systems and technologies are often not adapted to the specificities of these raw materials, and a number of products that contain critical raw material can therefore</p>

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				<p>not be recycled. Innovation plays an important role in reducing the need for critical raw materials, reducing the risks of shortage of supply and for the development of recycling technologies to properly and safely extract materials from end-of-life products. Prompt action addressing the different factors holding back the circularity potential is thus required.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
50a		<p>(41a) Europe needs to enhance its open strategic sovereignty and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of critical raw materials, will contribute to reaching that goal.</p>		<p>SE: (Comments): SE can be flexible.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): EP Mandate</p> <p>SI: (Comments): SI is open to the EP amendment.</p> <p>DK: (Comments):</p>

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				<p>This proposed text from the EP should be rejected Normally the term “open strategic <i>autonomy</i> is used”. We also do not follow why “health” is mentioned explicitly here in this context</p> <p>BE: (Comments): OK for EP proposal.</p> <p>FR: (Comments): France can accept this EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>PT: (Comments): We can support the EP’s amendment.</p> <p>AT: (Comments): We support this addition proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with EP’s addition</p>
51	(42) Member States retain important competences in the field of circularity, for example in the area of waste collection and treatment systems. These should be used to increase collection and recycling rates	(42) Member States retain important competences in the field of circularity, for example in the area of waste collection and treatment systems. These should be used to increase collection and recycling rates	(42) Member States retain important competences in the field of circularity, for example in the area of waste collection and treatment systems. These should be used to increase collection and recycling rates	<p>SE: (Comments): SE can be flexible.</p> <p>PL: (Comments): Support for the Commission's proposal.</p>

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	<p>for waste streams with a high potential for recovery of critical raw materials, making use for example of financial incentives such as discounts, monetary rewards or deposit-refund systems. Member State authorities should also make a difference as buyers of critical raw materials and of products containing them, and national research and innovation programmes provide significant resources to increase the state of knowledge and technology for critical raw materials circularity as well as material efficiency. Finally, Member States should promote the recovery of critical raw materials from extractive waste by improving the availability of information and by addressing legal, economic and technical barriers. One possible solution that Member States should look into are risk-sharing mechanisms between operators and the Member State to promote recovery from closed waste facilities.</p>	<p>for waste streams with a high potential for recovery of critical raw materials, making use for example of financial incentives such as discounts, monetary rewards or deposit-refund systems while preserving the integrity of the internal market. Member State authorities should also make a difference as buyers of critical raw materials and of products containing them, and national research and innovation programmes provide significant resources to increase the state of knowledge and technology for critical raw materials circularity as well as material efficiency and substitution strategies. Finally, Member States should promote the recovery of critical raw materials from extractive waste by improving the availability of information and by addressing legal, economic and technical barriers. One possible solution that Member States should look into are risk-sharing mechanisms between operators and the Member State to promote recovery from closed waste facilities. The Commission should monitor the actions of Member States, benchmark and disseminate best practices and give</p>	<p>for waste streams with a high potential for recovery of critical raw materials, making use for example of financial incentives such as discounts, monetary rewards or deposit-refund systems. With a view to increasing the use of secondary critical raw materials, this could also include differentiated producer responsibility fees, provided such fees exist in national law, to benefit products containing a larger share of secondary critical raw materials recovered from waste recycled in line with environmental standards established in Union law. Such secondary critical raw materials recovered from waste should include recovery carried out according to third countries standards that offer an equivalent protection to Union standards. Member State authorities should also make a difference as buyers of critical raw materials and of products containing them, and national research and innovation programmes provide significant resources to increase the state of knowledge and technology for critical raw materials circularity as well as</p>	<p>NL: (Comments): Prefer EP mandate: important to preserve the integrity of the internal market. SI: (Comments): SI would like to stick to the GA. We are also open to the reference to integrity of the internal market. DK: (Comments): The EP text should be rejected We do not agree that the Commission “should monitor the actions of Member States” on substantive grounds, and moreover as a principled point recitals should reflect the actual legal content, and there is no corresponding requirement in the regulation. Member States will pass on information to the Commission and exchange e.g. through the Board, but their work is not being overseen as such by the Commission IE: (Comments): Prefer Council Mandate SK: (Comments): EPR fees are also addressed in the revision of the Packaging & Packaging Waste Regulation – this should be internally</p>

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		<p>recommendations to Member States for further actions, where appropriate.</p>	<p>material efficiency. Finally, Member States should promote the recovery of critical raw materials from extractive waste by improving the availability of information and by addressing legal, economic and technical barriers. One possible solution that Member States should look into are risk-sharing mechanisms between operators and the Member State to promote recovery from closed waste facilities. The Board should also facilitate the exchange of best practices between Member States, on the design and implementation of their national programmes.</p>	<p>harmonized, so as to prevent different regulation of producer responsibility fees within two different legislative files with a connection to CRM issues.</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>IT: (Comments): Maintain Council's proposal We are flexible to the introduction "substitution strategy" Maintain Council's proposal about the last sentence (the role of the Board)</p> <p>DE: (Comments): We reject the EP addition of monitoring of MS "The Commission should monitor the actions of Member States, benchmark and disseminate best practices and give recommendations to Member States for further actions, where appropriate." The COM has enough monitoring responsibilities in CRMA. EP addition (42a) is ok</p> <p>LT: (Comments): LT supports Council Madate</p> <p>PT: (Comments):</p>

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				<p>We support the Council's mandate.</p> <p>AT: (Comments):</p> <p>RO: (Comments):</p> <p>Agree with Council's text</p>
51a		<p>(42a) Electronic waste contains concentrations of critical raw materials that are orders of magnitude higher than those found in the best ore grades worldwide. This presents a significant economic opportunity for urban mining, with a high potential for development.</p>		<p>SE: (Comments):</p> <p>SE can support EP proposal. It would be a good addition to mention urban mining in this act. However, not important and we are flexible. If included, it should be amended as follows: "Electronic waste <u>can contain</u> concentrations...".</p> <p>PL: (Comments):</p> <p>Parliament's proposal could be adopted, only to write "waste electronic equipment" instead of "electronic waste" (as in the WEEE directive).</p> <p>NL: (Comments):</p> <p>EP mandate, good addition.</p> <p>SI: (Comments):</p> <p>SI is flexible.</p> <p>DK: (Comments):</p> <p>Should be rejected This would introduce a new term, "Urban mining", which seems at odds</p>

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				<p>with this being essentially recycling of waste. This would create a problem in terms of how urban mining would relate to the benchmark targets (is it part of the extraction or recycling target?) More generally we should not complicate the regulation by adding in new terminology especially when this seems to already be covered by the lines on recycling.</p> <p>IE: (Comments): Reject EP Mandate</p> <p>BE: (Comments): OK for EP proposal.</p> <p>FR: (Comments): France can accept this EP proposal.</p> <p>IT: (Comments): We are flexible in highlighting the importance of urban mining as a principle, but the proposal need to be reformulated</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We support this addition</p>

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				proposed by the Rapporteur. RO: (Comments): Agree with EP's addition
	(43) The Union has, in many of its regions, a legacy of raw materials extraction and thus substantial amounts of extractive waste on closed facilities which, due to their only recent rise in economic importance, have generally not been analysed for critical raw materials potential. The recovery of critical raw materials from extractive waste facilities has the potential to create economic value and employment in historical mining regions, which are often affected by deindustrialisation and decline. The lack of attention to, and information on critical raw materials content, especially on closed waste facilities, constitutes a key barrier to greater use of the critical raw materials potential of extractive waste.	(43) The Union has, in many of its regions, a legacy of raw materials extraction and thus substantial amounts of extractive waste on closed facilities which, due to their only recent rise in economic importance, have generally not been analysed for critical raw materials potential. The recovery of critical raw materials from extractive waste facilities has the potential to avoid and mitigate negative social and environmental effects of new extractive activities , create economic value and employment in historical mining regions, which are often affected by deindustrialisation and decline, although those regions could play a significant role in improving resilience of the Union and reducing the negative environmental and social impacts of access to raw materials . The lack of attention to, and information on critical raw materials content, especially on closed waste	(43) The Union has, in many of its regions, a legacy of raw materials extraction and thus substantial amounts of extractive waste on closed facilities which, due to their only recent rise in economic importance, have generally not been analysed for critical raw materials potential. The recovery of critical raw materials from extractive waste facilities has the potential to create/increase Union capacity while creating economic value and employment in historical mining regions, which are often affected by deindustrialisation and decline. The lack of attention to, and information on critical raw materials content, especially on closed waste facilities, constitutes a key barrier to greater use of the critical raw materials potential of extractive waste.	SE: (Comments): SE prefers the Council mandate. PL: (Comments): No remarks. NL: (Comments): EP mandate SI: (Comments): SI would like to stick to the GA. We are not in favour of the text with negative connotation such as ‘ to avoid and mitigate negative social and environmental effects of new extractive activities ’ IE: (Comments): Prefer Council Mandate IT: (Comments): Maintain the Council's positionWe agree on the importance of extractive waste extraction, but the council's proposal is more realistic. In a compromise view we are open to a reformulation of the EP's proposal.

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		facilities, constitutes a key barrier to greater use of the critical raw materials potential of extractive waste.		<p>LT: (Comments): LT supports Parliament Madate</p> <p>PT: (Comments): We support the Council's mandate. The EP references to "...avoid and mitigate negative social and environmental effects of new extractive activities..." can be misinterpreted in not granting new permits for extractive activities.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
53	(44) The recovery of critical raw materials from extractive waste facilities should be part of the valorisation of relevant waste facilities. Directive 2006/21/EC sets out high requirements of environmental and human health protection for the waste management of the extractive industry. While these high requirements should be maintained, it is appropriate to establish additional measures to maximise the recovery of critical raw materials from	(44) The recovery of critical raw materials from extractive waste facilities should be part of the valorisation of relevant waste facilities. Directive 2006/21/EC sets out high requirements of environmental and human health protection for the waste management of the extractive industry. While these high requirements should be maintained, it is appropriate to establish additional measures to maximise the recovery of critical raw materials from	(44) The recovery of critical raw materials from extractive waste facilities should be part of the valorisation of relevant waste facilities. Directive 2006/21/EC sets out high requirements of environmental and human health protection for the waste management of the extractive industry. While these high requirements should be maintained, it is appropriate to establish additional measures to maximise the recovery of critical raw materials from	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	extractive waste.	extractive waste.	extractive waste.	
	<p>(45) Operators of extractive waste facilities, both existing and new, should perform a preliminary economic assessment study regarding the recovery of critical raw materials from extractive waste present on the site and from such waste being generated. In line with the waste hierarchy established in Directive 2008/98/EC of the European Parliament and of the Council¹, priority should be given to preventing the generation of waste containing critical raw materials, by extracting critical raw materials from the extracted volume prior to it becoming waste. In elaborating this study, operators should gather the necessary information, including concentrations and quantities of critical raw materials in the extractive waste, and perform an assessment of multiple options regarding processes, operations or business arrangements that could enable an economically viable recovery of critical raw materials. This obligation comes in addition to obligations</p>	<p>(45) Operators of extractive waste facilities, both existing and new, should perform a preliminary economic assessment study regarding the recovery of critical raw materials from extractive waste present on the site and their deposits and from such waste being generated. In line with the waste hierarchy established in Directive 2008/98/EC of the European Parliament and of the Council¹, priority should be given to preventing the generation of waste containing critical raw materials, by extracting critical raw materials from the extracted volume prior to it becoming waste. In elaborating this study, operators should gather the necessary information, including concentrations and quantities of critical raw materials in the extractive waste, and perform an assessment of multiple options regarding processes, operations or business arrangements that could enable ana technically feasible and economically viable recovery of critical raw materials. This obligation comes in addition to</p>	<p>(45) Operators of extractive waste facilities, both existing and new, should perform a preliminary economic assessment study regarding the recovery of critical raw materials from extractive waste present on the site and from such waste being generated. In line with the waste hierarchy established in Directive 2008/98/EC of the European Parliament and of the Council¹, priority should be given to preventing the generation of waste containing critical raw materials, by extracting critical raw materials from the extracted volume prior to it becoming waste. In elaborating this study, operators should gather the necessary information, including concentrations and quantities of critical raw materials in the extractive waste, and perform an assessment of multiple options regarding processes, operations or business arrangements that could enable an economically viable recovery of critical raw materials. This obligation to perform an assessment does</p>	<p>SE: (Comments): SE wants to keep Council mandate. Technically feasible is included in ‘economically viable’. PL: (Comments): No remarks. SI: (Comments): SI is open to the reference on deposits as suggested by the EP. SI is open to the reference on technical feasibility. IE: (Comments): Prefer Council Mandate IT: (Comments): we are flexible to Parliament's proposal as it also includes deposits in the availability of the operator that may be outside the mining site. LT: (Comments): LT supports Parliament Madate PT: (Comments): If we consider that “<i>their deposits</i>” in the EP text means the physical extractive waste</p>

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	<p>laid down in Directive 2006/21/EC and the national laws transposing it and is directly applicable. In its implementation, operators and competent authorities should seek to minimise administrative burden and integrate procedures to the extent possible.</p> <p>1. 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. 3-30).</p>	<p>obligations laid down in Directive 2006/21/EC and the national laws transposing it and is directly applicable. In its implementation, operators and competent authorities should seek to minimise administrative burden and integrate procedures to the extent possible.</p> <p>1. [1] 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. 3-30).</p>	<p>not regulate management of waste as such and comes in addition to obligations laid down in Directive 2006/21/EC and the national laws transposing it and is directly applicable. In its implementation, operators and competent authorities should seek to minimise administrative burden and integrate procedures to the extent possible.</p> <p>1. [1] 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. 3-30).</p>	<p>deposits, we think this term is already included in the extractive waste, so not needed. AT:</p> <p>(Comments): We advocate maintaining the Council position in this case. Economic feasibility of the recoverability of critical raw materials already requires technical feasibility. RO:</p> <p>(Comments): Agree with Council's text</p>
55	<p>(46) To address the current lack of information on the critical raw materials potential of closed extractive waste facilities, Member States should draw up a database containing all information relevant to promote the recovery, notably the quantities and concentrations of critical raw materials in the extractive waste facility, in compliance with Union competition rules. The information should be made publicly available and in a user-friendly and digital form, enabling access to more detailed, technical information.</p>	<p>(46) To address the current lack of information on the critical raw materials potential of closed extractive waste facilities, Member States should draw up a database containing all information relevant to promote the recovery, notably the quantities and concentrations of critical raw materials in the extractive waste facility, in compliance with Union competition rules. The information should be made publicly available and in a user-friendly and digital form, enabling access to more detailed, technical information.</p>	<p>(46) To address the current lack of information on the critical raw materials potential of closed extractive waste facilities, Member States should draw up a database containing all information relevant to promote the recovery, notably the quantities and concentrations of critical raw materials in the extractive waste facility, in compliance with Union competition rules. The information should be made publicly available and in a user-friendly and digital form, enabling access to more detailed, technical information.</p>	<p>SE:</p> <p>(Comments): SE wants to keep Council mandate.</p> <p>PL:</p> <p>(Comments): No remarks.</p> <p>SI: (Comments): SI is open to the reference on short, medium and long-term in the text.</p> <p>IE:</p> <p>(Comments): Prefer Council Mandate</p> <p>IT:</p> <p>(Comments): we are flexible to Parliament's</p>

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	To facilitate user-friendly access to the information, Member States should for instance provide a point of contact to enable more in-depth exchanges with potential developers of critical raw materials recovery projects. The database should be designed to allow potential project promoters to easily identify facilities with a high potential for economically viable recovery. To focus limited resources, Member States should follow a staged approach in the collection of information and perform the more demanding information collection steps only for the most promising facilities. The information collection activities should be aimed at providing accurate and representative information on the extractive waste facilities and gaining the best possible indication of the critical raw materials recovery potential.	To facilitate user-friendly access to the information, Member States should for instance provide a point of contact to enable more in-depth exchanges with potential developers of critical raw materials recovery projects. The database should be designed to allow potential project promoters to easily identify facilities with a high potential for economically viable recovery in the short, medium and long term . To focus limited resources, Member States should could follow a staged approach in the collection of information and perform the more demanding information collection steps only for the most promising facilities. The information collection activities should be aimed at providing accurate and representative information on the extractive waste facilities and gaining the best possible indication of the critical raw materials recovery potential.	To facilitate user-friendly access to the information, Member States should for instance provide a point of contact to enable more in-depth exchanges with potential developers of critical raw materials recovery projects. The database should be designed to allow potential project promoters to easily identify facilities with a high potential for economically viable recovery. To focus limited resources, Member States should follow a staged approach in the collection of information and perform the more demanding information collection steps only for the most promising facilities. The information collection activities should be aimed at providing accurate and representative information on the extractive waste facilities and gaining the best possible indication of the critical raw materials recovery potential.	proposalWe suggest to introduce “ reasoned request ” because of many information are sensitive LT: (Comments): LT supports Commission proposal. PT: (Comments): We can support the EP’s amendment. AT: (Comments): We are generally flexible regarding these amendments proposed by the Rapporteur. Nevertheless, how can this proposed classification into short, medium and long term be implemented in practice? RO: (Comments): Agree with Council’s text
56	(47) Permanent magnets are incorporated in a wide variety of products, with wind turbines and electric vehicles being the most important and fastest-	(47) Permanent magnets are incorporated in a wide variety of products, with wind turbines and electric vehicles being the most important and fastest-	(47) Permanent magnets are incorporated in a wide variety of products, with wind turbines and electric vehicles being the most important and fastest-	SE: (Comments): SE wants to keep Council mandate. PL:

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	growing applications but also other products, including magnet resonance imaging devices, industrial robots, light means of transport, cooling generators, heat pumps, electric motors, industrial electric pumps, automatic washing machines, tumble driers, microwaves, vacuum cleaners and dishwashers containing significant amounts worth recovering. Most permanent magnets, especially the most performant types, contain critical raw materials, such as neodymium, praseodymium, dysprosium and terbium, boron, samarium, nickel or cobalt. Their recycling is possible but today only performed in the Union at a small scale or in the context of research projects. Permanent magnets should therefore be a priority product for increasing circularity.	growing applications but also other products, including magnet resonance imaging devices, industrial robots, light means of transport, cooling generators, heat pumps, electric motors, industrial electric pumps, automatic washing machines, tumble driers, microwaves, vacuum cleaners and dishwashers containing significant amounts worth recovering. Most permanent magnets, especially the most performant types, contain critical raw materials, such as neodymium, praseodymium, dysprosium and terbium, boron, samarium, nickel or cobalt. Their recycling is possible but today only performed in the Union at a small scale or in the context of research projects. Permanent magnets should therefore be a priority product for increasing circularity.	growing applications but also other products, including magnet magnetic resonance imaging devices, industrial robots, light means of transport, cooling generators, heat pumps, electric motors, industrial electric pumps, automatic washing machines, tumble driers, microwaves, vacuum cleaners and dishwashers containing significant amounts worth recovering. Most permanent magnets, especially the most performant types, contain critical raw materials, such as neodymium, praseodymium, dysprosium and terbium, boron, samarium, nickel or cobalt. Their recycling is possible but today only performed in the Union at a small scale or in the context of research projects. Permanent magnets should therefore be a priority product for increasing circularity, thereby maintaining a secondary market for permanent magnets and ensuring security of supply of critical raw materials.	(Comments): No remarks. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate FR: (Comments): France strongly supports the Council proposal. IT: (Comments): Maintain the Council's position LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
57	(48) A precondition for effective magnet recycling is for recyclers to have access to	(48) A precondition for effective magnet recycling increasing the	(48) A precondition for effective magnet recycling is for recyclers to have access to	SE: (Comments): SE does not support EP

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>the necessary information on the amount, type and chemical composition of magnets in a product, their location and the coating, glues and additives used, as well as information on how to remove the permanent magnets from the product. In addition, to ensure a business case for magnet recycling, permanent magnets incorporated in products placed on the Union market should, over time, contain an increasing amount of recycled materials. While providing transparency on the recycled content in a first stage, a minimum content of recycled content should be set after a dedicated assessment of the appropriate level and likely impacts.</p>	<p>circularity of magnets is for recyclers, refurbishers and repairers to have access to the necessary information on the amount, type and chemical composition of magnets in a product, their location and the coating, glues and additives used, as well as information on how to remove the permanent magnets from the product. In addition, to ensure a business case for magnet recycling, permanent magnets incorporated in products placed on the Union market should, over time, contain an increasing amount of recycled materials. While providing transparency on the recycled content in a first stage, a minimum content of recycled content should be set after a dedicated assessment of the appropriate level and likely impacts.</p>	<p>the necessary information on the amount, type and chemical composition of magnets in a product, their location and the coating, glues and additives used, as well as information on how to safely remove the permanent magnets from the product. In addition, to ensure a business case for magnet recycling, permanent magnets incorporated in products placed on the Union market should, over time, contain an increasing amount of recycled materials. Further promotion to increase the recyclability of permanent magnets should be encouraged. While providing transparency on the recycled content in a first stage, a minimum content of recycled content should be set after a dedicated assessment of the appropriate level and likely impacts. These measures should complement measures as referred to in Directive 2012/19/EU.</p>	<p>proposal and wants to keep Council mandate. ‘Refurbishers’ and ‘repairers’ are not defined in the Waste Framework Directive. PL: (Comments): No remarks. NL: (Comments): Agree EP mandate for using the term circularity instead of recycling, because recycling is part of circularity. Prefer council mandate but with the inclusion of circularity instead of recycling. Recycling is a part of circularity. Good the refer to directive on waste electrical and electrical equipment. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintained Important to keep the refence to the complementary Directive to ensure harmonized legislative approaches IE: (Comments): Prefer Council Mandate BE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>OK for EP proposal</p> <p>FR:</p> <p>(Comments):</p> <p>France can accept the EP proposal.</p> <p>IT:</p> <p>(Comments):</p> <p>Maintain the Council's position we are flexible to Parliament's proposal to the introduction of the terms 'refurbishers and repaires', but must be defined</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Council Mandate.</p> <p>PT:</p> <p>(Comments):</p> <p><i>Agreement with Council proposal with adjustment from the EP proposal:(48) A precondition for effective magnet recycling increasing the circularity of magnets is for recyclers, refurbishers and repairers to have access to the necessary information on the amount, type and chemical composition of magnets in a product, their location and the coating, glues and additives used, as well as information on how to safely remove the permanent magnets from the product. In addition, to ensure a business case for magnet recycling, permanent magnets</i></p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>incorporated in products placed on the Union market should, over time, contain an increasing amount of recycled materials. Further promotion to increase the recyclability of permanent magnets should be encouraged. While providing transparency on the recycled content in a first stage, a minimum content of recycled content should be set after a dedicated assessment of the appropriate level and likely impacts. These measures should complement measures as referred to in Directive 2012/19/EU.</p> <p>AT:</p> <p>(Comments):</p> <p>We generally advocate maintaining the Council position in this case. However, we suggest the following wording: (48) A precondition for effective magnet recycling is for recyclers, refurbishers and repairers to have access to the necessary information on the amount, type and chemical composition of magnets in a product, their location and the coating, glues and additives used, as well as information on how to safely remove the permanent magnets from the product. In addition, to ensure a</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>business case for magnet recycling, permanent magnets incorporated in products placed on the Union market should, over time, contain an increasing amount of recycled materials.</p> <p>Further promotion to increase the recyclability of permanent magnets should be encouraged. While providing transparency on the recycled content in a first stage, a minimum content of recycled content should be set after a dedicated assessment of the appropriate level and likely impacts. These measures should complement measures as referred to in Directive 2012/19/EU. RO: (Comments): Agree with Council's text</p>
58	<p>(49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about</p>	<p>(49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about</p>	<p>(49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about</p>	<p>SE: (Comments): SE wants to keep Council mandate. PL: (Comments): No remarks. NL: (Comments): Preference for Council text on types of environmental protection that also includes <i>waste</i> as a category next to <i>air, water, soil and</i></p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection, human rights including labour rights and business transparency, and which contain provisions for independent third party verification and monitoring of compliance. To ensure efficient procedures, promoters of projects applying to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme to show that their project is implemented sustainably.</p>	<p>the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection related to air, soil, water and biodiversity, human rights including labour rights and governance considerations including business transparency and participation of local communities, which guarantee high sustainability standards, and which contain provisions for independent third party verification and monitoring of compliance. To ensure efficient procedures, promoters of projects applying to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme to show that their project is implemented</p>	<p>the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection, human rights including labour rights and business transparency, and which contain provisions for independent third party third-party verification and monitoring of compliance. As regards environmental protection, certifications schemes should cover risks related to, for example, air, water, soil, biodiversity, and waste management. To ensure efficient procedures, promoters of projects applying to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme as relevant evidence to</p>	<p><i>biodiversity</i>. Agree Council addition ‘as relevant evidence’. Agree with Council reference to other relevant legislation. Agree with EP addition on local communities, but would prefer “local <i>stakeholders</i>”. Other remark: The NL is worried that the recognition of certification schemes will encounter similar problems as has been experienced with the implementation of the conflict minerals regulation, where the process is much more time consuming than formally foreseen in the legislation. This concern is not addressed in the current wording by either the Council and the EP. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintained Important to keep the refence to the complementary Directive to ensure legislative harmonized approaches IE: (Comments): Prefer Council Mandate BE: (Comments): Suggestion not to agree with EP</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		sustainably.	show that their project is implemented sustainably, thereby contributing to a safe and sustainable supply of critical raw materials. In recognising such certification schemes, the Commission should take into account experience gained in assessing certification schemes in the context of other Union legislation, in particular regarding the assessment of similar schemes in the context of Regulation (EU) 2017/821 and [OP please insert reference to Battery Regulation].	<p>proposal to add “air, soil, water and biodiversity” as this not fully covers “environmental protection”; eg protection of human health is also part of “environmental protection”.</p> <p>FR: (Comments): France can support the EP proposal</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We strongly support the EP addition considering a risk-based approach, the added criteria are also considered in schemes like IRMA, which many EU companies (e.g. large German OEMs Mercedes-Benz, BMW) endorse We also support council addition to with reference to alignment with Regulation (EU) 2017/821.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>AT: (Comments): We generally advocate</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>maintaining the Council position in this case. However, we suggest the following wording: (49) Critical raw materials sold on the Union market are often certified regarding the sustainability of their production and supply chain. Certification can be obtained in the context of a broad range of public and private certification schemes available with varying scopes and stringency, creating the potential for confusion regarding the nature and veracity of claims made about the relative sustainability of critical raw materials placed on the Union market based on such certification. The Commission should be empowered to adopt implementing acts recognising certification schemes that should be considered comprehensive and trustworthy, providing a common basis for authorities and market participants for assessing the sustainability of critical raw materials. Recognition should be given only to certification schemes that cover a broad range of sustainability aspects, including environmental protection related to air, soil, water and biodiversity, human</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>rights including labour rights and business transparency, and which contain provisions for independent third-partythird-party verification and monitoring of compliance. As regards environmental protection, certifications schemes should cover risks related to, for example, air, water, soil, biodiversity, and waste management. To ensure efficient procedures, promoters of projects applying to be recognised as Strategic Projects should be allowed to rely on participation in a recognised scheme as relevant evidence to show that their project is implemented sustainably, thereby contributing to a safe and sustainable supply of critical raw materials. In recognising such certification schemes, the Commission should take into account experience gained in assessing certification schemes in the context of other Union legislation, in particular regarding the assessment of similar schemes in the context of Regulation (EU) 2017/821 and [OP please insert reference to Battery Regulation]. RO: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				Agree with Council's text
	<p>(50) The production of critical raw materials at different stages of the value chain causes environmental impacts, whether on climate, water, fauna or flora. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives by facilitating the procurement of critical raw materials with lower</p>	<p>(50) The production of critical raw materials at different stages of the value chain causes climate and environmental impacts, whether on climate, notably on water, fauna or flora and biodiversity. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives and be</p>	<p>(50) The production of critical raw materials at different stages of the value chain causes environmental impacts, whether on climate, water, soil, fauna or flora. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint and facilitating circularity of critical raw materials. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives by facilitating the</p>	<p>SE: (Comments): SE can be flexible . PL: (Comments): We support the proposal of the Commission or the Council. Strongly do not support the Parliament's proposition. We do not accept this type of wording. The declaration is too far-reaching, too general, and the terms used ("highly likely," "sustainable") are not appropriate for this type of declaration. Such statements should be based on scientific evidence and proof, taking into account all provisions of UNCLOS. NL: (Comments): Prefer Council mandate on wording environmental impacts. Reference to circularity. Although the NL supports the EP position on the applicability of the precautionary principle for deep sea mining, the placing of this phrase causes confusion on its meaning. As deepsea mining in and beyond national territories are not distinguished. It is not clear to what extent this</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>environmental footprint and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.</p>	<p>proportionate to the economic costs by facilitating the procurement of critical raw materials with lower environmental footprint and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.</p> <p>The deep sea is believed to have the highest biodiversity on Earth and provides critical environmental services, including long-term carbon</p>	<p>procurement of critical raw materials with lower environmental footprint and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production of critical raw materials with lower environmental impacts.</p>	<p>statement extends to deep sea minerals from territorial seabed. Also the statement does not make clear what this means for the ecological footprint calculation of deep sea minerals. Nor is the statement fully in line with the 2020 Council Conclusions on Biodiversity. Therefore: objection to EP text on deep sea mining. [if the EP wording is maintained, there needs to be more clarity here or in an additional line to explain how this relates to deep-sea mining in territorial waters and what its implication is for the environmental footprint calculation of deep sea minerals].</p> <p>SI: (Comments): SI is open to EP amendment (putting reference to climate impact higher and adding reference to biodiversity). SI is flexible regarding the EP amendment on proportionality of economic costs. SI is in favour of the GA for the rest of the text in this recital. EP amendment in this part of the recital is very detailed, we are not sure that it is necessary.</p> <p>DK: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		<p>sequestration. Deep-seabed mining is highly likely to cause permanent biodiversity loss and ecosystem damage. In line with the precautionary principle, no deep sea mining should take place as long as its effects on the marine environment and biodiversity have not been researched sufficiently, and as long as there is no scientific consensus that deep sea mining can be managed in a way that ensures no marine biodiversity loss and ecosystem damage.</p>		<p>The EP text should be rejected. Deep sea mining is a thorny issue but this text would effectively ban it pending further research. It is inappropriate to do that in a recital without any corresponding legal text to that effect in the actual articles. It is also questionable if the CRMA is the right place to introduce such a ban. Moreover this would be very consequential and should therefore be accompanied with supplementary text and underpinned by additional analytical work providing interpretative guidance about what “satisfactory evidence and research” would entail. For all these reasons we consider it inappropriate to introduce this in the recital</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): No added value for first amendment. Scrutiny reservation with regard to the EP proposal on deep sea mining.</p> <p>FR: (Comments): France supports this provision</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>of EP, provided that the moratorium applies on a global scale and that this addition is part of a global compromise with Parliament.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): we are flexible to Parliament's proposal, but with reference to the term 'climate' there is no definite link between the production of critical materials and climate impacts. The reference to "climate" is too general. EP amendment on exclusion of deep sea mining is acceptable. Maintain Council's proposal on “facilitating circularity of critical raw materials”.</p> <p>DE: (Comments): We support the EP addition regarding the exclusion of deep sea mining, in line with our declaration during COREPER session on 30.06.2023</p> <p>LT: (Comments): LT supports Parliament Mandate.</p> <p>PT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>We are open to accept the additional text proposed by the EP regarding deep sea mining.</p> <p>AT:</p> <p>(Comments):</p> <p>We generally advocate maintaining the Council position, however, suggest the following wording: (50) The production of critical raw materials at different stages of the value chain causes environmental impacts, whether on climate, water, soil, fauna or flora. In order to limit such damage and incentivise the production of more sustainable critical raw materials, the Commission should be empowered to develop a system for the calculation of the environmental footprint of critical raw materials, including a verification process, to ensure that critical raw materials placed on the Union market publicly display information on such footprint and facilitating circularity of critical raw materials. The system should be based on taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment. The requirement to declare the environmental footprint of a</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>material should only apply where it has been concluded, based on a dedicated assessment, that it would contribute to the Union's climate and environmental objectives and be proportionate to economic costs by facilitating the procurement of critical raw materials with lower environmental footprint and would not disproportionately affect trade flows. When the relevant calculation methods have been adopted, the Commission should develop performance classes for critical raw materials, thereby allowing potential buyers to easily compare the relative environmental footprint of available materials and driving the market towards more sustainable materials. Sellers of critical raw materials should ensure that the environmental footprint declaration is available to their customers. Transparency on the relative footprint of critical raw materials placed on the Union market may also enable other policies at Union and national level, such as incentives or green public procurement criteria, fostering the production</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				of critical raw materials with lower environmental impacts. RO: (Comments): Agree with Council's text
60	(51) The Environmental Footprint methods constitute a relevant basis for the development of the calculation rules. They rely on scientifically sound assessment methods which take into account developments on international level and cover environmental impacts, including climate change and impacts related to water, air, soil, resources, land use and toxicity.	(51) The Environmental Footprint methods constitute a relevant basis for the development of the calculation rules. They rely on scientifically sound assessment methods which take into account similar obligations established by other Union legislation and developments on international level and cover environmental impacts, including climate change and impacts related to water, air, soil, resources, land use and toxicity.	(51) The Environmental Footprint methods constitute a relevant basis for the development of the calculation rules. They rely on scientifically sound assessment methods which take into account developments on international level and cover environmental impacts, including climate change and impacts related to water, air, soil, resources, land use and toxicity.	SE: (Comments): SE can be flexible. PL: (Comments): No remarks. NL: (Comments): No objection SI: (Comments): SI supports the GA. DK: (Comments): It is not clear what is meant by the EP proposal. In order to avoid misunderstandings about the Environmental Footprint methods, DK would prefer the Council Mandate. IE: (Comments): Prefer Council Mandate FR: (Comments): France can accept the EP proposal. IT: (Comments): we are flexible to Parliament's

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>proposal</p> <p>LT: (Comments): LT supports Commission proposal.</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): In terms of ensuring coherence, we support this amendment proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with Council's text</p>
90	(1) 'raw material' means a substance in processed or unprocessed state used as an input for the manufacturing of intermediate or final products, excluding substances predominantly used as food, feed or combustion fuel;	(1) 'raw material' means a substance in processed or unprocessed state used as an input for the manufacturing of intermediate or final products, excluding substances predominantly used as food, feed or combustion fuel;	(1) 'raw material' means a substance in processed or unprocessed state used as an input for the manufacturing of intermediate or final products, excluding substances predominantly used as food, feed or combustion fuel;	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>
91	(2) 'critical raw materials' means the raw materials as defined in Article 4;	(2) 'critical raw materials' means the raw materials as defined in Article 4;	(2) 'critical raw materials' means the raw materials as defined in Article 4;	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>
93				PL:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	(4) 'raw materials value chain' means all activities and processes involved in the exploration, extraction, processing and recycling of raw materials;	(4) 'raw materials value chain' means all activities and processes involved in the exploration, extraction, processing and recycling of raw materials;	(4) 'raw materials value chain' means all activities and processes involved in the exploration, extraction, processing and recycling of raw materials;	(Comments): No remarks. AT: (Comments):
95	(6) 'extraction' means the primary extraction of ores, minerals and plant products from their original source, including from a mineral occurrence underground, mineral occurrence under water, sea brine and trees;	(6) 'extraction' means the primary or secondary extraction of ores, minerals and plant products from their original source as a main product or as a by-product , including from a mineral occurrence underground, mineral occurrence under and from water, sea brine and trees;	(6) 'extraction' means the primary extraction of ores, minerals and plant products from their original source, including from a mineral occurrence underground, mineral occurrence under water, sea brine and trees;	SE: (Comments): SE wonders if the PRES can ask EP about what they believe is included in 'secondary extraction' vs. 'primary'? Since extractive waste is part of union recycling capacity when it comes to benchmarks. PL: (Comments): Support for the Council's proposal. NL: (Comments): Unclear what is meant with secondary extraction and what this addition means in practice. Relevant to include reference to by-products. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate SK: (Comments): In line with comments

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>previously provided, we support the inclusion of by-products in the definition, since leaving them out would strictly limit the scope of support for potential CRM/SRM projects.</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal we propose this amendment: (6) “extraction” (mining) means the primary or secondary extraction of ores, minerals and plant products from their primary or secondary original source as a main product or as a by-product, including from surface/underground mineral occurrence underground, mineral occurrence under and from water, sea and geothermal brines, and trees and anthropogenic deposits</p> <p>DE: (Comments): We could show flexibility towards EP addition</p> <p>LT: (Comments): LT supports Parliament Mandate.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>PT: (Comments): We propose the following text, so that “secondary” is not confused with secondary mining (“secondary rawmaterials”): “extraction’ means the extraction of ores, minerals and plant products from their original source as a main product or as a by-product, including from a mineral occurrence underground, mineral occurrence under and from water, sea brine and trees”; There should be a separate definition for secondary extraction.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council’s text</p>
100	(11) ‘recycling’ means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes;	(11) ‘recycling’ means any recovery operation of both pre-consumer and post-consumer waste by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes;	(11) ‘recycling’ means any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes recycling within the meaning of Directive 2008/98/EC;	<p>SE: (Comments): SE does not support EP proposal. Definitions of the Waste Framework Directive are important to keep.</p> <p>PL: (Comments): Support for the Council's proposal. It would be good to</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>convince Parliament that terms should be defined equally in the area of waste management - as in the Waste Framework Directive (2008/98/EC), that is, by reference to it. This also applies to other definitions. Perhaps it would be better to write down: 'recycling' means recycling as defined in Directive 2008/98/EC. Similarly, in other definitions.</p> <p>NL: (Comments): Prefer Council Mandate. An EU definition of recycling already exists.</p> <p>SI: (Comments): SI can accept the EP amendment if it is acceptable also for other MS.</p> <p>DK: (Comments): Council text should be maintained. Important to keep the reference to the complementary Directive to ensure legislative harmonized approaches</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>SK: (Comments):</p> <p>,</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>BE: (Comments): Upholding position of the Council, for conformity reasons in different environmental legislation</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain the Council's position</p> <p>DE: (Comments): We support strongly the Council version.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
121a			(32a) 'waste' means waste within the meaning of Directive 2008/98/EC;	<p>SE: (Comments): SE wants to make sure that we keep Council mandate in terms</p>

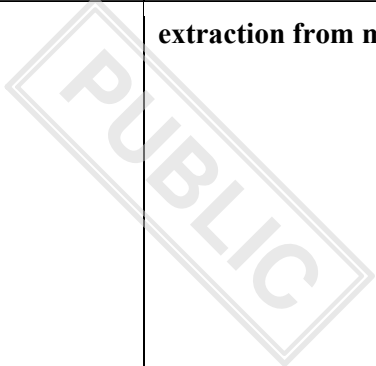
	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>of definitions, since these are aligned with the Waste Framework Directive. This applies to rows below as well.</p> <p>PL: (Comments): Support for the Council's proposal.</p> <p>NL: (Comments): Same as line 100. Prefer Council Mandate.</p> <p>DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches</p> <p>BE: (Comments): Upholding position of the Council, for conformity reasons in different environmental legislation</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain the Council's position</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>DE: (Comments): We support strongly the Council version.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
122	(33) 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility;	(33) 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility;	(33) 'collection' means the gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility collection within the meaning of Directive 2008/98/EC;	<p>PL: (Comments): Support for the Council's proposal.</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Council text should be maintainedImportant to keep the refence to the complementary Directive to ensure legislative harmonized approaches</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Upholding position of the Council, for conformity reasons in different environmental legislation</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain the Council's position</p> <p>DE: (Comments): We support strongly the Council version.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case. RO:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): Agree with Council's text
123	(34) 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal;	(34) 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal;	(34) 'treatment' means recovery or disposal operations, including preparation prior to recovery or disposal treatment within the meaning of Directive 2008/98/EC;	PL: (Comments): Support for the Council's proposal. NL: (Comments): Same as line 100. Prefer Council Mandate. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintainedImportant to keep the refence to the complementary Directive to ensure legislative harmonized approaches IE: (Comments): Prefer Council Mandate BE: (Comments): Upholding position of the Council, for conformity reasons in different environmental legislation FR: (Comments): France strongly supports the Council proposal. CZ:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): CZ prefers Council position IT: (Comments): Maintain the Council's position DE: (Comments): We support strongly the Council version. LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text</p>
124	(35) 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy;	(35) 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy;	(35) 'recovery' means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy or	<p>PL: (Comments): Support for the Council's proposal. Is this addition proposed by the Council needed? Isn't it better to refer to the Waste Framework Directive? By adding the fragment extraction from mining waste, the definition will differ from the definition in</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
			extraction from mining waste; 	the Waste Directive 2008/98/EC. NL: (Comments): Prefer Council Mandate. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate IT: (Comments): Maintain the Council's position DE: (Comments): We support strongly the Council version. LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): RO: (Comments): Agree with Council's text
124a			(35a) 're-use' means re-use within the meaning of Directive 2008/98/EC;	PL: (Comments): Support for the Council's proposal.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>NL: (Comments): Same as line 100. Prefer Council Mandate.</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Council text should be maintainedImportant to keep the refence to the complementary Directive to ensure legislative harmonized approaches</p> <p>BE: (Comments): Upholding position of the Council, for conformity reasons in different environmental legislation</p> <p>CZ: (Comments): CZ prefers Council position</p> <p>IT: (Comments): Maintain the Council's position</p> <p>DE: (Comments): We support strongly the Council version.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
125	(36) 'extractive waste' means extractive waste within the meaning of Directive 2006/21/EC;	(36) 'extractive waste' means extractive waste within the meaning of Directive 2006/21/EC;	(36) 'extractive waste' means extractive waste within the meaning of Directive 2006/21/EC;	PL: (Comments): No remarks. DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches AT: (Comments):
126	(37) 'extractive waste facility' means waste facility within the meaning of Directive 2006/21/EC;	(37) 'extractive waste facility' means waste facility within the meaning of Directive 2006/21/EC;	(37) 'extractive waste facility' means waste facility within the meaning of Directive 2006/21/EC;	PL: (Comments): No remarks. DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				approaches AT: (Comments):
127	(38) ‘preliminary economic assessment’ means an early-stage, conceptual assessment of the potential economic viability of a raw material project for the recovery of critical raw materials from extractive waste;	(38) ‘preliminary economic assessment’ means an early-stage, conceptual assessment of the potential economic viability of a raw material project for the recovery of critical raw materials from extractive waste;	(38) ‘preliminary economic assessment’ means an early-stage, conceptual assessment of the potential economic viability of a raw material project for the recovery of critical raw materials from extractive waste;	PL: (Comments): No remarks. AT: (Comments):
128	(39) ‘magnetic resonance imaging device’ means a non-invasive medical device that uses magnetic fields to make anatomical images or any other device that uses magnetic fields to make images of the inside of object;	(39) ‘magnetic resonance imaging device’ means a non-invasive medical device that uses magnetic fields to make anatomical images or any other device that uses magnetic fields to make images of the inside of object;	(39) ‘magnetic resonance imaging device’ means a non-invasive medical device that uses magnetic fields to make anatomical images or any other device that uses magnetic fields to make images of the inside of object;	PL: (Comments): No remarks. AT: (Comments):
129	(40) ‘wind energy generator’ means the part of an onshore or offshore wind turbine that converts the mechanical energy of the rotor into electrical energy;	(40) ‘wind energy generator’ means the part of an onshore or offshore wind turbine that converts the mechanical energy of the rotor into electrical energy;	(40) ‘wind energy generator’ means the part of an onshore or offshore wind turbine that converts the mechanical energy of the rotor into electrical energy;	PL: (Comments): No remarks. AT: (Comments):
130	(41) ‘industrial robot’ means an automatically controlled,	(41) ‘industrial robot’ means an automatically controlled,	(41) ‘industrial robot’ means an automatically controlled,	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	reprogrammable, multipurpose manipulator, programmable in three or more axes, which can either be fixed or mobile for use in industrial automation applications;	reprogrammable, multipurpose manipulator, programmable in three or more axes, which can either be fixed or mobile for use in industrial automation applications;	reprogrammable, multipurpose manipulator, programmable in three or more axes, which can either be fixed or mobile for use in industrial automation applications;	AT: (Comments):
131	(42) ‘motor vehicle’ means any type-approved vehicle of the M or N categories in the meaning of Regulation (EU) 2018/858;	(42) ‘motor vehicle’ means any type-approved vehicle of the M or N categories in the meaning of Regulation (EU) 2018/858;	(42) ‘motor vehicle’ means any type-approved vehicle of the M or N categories in the meaning of Regulation (EU) 2018/858;	PL: (Comments): No remarks. AT: (Comments):
132	(43) ‘light means of transport’ means any wheeled vehicle that can be powered by the electric motor alone or by a combination of motor and human power, including electric scooters, electric bicycles and type-approved vehicles of category L in the meaning of Regulation (EU) No 168/2013;	(43) ‘light means of transport’ means any wheeled vehicle that can be powered by the electric motor alone or by a combination of motor and human power, including electric scooters, electric bicycles and type-approved vehicles of category L in the meaning of Regulation (EU) No 168/2013;	(43) ‘light means of transport’ means any wheeled vehicle that can be powered by the electric motor alone or by a combination of motor and human power, including electric scooters, electric bicycles and type-approved vehicles of category L in the meaning of Regulation (EU) No 168/2013;	PL: (Comments): No remarks. AT: (Comments):
133	(44) ‘cooling generator’ means the part of a cooling system that generates a temperature difference allowing heat extraction from the space or process to be cooled, using an electric vapour compression cycle;	(44) ‘cooling generator’ means the part of a cooling system that generates a temperature difference allowing heat extraction from the space or process to be cooled, using an electric vapour compression cycle;	(44) ‘cooling generator’ means the part of a cooling system that generates a temperature difference allowing heat extraction from the space or process to be cooled, using an electric vapour compression cycle;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
134	(45) 'heat pump' means the part of a heating system that generates a temperature difference allowing heat supply to the space or process to be heated, using an electric vapour compression cycle;	(45) 'heat pump' means the part of a heating system that generates a temperature difference allowing heat supply to the space or process to be heated, using an electric vapour compression cycle;	(45) 'heat pump' means the part of a heating system that generates a temperature difference allowing heat supply to the space or process to be heated, using an electric vapour compression cycle;	PL: (Comments): No remarks. AT: (Comments):
135	(46) 'electric motor' means a device that converts electrical input power into mechanical output power, and with a rated output equal to or above 0.12 kW ;	(46) 'electric motor' means a device that converts electrical input power into mechanical output power, and with a rated output equal to or above 0.12 kW ;	(46) 'electric motor' means a device that converts electrical input power into mechanical output power, and an electric motor in the meaning of Article 2(1) of Regulation (EU) 2019/17811, in its version of 1 October 2019, with a rated output equal to or above 0.12 kW-;	PL: (Comments): Support for the Council's proposal. NL: (Comments): Link to existing EU directive. Prefer Council mandate. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches IT: (Comments): Maintain the Council's position LT: (Comments): LT supports Council Mandate.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
136	(47) 'automatic washing machine' means a washing machine where the load is fully treated by the washing machine without the need for user intervention at any point during the programme;	(47) 'automatic washing machine' means a washing machine where the load is fully treated by the washing machine without the need for user intervention at any point during the programme;	(47) 'automatic washing machine' means an automatic washing machine where the load is fully treated by the washing machine without the need for user intervention at any point during the programme in the meaning of Articles 2(2) of Commission Regulation (EU) 2019/2023, in its version of 1 October 2019;	PL: (Comments): Support for the Council's proposal. NL: (Comments): Link to existing EU directive. Prefer Council mandate. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches IT: (Comments): Maintain the Council's position LT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
137	(48) 'tumble dryer' means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed;	(48) 'tumble dryer' means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed;	(48) 'tumble dryer drier' means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed;	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. IT: (Comments): Maintain the Council's position AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
138	(49) 'microwave' means any appliance intended to be used for the heating of food using electromagnetic energy;	(49) 'microwave' means any appliance intended to be used for the heating of food using electromagnetic energy;	(49) 'microwave' means any appliance intended to be used for the heating of food using electromagnetic energy;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
139	(50) 'vacuum cleaner' means an appliance that removes soil from a surface to be cleaned by means of an airflow created by under pressure developed within the unit;	(50) 'vacuum cleaner' means an appliance that removes soil from a surface to be cleaned by means of an airflow created by under pressure developed within the unit;	(50) 'vacuum cleaner' means an appliance that removes soil from a surface to be cleaned by means of an airflow created by under pressure developed within the unit a vacuum cleaner within the meaning of Article 2, point 1 of Commission Regulation (EU) 2013/666, in its version of 30 November 2016;	<p>PL: (Comments): Support for the Council's proposal.</p> <p>NL: (Comments): Link to existing EU directive. Prefer Council mandate.</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				RO: (Comments): Agree with Council's text
140	(51) 'dishwasher' means a machine which cleans and rinses tableware;	(51) 'dishwasher' means a machine which cleans and rinses tableware;	(51) 'dishwasher' means a machine which cleans and rinses tableware;	PL: (Comments): No remarks. AT: (Comments):
141	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	(52) 'permanent magnet' means a magnet that retains its magnetism after being removed from an external magnetic field;	PL: (Comments): No remarks. AT: (Comments):
142	(53) 'data carrier' means a linear bar code symbol, a two-dimensional symbol or other automatic identification data capture medium that can be read by a device;	(53) 'data carrier' means a linear bar code symbol, a two-dimensional symbol or other automatic identification data capture medium that can be read by a device;	(53) 'data carrier' means a linear bar code symbol, a two-dimensional symbol or other automatic identification data capture medium that can be read by a device;	PL: (Comments): No remarks. AT: (Comments):
143	(54) 'unique product identifier' means a unique string of characters for the identification of products;	(54) 'unique product identifier' means a unique string of characters for the identification of products;	(54) 'unique product identifier' means a unique string of characters for the identification of products;	PL: (Comments): No remarks. AT: (Comments):
144	(55) 'magnet coating' means a layer of material generally used	(55) 'magnet coating' means a layer of material generally used	(55) 'magnet coating' means a layer of material generally used	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	to protect magnets from corrosion;	to protect magnets from corrosion;	to protect magnets from corrosion;	AT: (Comments):
145	(56) 'removal' means manual, mechanical, chemical, thermal or metallurgic handling with the result that the targeted components or materials are identifiable as a separate output stream or part of an output stream;	(56) 'removal' means manual, mechanical, chemical, thermal or metallurgic handling with the result that the targeted components or materials are identifiable as a separate output stream or part of an output stream;	(56) 'removal' means manual, mechanical, chemical, thermal or metallurgic handling with the result that the targeted components or materials are identifiable as a separate output stream or part of an output stream;	PL: (Comments): No remarks. AT: (Comments):
146	(57) 'recycler' means any natural or legal person who carries out recycling in a permitted facility;	(57) 'recycler' means any natural or legal person who carries out recycling in a permitted facility;	(57) 'recycler' means any natural or legal person who carries out recycling in a permitted facility;	PL: (Comments): No remarks. AT: (Comments):
147	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	(58) 'making available on the market' means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;	PL: (Comments): No remarks. AT: (Comments):
148	(59) 'critical raw material type' means a critical raw material placed on the market that is differentiated by its stage of	(59) 'critical raw material type' means a critical raw material placed on the market that is differentiated by its stage of	(59) 'critical raw material type' means a critical raw material placed on the market that is differentiated by its stage of	PL: (Comments): No remarks. AT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	processing, its chemical composition, its geographical origin or the production methods used;	processing, its chemical composition, its geographical origin or the production methods used;	processing, its chemical composition, its geographical origin or the production methods used;	(Comments):
149	(60) 'placing on the market' means the first making available of a product on the Union market;	(60) 'placing on the market' means the first making available of a product on the Union market;	(60) 'placing on the market' means the first making available of a product on the Union market;	PL: (Comments): No remarks. AT: (Comments):
150	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	(61) 'conformity assessment' means the process demonstrating whether the requirements set out Article 27, 28 or 34 have been fulfilled;	PL: (Comments): No remarks. AT: (Comments):
382	Chapter 5 Sustainability	Chapter 5 Sustainability	Chapter 5 Sustainability	PL: (Comments): No remarks. AT: (Comments):
383	Section 1 Circularity	Section 1 Circularity	Section 1 Circularity	PL: (Comments): No remarks. AT: (Comments):
384	Article 25	Article 25	Article 25	PL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	National measures on circularity	National measures on circularity	National measures on circularity	No remarks. AT: (Comments):
385	1. Each Member State shall by [OP please insert: 3 years after the date of entry into force of this Regulation] adopt and implement national programmes containing measures designed to:	1. Each Member State shall by [OP please insert: 3 years 24 months after the date of entry into force of this Regulation] adopt and implement national programmes, which may include cross-border actions and collaborations within the European Economic Area containing appropriate measures designed to:	1. Each Member State shall by [OP please insert: 32 years after the date of entry into force of this Regulation the implementing act referred to in paragraph 7] adopt and implement, or include in , national programmes containing measures designed to:	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): We support the Commission's proposal. Two years to adopt and implement national programs is too short a period. Our position is that Article 25 should remain as originally proposed by the Commission. NL: (Comments): Prefer EP mandate SI: (Comments): SI supports the GA. DK: (Comments): The practical implications of the EP proposal are not clear. DK would prefer the Council Mandate due to the relevant reference to paragraph 7 and the clarification regarding the inclusion of the national program in other programmes. IE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Prefer Council Mandate</p> <p>BE:</p> <p>(Comments):</p> <p>Openness PE to mention cross-border actions</p> <p>FI:</p> <p>(Comments):</p> <p>Regarding the deadline for the national programmes, FI prefers the Council mandate. It is important to link the obligation to the entry into force of the implementing act. This ensures sufficient time for the preparation of the plan also in a possible case where the Commission is not able to issue the implementing act in time. For FI EP proposals for additional measures to be covered by the programme would increase the administrative burden arising from the preparation of the programme. In order to minimise the administrative burden, there should be a real need for additional requirements.</p> <p>FR:</p> <p>(Comments):</p> <p>France supports the Council proposal.</p> <p>CZ:</p> <p>(Comments):</p> <p>CZ prefers Council position. There must be enough time to</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>implement or include the measures on circularity in national programmes.</p> <p>IT:</p> <p>(Comments):</p> <p>We Maintain Council's proposal on the effective date of entry into force. the entry into force. we can be flexible to Parliament's proposal, but a reference to ECTA is necessary, which includes Switzerland as opposed to the European Economic Area</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Commission proposal.</p> <p>PT:</p> <p>(Comments):</p> <p>We support the Council's mandate.</p> <p>AT:</p> <p>(Comments):</p> <p>We generally advocate maintaining the Council position in this case, but, propose the following wording:</p> <p>1. Each Member State shall by [OP please insert: 32 years after the date of entry into force of this Regulation]</p> <p>the implementing act referred to in paragraph 7] adopt and implement, or include in, national programmes, which may include cross-border</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				actions and collaborations within the European Economic Area containing measures designed to: However, how would “appropriate measures” be defined? RO: (Comments): Agree with Council’s text
385a			(-a) reduce the need for critical raw materials by increasing resource efficiency and their substitution in applications;	SE: (Comments): SE wants to keep this, instead of adding EP proposal on 388a. PL: (Comments): As above. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintained Helpful that substitution is mentioned explicitly under circularity objectives IE: (Comments): Prefer Council Mandate, where emphasis is placed on reducing the need for CRMs via resource efficiency and substitution, instead of the EP mandate which places emphasis on reduction of demand.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>BE: (Comments): To keep</p> <p>IT: (Comments): Maintain the Council's proposal</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case (see line 385b).</p> <p>RO: (Comments): Agree with Council's text</p>
385b		<p>(-a) mitigate the increase in demand of critical raw materials to achieve the benchmark set out in Article 1(2), point (db);</p>		<p>SE: (Comments): This will be determined based on discussions on benchmarks. However, SE would rather have proposal on r. 385a.</p> <p>PL: (Comments): As above.</p> <p>IE: (Comments): Reject EP Mandate see above</p> <p>FI:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): the EP amendment is somewhat similar to the addition in Council mandate, in line 385a. FI prefers the Council mandate.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We prefer the Council version wording in 385a</p> <p>PT: (Comments): We do not support the amendment proposed by the EP.</p> <p>AT: (Comments): As already pointed out in line 85b (Batch I) we are against additional introduction of targets for an undifferentiated reduction of resource consumption. This is not in line with our overall objective to strengthen competitiveness.</p>
386	(a) increase the collection of waste with high critical raw materials recovery potential and ensure their introduction into the appropriate recycling system, with a view to maximising the availability and quality of recyclable material as	(a) increase the collection, sorting and processing of waste, metal scraps and end-of-life products with high critical raw materials recovery potential in accordance with Article 4 of Directive	(a) increase the collection of waste with high critical raw materials recovery potential and ensure their introduction into the appropriate recycling system, with a view to maximising the availability and quality of recyclable material as	<p>SE: (Comments): SE does not support EP proposal and wants to keep Council mandate on r. 388b.</p> <p>PL: (Comments): As above.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	an input to critical raw material recycling facilities;	2008/98/EC, and ensure their introduction into the appropriate recycling system, with a view to maximising the lifespan of products and availability and quality of recyclable material as an input to critical raw material recycling facilities in compliance with Union law, notably on environment and public health;	an input to critical raw material recycling facilities;	<p>NL: (Comments): Prefer Council Position. The use of this sentence is better at line 388b because of the R-ladder (circularity ladder).Flexible towards EP insertions in 386</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): We are flexible towards the EP position.</p> <p>IE: (Comments): Flexibility towards EP Mandate</p> <p>BE: (Comments): Compromise proposal (fusing proposals of EP and Council). Motivation: it is very important to put more emphasis on reduction of resource use; reuse (of components or products), repair and refurbishing offer major opportunities to achieve this and often have higher potential (for resource demand reduction and climate impact reduction) than recycling, so the proposal of EP in this sense can be supported. By this compromise, both the desires of EP and Council can be met.(ca) increase the <u>collection, sorting</u></p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p><u>and processing of waste, metal scraps and end-of-life products with high potential for critical raw materials recovery or for reuse or repair and ensure their introduction into the appropriate recycling, reuse, repair or refurbishing system, with a view to maximising the lifespan of products and the availability and quality of recyclable material as an input to critical raw material recycling facilities;</u></p> <p>FI:</p> <p>(Comments):</p> <p>This requirement was moved to (ca) in the Council mandate (no changes in substance), line 388b. The EP additions seem acceptable for FI.</p> <p>CZ:</p> <p>(Comments):</p> <p>CZ prefers Council position in line 388b as the requirement to increase re-use and repairability is already included in paragraph b) (line 387).</p> <p>IT:</p> <p>(Comments):</p> <p>Maintain the Council proposal on line 388b. EP amendment acceptable for reference to metal scraps and EoW.</p> <p>DE:</p> <p>(Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Support the parliaments position, but many of the following aspects like design, reuse or waste prevention should be better addressed on the European level because this aspect is very much related to the common Single Market. Otherwise it will be less effective.</p> <p>LT: (Comments): LT supports Parliament Mandate..</p> <p>PT: (Comments): We can support the more detailed text on the EP's amendment.</p> <p>AT: (Comments):</p> <p>RO: (Comments): Agree with EP's text</p>
387	(b) increase the re-use of products and components with high critical raw materials recovery potential;	(b) increase the waste prevention, re-use, repair, refurbishing, remanufacturing and repurposing re-use of products and components with high critical raw materials recovery potential;	(b) promote and increase the re-use, including durability, reliability, upgradability and repairability , of products and components with high critical raw materials recovery potential;	<p>SE: (Comments): SE does not support EP proposal on including 'waste prevention' etc. here, and wants to keep Council mandate.</p> <p>PL: (Comments): As above.</p> <p>NL: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Prefer EP Mandate</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): We are flexible towards the EP position.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Compromise proposal combining proposals of EP and Council:(b) promote and increase durability, reliability, upgradability and repairability as well as <u>waste prevention, re-use, repair, refurbishing, remanufacturing and repurposing</u>, of products and components with high critical raw materials recovery potential;</p> <p>FI: (Comments): FI thinks EP proposal is acceptable.</p> <p>CZ: (Comments): CZ is flexible towards EP position.</p> <p>IT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Otherwise, it would be appropriate to introduce definitions of refurbishing, remanufacturing and repurposing or references to directives or regulations in which elements of waste prevention are contained</p> <p>DE: (Comments): See above.</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's mandate and the EP's inclusion of "waste prevention".</p> <p>AT: (Comments): We advocate maintaining the Council position in this case, because of clearer wording.</p> <p>RO: (Comments): Agree with Council's text</p>
388	(c) increase the use of secondary critical raw materials in manufacturing, including, where appropriate, by taking recycled content into account in award criteria related to public procurement;	(c) increase the use of secondary critical raw materials in manufacturing, that can be used instead of or alongside primary critical raw materials, including materials originating from metal scraps	(c) increase the use share of secondary critical raw materials in manufacturing, including, where appropriate, by taking recycled content into account in award criteria related to public procurement;	<p>SE: (Comments): SE does not support EP proposal. SE wants to keep Council mandate where it is established that we should increase the share, and not the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		<p>and end-of-life products, and promote the refurbishment of products including, where appropriate, by taking recycled content into account in award criteria related to public procurement or considering financial incentives for the use of such materials;</p>		<p>use. Also, keep the Council mandate where public procurement parts are deleted. SE may be able to show flexibility if award criteria is left out. Overall, it is unclear what the proposed obligation implicates.</p> <p>PL: (Comments): As above.</p> <p>NL: (Comments): Flexible towards EP mandate</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Prefer the Council Mandate which is shorter and more precise.</p> <p>IE: (Comments): Prefer Council Mandate – require clarity regarding secondary raw materials</p> <p>BE: (Comments): Maintain Council position; amendment of EP does not add anything extra above the aspects that are already mentioned in (b)</p> <p>FI: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>FI prefers a reference to the share of secondary critical raw materials instead of use.</p> <p>FR:</p> <p>(Comments):</p> <p>The French authorities strongly supports the council mandates. We consider that the reference to how recycled content is taken into account in award criteria related to public contracts comes with serious, practical difficulties with regard to the absence of a clear definition of the obligations incumbent on purchasers. Deleting this provision seems to be the best way to preserve the effectiveness of other sectoral initiatives in this area and not to undermine the unity or consistency of EU public procurement law as a whole.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Commission proposal.</p> <p>AT:</p> <p>(Comments):</p> <p>AT strongly advocates maintaining the Council position in this case. AT strongly opposes the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Commission Proposal and the EP mandate insofar as it relates to award criteria related to public procurement and asks the Presidency to defend the Council Mandate and to insist on the Council's position in the further negotiations with the EP for the following reasons: The concrete obligations arising from Art. 25(1)(c) of the Commission Proposal and the EP Mandate are completely unknown. It is not clear from the text, whether the MS are required to present a national programme on circularity in which, among other things, the share of recycled materials must be prescribed as award criteria or whether Art. 25(1)(c) is to be seen as a "soft law" obligation. AT strongly opposes the legal obligation to apply certain award criteria. The implementation of mandatory award criteria would raise a variety of legal questions, in particular in connection with their weighting, ranking and necessary link to the subject-matter of the public contract in question [cf. e.g. Art. 67(2) of Directive 2014/24/EU]. AT recalls that according to the constant jurisprudence of the ECJ it is up to the respective</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>contracting authority / contracting entity to choose the award criteria and the weighing of the criteria for each and every PP procedure (see for ex. C-19/00, <i>SIAC</i>, at no. 36, C-448/01, <i>EVN und Wienstrom</i>, at no. 37). This is necessary to achieve the best outcome for a specific PP procedure. Furthermore, according to Union Procurement Law award criteria shall be chosen to select the “<i>most economically advantageous tender from the point of view of the contracting authority / contracting entity</i>” (see in this regard Art. 67 (2) of Directive 2014/24/EU and Art. 82 (2) of Directive 2014/25/EU). A legal obligation in a national programme to apply specific award criteria with a specific weighting would deprive contracting authorities / contracting entities of their right to choose the criteria, which they think are best suited for a given PP procedure. Moreover, award criteria as part of the evaluation system can be equalised and their effect eliminated by other factors (such as a particularly low price). The implementation of mandatory requirements for the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>subject-matter of the public contract can therefore not be carried out via award criteria; this is done via technical specifications (cf. e.g. Art. 42 of Directive 2014/24/EU) or, if applicable, via conditions for the performance of the contract (cf. e.g. Art. 70 of Directive 2014/24/EU). Award criteria are also limited to 100%, and numerous other proposals at EU level already include mandatory award criteria [cf. e.g. Batteries Regulation (EU) 2023/1542; Proposal for a Regulation on CO2 standards for heavy duty vehicles COM(2023) 88; Proposal NZIA COM(2023) 161]. However, the award criteria <u>must</u> also take the price into account in order to determine the best price-quality ratio (c.f. e.g. Recital 90 of Directive 2014/24/EU). Art. 25(1)(c) as proposed by the Commission and the EP is also extremely vague and would raise many questions about the concrete content of the obligation.RO: (Comments): Agree with Council's text</p>
388a		(ca) increase the efficient use of critical raw materials		<p>SE: (Comments): SE does not support, and would</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		throughout the whole value chain;		<p>rather keep Council mandate on r. 385a.</p> <p>PL: (Comments): As above.</p> <p>NL: (Comments): Prefer EP mandate</p> <p>IE: (Comments): Reject EP Mandate as it is too vague.</p> <p>BE: (Comments): When line 385b is accepted, addition of this line is desirable; efficient material use is already in Council position line 385a</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support EP addition.</p> <p>LT: (Comments): LT supports Parliament Mandate..</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We support this addition</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				proposed by the Rapporteur.
388b			<p>(ca) increase the collection of waste with high critical raw materials recovery potential and ensure their introduction into the appropriate recycling system, with a view to maximising the availability and quality of recyclable material as an input to critical raw material recycling facilities;</p>	<p>PL: (Comments): As above.</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments): Retain Council Mandate</p> <p>BE: (Comments): Council Mandate to keep</p> <p>CZ: (Comments): CZ prefers Council position.</p> <p>IT: (Comments): Maintain the Council's position (see above line 386)</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
389	(d) increase the technological maturity of recycling	(d) increase the technological maturity of recycling	(d) increase the technological maturity of recycling	<p>SE: (Comments): SE does not support EP</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	technologies for critical raw materials and to promote materials efficiency and the substitution of critical raw materials in applications, at least by including support actions to that effect under national research & innovation programmes;	technologies for critical raw materials and to promote materials efficiency and the substitution of critical raw materials in applications while taking into account performance and functionality , at least by including support actions to that effect under national research & innovation programmes;	technologies for critical raw materials and to promote materials efficiency and the substitution of critical raw materials in applications , at least by including support actions to that effect under national research & innovation programmes;	proposal, and wants to keep Council mandate where the focus lies on recycling and not on substitution etc. PL: (Comments): As above. NL: (Comments): Flexible towards either Commission position or EP mandate. SI: (Comments): SI supports the GA. IE: (Comments): Can show flexibility towards EP Mandate as we agree with the importance of the wording 'performance and functionality' of substituted materials. BE: (Comments): In favor of the the parlement proposition IT: (Comments): we are flexible to Parliament's proposalFlexible to introduce "while taking into account performance and functionality" LT: (Comments): LT supports Commission proposal

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
390	(e) ensure that their workforce is equipped with the skills needed to support circularity of the critical raw materials value chain.	(e) ensure that their workforce is equipped with the skills needed to support circularity of the critical raw materials value chain- by fostering skills, upskilling and reskilling measures;	(e) ensure that their contribute, as appropriate, to developing a workforce that is equipped with the skills needed to support circularity of the critical raw materials value chain- and promote measures for upskilling and reskilling;	SE: (Comments): SE wants to keep Council mandate where it is established that we should 'contribute' instead of 'ensure'. It is national competence. PL: (Comments): As above. SI: (Comments): SI supports the GA. DK: (Comments): Important to keep Council textEnsure is too strong language as member states cannot do that on their own – it is very much a matter for companies - only contribute to it through the education system. Education policy is national competence so we should avoid

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>too strong language that seem to entail actual obligations which could potentially lie outside the legal scope of the act</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FI: (Comments): FI prefers the Council Mandate regarding developing the skills of workforce (contribute instead of ensure).</p> <p>FR: (Comments): In a spirit of compromise, France can accept the addition of the EP proposal to the Council proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>AT: (Comments): We generally advocate maintaining the Council position in this case, but, suggest the following, more strengthened wording: (e) ensure that their contribute, as appropriate, to developing a</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				workforce that is equipped with the skills needed to support circularity of the critical raw materials value chain: by fostering skills, upskilling and reskilling measures; and promote measures for upskilling and reskilling;
390a		(ea) increase the possibilities to recover critical raw materials from products through changes in the design of those products or increasing their recyclability, at least by including support actions to that effect under national R&I programmes;	(ea) promote that financial contributions paid by the producer, where they exist in national law, in compliance with its extended producer responsibility obligations established in accordance with Article 8(1) of Directive 2008/98/EC, incentivise that products contain a larger share of secondary critical raw materials recovered from waste recycled in line with relevant environmental standards established in Union law;	SE: (Comments): SE does not support EP proposal since Council discussion has positioned that it should not be a product legislation and therefore it is not appropriate to include design actions. PL: (Comments): As above. SI: (Comments): SI supports the GA. DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches IE: (Comments): Prefer Council Mandate BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Proposal EP is acceptable, but is not an alternative for line (ea) in Council position. Maintain Council position, but room to add EP proposal in the text.</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>IT: (Comments): Support to (ea) of Council's proposal. We are flexible about (ea) of EP, which should be another point (example eaa)</p> <p>DE: (Comments): We support the EP position, see comments above regarding designs Single Market and the limited impact of member states on this level.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We consider that the Council's mandate needs clarification. How should the financial contributions paid by producers incentivise that products contain a larger share of secondary critical raw materials recovered from waste? Will these</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>contributions be directed to e.g. financing R&D projects or new recycling facilities?</p> <p>AT:</p> <p>(Comments):</p> <p>We generally advocate maintaining the Council position in this case, but, propose the following wording:</p> <p>(ea) promote that financial contributions paid by the producer, where they exist in national law, in compliance with its extended producer responsibility obligations established in accordance with Article 8(1) of Directive 2008/98/EC, incentivise that products contain a larger share of secondary critical raw materials recovered from waste recycled, at least by supporting actions to that effect under national R&I programmes, in line with relevant environmental standards established in Union law;</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
390b		<p>(eb) promote in their national programs the consolidation of capacity building and technology transfer programs to promote the responsible</p>	<p>(eb) take necessary measures to ensure that critical raw materials that are exported under an end of waste status fulfill the relevant conditions</p>	<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible.</p> <p>PL:</p> <p>(Comments):</p> <p>As above.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		recycling of critical minerals in producing countries;	in accordance with directive 2008/98/EC and other relevant Union law.	<p>NL: (Comments): Flexible towards EP mandate</p> <p>SI: (Comments): SI supports the GA. Reference to 2008/98/EC directive should remain in the text.</p> <p>DK: (Comments): Council text should be maintainedImportant to keep the reference to the complementary Directive to ensure legislative harmonized approaches</p> <p>IE: (Comments): Council mandate provision to be retained.Ireland queries if these two (eb) points are equivalent or if they should they be on different lines as flexibility can be shown towards EP Mandate.</p> <p>BE: (Comments): Proposal EP is acceptable, but is not an alternative for line (eb) in Council position.Maintain Council position, but room to add EP proposal in the text.</p> <p>FI: (Comments): In FI opinion the EP ja Council mandates do not deal with the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>same issue. EP mandate acceptable, if necessary for the compromise</p> <p>FR: (Comments): France strongly supports the Council proposal and opposes to the EP version.</p> <p>CZ: (Comments): CZ supports Council position. It is important that material exported under end-of-waste status always fulfil all the criteria set for end-of-waste at the EU level.</p> <p>IT: (Comments): Maintain (eb) of Council.</p> <p>DE: (Comments): We support the Council version</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				Agree with Council's text
390c		(ec) support the uptake of quality standards for recycling processes of waste streams containing critical raw materials, such as electronics waste, to ensure optimal material recovery.		<p>SE: (Comments): SE does not support EP proposal. It adds extra burden for recycling facilities.</p> <p>PL: (Comments): As above.</p> <p>NL: (Comments): Flexible towards EP mandate</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Reject EP Mandate – already covered by council in text.</p> <p>BE: (Comments): EP proposal is acceptable.</p> <p>FI: (Comments): The meaning of 'quality standards' in this context should be specified. The administrative burden caused by the requirement and its monitoring should also be assessed.</p> <p>FR: (Comments): Action to be taken at European level, not in national action plans.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support EP addition.</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We generally support this amendment proposed by the Rapporteur. Nevertheless, the uptake of quality standards described here should be addressed to EC.</p>
390d		<p>The national programmes referred to in the first subparagraph shall be updated regularly, assessing in particular whether the measures taken in accordance with this paragraph are suitable.</p>		<p>SE: (Comments): SE can be flexible, but this is already regulated in national waste management plans in WFD (art. 28).</p> <p>PL: (Comments): As above.</p> <p>NL: (Comments): Prefer EP mandate</p> <p>SI: (Comments): SI is flexible.</p> <p>DK:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): This should be rejectedWe should not introduce an obligation to “regularly” update the programmes. It is better to leave it to the Member States’ discretion when it is deemed necessary to update.</p> <p>IE: (Comments): Reject EP Mandate</p> <p>FI: (Comments): For FI this proposal is understandable, but would increase the administrative burden a lot. If accepted, the time frame for updating should be defined</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We reject this EP addition starting with “assessing...”, MS only implement “suitable” measures in national programmes, why would they implement unsuitable ones</p> <p>PT: (Comments): We can support the EP’s amendment.</p> <p>AT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments):</p> <p>This is a well-intentioned addition proposed by the Rapporteur, However, the wording is too vague. What does “regularly” mean? How are “suitable measures” to be defined?</p>
390e		<p>Member States shall share relevant information and best practices related to such measures with the European Critical Raw Materials Board established pursuant to Article 34. Where feasible, measures related to increasing the technological maturity of recycling technologies, materials efficiency and substitution of critical raw materials are encouraged to be taken in cooperation with other Member States.</p>		<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible, but should be in art. 35?</p> <p>PL:</p> <p>(Comments):</p> <p>As above.</p> <p>NL:</p> <p>(Comments):</p> <p>Flexible towards EP mandate</p> <p>SI:</p> <p>(Comments):</p> <p>SI is open to the amendment if also acceptable for other MS.</p> <p>DK:</p> <p>(Comments):</p> <p>The EP proposed text should be rejectedCreating an obligation (“shall”) to share information that is “relevant” through the board is excessive. While there should be exchanges this should not be through an actual legal obligation around best practice etc.</p> <p>IE:</p> <p>(Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Reject EP Mandate as wording it too vague.</p> <p>BE: (Comments): Oppenness to EP, But this is already integrated in Council proposal art. 35.5a</p> <p>FI: (Comments): FI opinion is that this overlaps with the reporting requirement referred to in Article 43.</p> <p>IT: (Comments): Flexible on EP's proposal. The second part: "Where feasible, measures related to increasing the technological maturity of recycling technologies, materials efficiency and substitution of critical raw materials are encouraged to be taken in cooperation with other Member States." could be moved on recital</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We are generally flexible regarding this addition proposed by the Rapporteur. However, any additional administrative burden on Member States must be proportionate. For this</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>reason, we suggest the following wording: Member States shall may share relevant information and best practices related to such measures with the European Critical Raw Materials Board established pursuant to Article 34. Where feasible, measures related to increasing the technological maturity of recycling technologies, materials efficiency and substitution of critical raw materials are encouraged to be taken in cooperation with other Member States.</p>
390f			<p>1a. The programmes referred to in paragraph 1 may be integrated into new or existing waste management plans and waste prevention programmes adopted pursuant to Articles 28 and 29 of Directive 2008/98/EC.</p>	<p>SE: (Comments): SE wants to keep Council mandate. PL: (Comments): As above. SI: (Comments): SI supports the GA. DK: (Comments): Important to keep Council positionWe should not create a whole new report as this would be burdensome and increase complexity. Much better to allow this to be nested within existing reporting obligations</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>CZ: (Comments): CZ strongly prefers Council position as there are already measures set in national waste management plan and waste prevention programme regarding prevention, collection and recycling of waste containing critical raw materials.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
391	2. The programmes referred to in paragraph 1 shall cover in particular products and waste which are not subject to any specific requirement on	2. The programmes referred to in paragraph 1 shall cover in particular products and waste which are not subject to any specific requirement on	2. The programmes referred to in paragraph 1 shall cover in particular products and waste which are not subject to any specific requirement on	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	collection, treatment, recycling or re-use under Union legislation. For other products and waste, the measures shall be implemented in coherence with existing Union legislation.	collection, treatment, recycling or re-use under Union legislation. For other products and waste, the measures shall be implemented in coherence with existing Union legislation.	collection, treatment, recycling or re-use under Union legislation. For other products and waste, the measures shall be implemented in coherence with existing Union legislation.	
392	With respect to points (a) and (b) of paragraph 1, the programmes referred to in that paragraph may include, without prejudice to Articles 107 and 108 of the TFEU, the introduction of financial incentives, such as discounts, monetary rewards or deposit-refund systems, to encourage the re-use of products with high critical raw materials recovery potential and the collection of waste from such products.	With respect to points (a) and (b) of paragraph 1, the programmes referred to in that paragraph may include, without prejudice to Articles 107 and 108 of the TFEU, and where duly substantiated , the introduction of financial incentives economic instruments , such as discounts, monetary rewards or deposit-refund systems, to encourage the re-use of products with high critical raw materials recovery potential and the collection of waste from such products.	With respect to points (a) and (b) (b) and (d) of paragraph 1, the programmes referred to in that paragraph may include, without prejudice to Articles 107 and 108 of the TFEU, the introduction of financial incentives, such as discounts, monetary rewards or deposit-refund systems, to encourage the preparation for re-use and re-use of products with high critical raw materials recovery potential, and the collection and treatment of waste from such products.	SE: (Comments): SE wants to keep Council mandate. But note that it should say 'preparing for re-use' instead of 'preparation'. PL: (Comments): We support the Commission's proposal SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate BE: (Comments): added value of the EP proposal unclear FR: (Comments): FR supports Council's proposal with the addition following deposit refund systems "or extended producer responsibility fees". CZ:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): CZ prefers Council position as it adds preparation for re-use.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT flexible</p> <p>AT: (Comments): We generally advocate maintaining the Council position in this case, but, suggest including the following wording: With respect to points (a) and (b)(b) and (d) of paragraph 1, the programmes referred to in that paragraph may include, without prejudice to Articles 107 and 108 of the TFEU, and where duly substantiated, the introduction of financial incentives economic instruments such as discounts, monetary rewards or deposit-refund systems, to encourage the preparation for re-use and re-use of products with high critical raw materials recovery potential, and the collection and treatment of waste from such products.RO:</p> <p>(Comments): Agree with Council's text</p>
393				SE:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>3. Each Member State shall by [OP please insert: 4 years after the date of entry into force of this Regulation] adopt and implement measures to promote the recovery of critical raw materials from extractive waste, in particular from closed waste facilities identified in the database created in accordance with Article 26 as containing potentially economically recoverable critical raw materials.</p>	<p>3. Each Member State shall by [OP please insert: 4 years30 months after the date of entry into force of this Regulation] adopt and implement measures to promote the recovery of critical raw materials from extractive waste, in particular from closed waste facilities identified in the database created in accordance with Article 26 as containing potentially economically recoverable critical raw materials.</p>	<p>3. Each Member State shall by [OP please insert: 4 years after the date of entry into force of this Regulation] adopt and implement measures to promote the recovery of critical raw materials from extractive waste, in particular from closed waste facilities identified in the database created in accordance with Article 26 as containing potentially economically recoverable critical raw materials.</p>	<p>(Comments): SE wants to keep Council mandate. PL: (Comments): We support the Commission's proposal NL: (Comments): Prefer Commission position. DK: (Comments): Important to keep the Council position i.e. delete Prefer Council Mandate, since not all Member States produce extractive waste nor have relevant waste facilities. IE: (Comments): Prefer Council Mandate BE: (Comments): Maintain Council position FI: (Comments): This paragraph was moved to Article 26 in the Council mandate, line 415a. FI prefers the deadline for the measures as in the Council mandate. IT: (Comments): Maintain the Council's position (moved to art 26). Maintain 4 years. too.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>DE: (Comments): We reject EP addition of 30 month instead of 4 years, see also line 415a</p> <p>LT: (Comments): LT supports Commission proposal</p> <p>PT: (Comments): We support the Council mandate, to address this matter in Article 26., <i>vd</i> line 415a.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p>
394	<p>4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to trade and distortions of competition in conformity with the TFEU.</p>	<p>4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to international and intra-Union trade and distortions of competition inon the Union market conformity with the TFEU.</p>	<p>4. The national measures referred to in paragraphs 1 and 2 shall be designed so as to avoid barriers to trade and distortions of competition in conformity with the TFEU.</p>	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FR: (Comments): France strongly supports the Council proposal.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): We are flexible to Parliament's proposal</p> <p>LT: (Comments): LT supports Commission proposal</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We support the amendments proposed by the Rapporteur in this case.</p> <p>RO: (Comments): Agree with EP's text</p>
395	<p>5. When reporting to the Commission the data concerning the quantities of waste electrical and electronic equipment recycled, pursuant to Article 16(6) of Directive 2012/19/EU on waste electrical and electronic equipment, Member States shall identify separately, and report, the quantities of components containing relevant amounts of critical raw materials removed from such waste equipment and the quantities of critical raw</p>	<p>5. When reporting to the Commission the data concerning the quantities of waste electrical and electronic equipment recycled, pursuant to Article 16(6) of Directive 2012/19/EU on waste electrical and electronic equipment, Member States shall identify separately, and report, a substantiated estimate of critical raw materials placed on the market in electrical and electronic equipment, the quantities of components</p>	<p>5. When reporting to the Commission the data concerning the quantities of waste electrical and electronic equipment recycled, pursuant to Article 16(6) of Directive 2012/19/EU on waste electrical and electronic equipment, Member States shall identify separately, and report, the quantities of components containing relevant amounts of critical raw materials removed from such waste equipment and the quantities of critical raw</p>	<p>SE: (Comments): SE can support EP proposal on adding 'a substantiated estimate of critical raw materials placed on the market in electrical and electronic equipment'. However, SE wants to keep Council mandate on the rest of the row.</p> <p>PL: (Comments): We support the Commission's proposal</p> <p>NL:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>materials recovered from the waste electrical and electronic equipment. The Commission shall adopt implementing acts specifying the format and details of such reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3). The first reporting period shall cover the first full calendar year after the adoption of those implementing acts.</p>	<p>containing relevant amounts of critical raw materials removed from such waste equipment and the quantities of critical raw materials recovered from the waste electrical and electronic equipment. The Commission shall adopt implementing acts specifying the format and details of such reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3). The first reporting period shall cover the first full calendar year after the adoption of those implementing acts.</p>	<p>materials recovered from the waste electrical and electronic equipment. The Commission shall adopt implementing acts specifying the format and details of such reporting. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3). The first reporting period shall cover the firstsecond full calendar year after the adoption of those implementing acts.</p>	<p>(Comments): Prefer EP mandate SI: (Comments): SI supports the GA. DK: (Comments): We should reject the EP amendment. Requiring member states to submit such an estimate will be a burden on governments, and likely on firms that would probably be required to report on this IE: (Comments): Prefer Council Mandate as the EP proposal is unclear BE: (Comments): These data are at the moment not available to the importers, nor the producers who buy component and build products. Such reporting is only possible once the product passport is available (so linked to the ESPR). FI: (Comments): FI prefers the Council mandate We do not support the additional reporting requirement proposed by EP. This would increase the administrative burden a lot.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>FR: (Comments): France can support the PE's proposal regarding reporting a substantiated estimate of critical raw materials placed on the market in electrical and electronic equipment, but supports the Council's proposal regarding the first reporting period</p> <p>CZ: (Comments): CZ prefers Council position. It is important to ensure enough time to implement such reporting obligation into national legislation.</p> <p>IT: (Comments): Maintain the Council's position .The required estimate of critical raw material content in electrical and electronic equipment placed on the market may be difficult to identify for entities placing equipment or components manufactured in other countries on the domestic market. In the event, it would be appropriate to provide criteria for determining such estimates by identifying them in the planned implementing act along with the format and details for reporting.</p> <p>LT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): LT supports Parliament Mandate PT: (Comments): We support the Council's mandate. AT: (Comments): RO: (Comments): Agree with Council's text
395a		5a. On the basis of the reports referred to in paragraph 5 of this Article, the Commission shall review Directive 2012/19/EU to assess the feasibility of introducing targets for the collection and recovery of critical raw materials from waste electrical and electronic equipment.		SE: (Comments): SE does not support that amendments of WEEE is to be done in this act. PL: (Comments): No support. NL: (Comments): Prefer EP mandate SI: (Comments): SI would like to hear the opinion of the Commission. DK: (Comments): DK support proposal from EP. IE: (Comments): Reject EP Mandate BE: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>EP proposal can be considered.</p> <p>FR:</p> <p>(Comments):</p> <p>We can support EP's proposal, but need to have data on the CRM content and therefore and thus the adoption of the previous proposal (line 395).</p> <p>CZ:</p> <p>(Comments):</p> <p>CZ is flexible towards EP position.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Parliament Mandate</p> <p>PT:</p> <p>(Comments):</p> <p>We can support the EP's amendment. Introducing targets for the collection and recovery of critical raw materials from waste electrical and electronic equipment is relevant for the objective of the proposal, but its feasibility should first be assessed as suggested.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>6. Member States shall, as part of the report referred to in Article 43, provide information on the adoption of the national programmes referred to in paragraph 1 and on progress in the implementation of the measures taken pursuant to paragraphs 1 and 2.</p>	<p>6. Member States shall, as part of the report referred to in Article 43, provide information on the adoption of the national programmes referred to in paragraph 1 and on progress in the implementation and the effects of the measures taken pursuant to paragraphs 1 and 2 to 3, as well as their contribution to meeting the benchmarks set out in Article 1.</p>	<p>6. Member States shall, as part of the report referred to in Article 43, provide information on the adoption of the national programmes referred to in paragraph 1 and on progress in the implementation of the measures taken pursuant to paragraphs 1 and 2.</p>	<p>SE: (Comments): SE can support adding ‘and the effects’, but wants to keep Council mandate regarding the rest of the row. PL: (Comments): We support the proposal of the Commission and the Council. SI: (Comments): SI is flexible. IE: (Comments): Reject EP Mandate as member states won’t be able to assess the contribution of national programmes to EU benchmarks. BE: (Comments): Not in favour of EP provisionProgress to benchmarks are to be ensured at EU level FI: (Comments): FI prefers the Council/Commission mandate. The additions proposed by EP would increase the administrative burden of reporting. In particular, assessing the contribution of a Member State to meeting the benchmarks set for the whole</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>EU would be too cumbersome in practice.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): We support the EP's amendment.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with EP's text</p>
397	<p>7. The Commission shall adopt implementing acts specifying a list of products, components and waste streams that shall at least be considered as having a high critical raw materials recovery potential within the meaning of paragraph 1 (a) and (b).</p>	<p>7. By ... [1 year after the date of entry into force of this Regulation], the Commission shall adopt implementing acts delegated acts in accordance with Article 36 to supplement this Regulation by specifying a list of products, components and waste streams that shall at least be considered as having a high relevant critical raw materials recovery potential within the meaning of paragraph 1 (a) and (b).</p>	<p>7. The Commission shall adopt implementing acts specifying a list of products, components and waste streams that shall at least be considered as having a high critical raw materials recovery potential within the meaning of paragraph 1 (a) and (b).</p>	<p>SE: (Comments): SE does not support a delegated act instead of implementing act, however we see the need for a timeline to be included in Council mandate.</p> <p>PL: (Comments): We support the proposal of the Commission and the Council.</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): Important to maintain Council Position This should be implementing acts, not delegated acts, We believe that it would be most appropriate to adopt the list via an implementing act and maintain the 18 months deadline introduced by the Council (see line 404). And it must concern waste streams with <i>high</i> recovery potential, not just <i>relevant</i> recovery potential, as it will be disproportionately burdensome to set the bar too low for what must be included</p> <p>IE: (Comments): Ireland is flexible towards EP but would like the opinion of the commission.</p> <p>BE: (Comments): Proposal EP is acceptable (a time frame is already in the Council proposal, see line 404).</p> <p>FI: (Comments): For FI EP proposal is not acceptable. Council mandate (implementing act 18 months after the date of entry of the Regulation) will enable Member States to participate in the preparation. The dead-line for the Commission may be</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>shortened to 1 year, if this is acceptable to the Commission (provided that Article 25.1 is retained as in the Council mandate, see line 385)</p> <p>IT:</p> <p>(Comments):</p> <p>Maintain the Council's position that includes the implementation act. We can be flexible with the deadline given by EP (1 year instead of the 18 months in line 404)</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Council Mandate.</p> <p>AT:</p> <p>(Comments):</p> <p>We advocate maintaining the Council position in this case.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
398	In drawing up this list, the Commission shall take account of:	In drawing up this list, the Commission shall take account of:	In drawing up this list, the Commission shall take account of:	<p>PL:</p> <p>(Comments):</p> <p>No remarks.</p> <p>AT:</p> <p>(Comments):</p>
399	(a) the total amount of critical raw materials recoverable from those products, components and waste streams:	(a) the total amount of critical raw materials potentially recoverable from those products, components and waste streams:	(a) the total amount of critical raw materials recoverable from those products, components and waste streams:	<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible, but not sure what 'potentially' means.</p> <p>PL:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): No remarks. IE: (Comments): Prefer Council Mandate as EP text may introduce uncertainty. IT: (Comments): we are flexible to Parliament's proposal AT: (Comments): We support the including of “potentially” as proposed by the Rapporteur. RO: (Comments): Agree with EP's text
400	(b) the extent to which those products, components and waste streams are covered by Union legislation;	(b) the extent to which those products, components and waste streams are covered by Union legislation;	(b) the extent to which those products, components and waste streams are covered by Union legislation;	PL: (Comments): No remarks. AT: (Comments):
401	(c) regulatory gaps;	(c) regulatory gaps;	(c) regulatory gaps;	PL: (Comments): No remarks. AT: (Comments):
402	(d) particular challenges affecting their collection and waste treatment;	(d) particular challenges affecting their collection and waste treatment;	(d) particular challenges affecting their collection and waste treatment;	PL: (Comments): No remarks. AT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments):
403	(e) existing systems of collection and waste treatment applying to them.	(e) existing systems of collection and waste treatment applying to them.	(e) existing systems of collection and waste treatment applying to them.	PL: (Comments): No remarks. AT: (Comments):
404	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 37(3).	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 37(3).	The implementing acts referred to in the first subparagraph shall be adopted by [18 months after the date of entry into force of this Regulation] in accordance with the examination procedure referred to in Article 37(3).	PL: (Comments): We support the Commission's proposal SI: (Comments): SI supports the GA. DK: (Comments): Important to maintain Council position as per above, it should be an implementing act IE: (Comments): Prefer Council Mandate FI: (Comments): see line 397.FI thinks that the dead-line for the Commission may be shortened to 1 year, if this is acceptable to the Commission (provided that Article 25.1 is retained as in the Council mandate, see line 385) IT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				Maintain the Council's position AT: (Comments): RO: (Comments): Agree with Council's text
404a		7a. The Commission shall, after consultation with concerned stakeholders, develop dedicated waste codes for lithium-ion batteries and intermediate waste streams ('black mass').		SE: (Comments): SE does not support EP proposal, since this should be made in a revision of either the Waste Framework Directive or the Batteries regulation instead. PL: (Comments): No remarks. NL: (Comments): Prefer EP mandate IE: (Comments): Reject EP Mandate as the definition of black mass would have to be made and alignment with other waste provisions would have to be examined. BE: (Comments): Proposal EP is acceptable. Yet a remark can be made that work is already progressing on this issue. The document distributed for the meeting of the expert group on waste classification and POP waste of 17.03.2023

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>contains following sentence: “In the context of the new Batteries Regulation⁵ and the communication on Critical Raw Materials⁶, a targeted amendment of the list of waste is envisaged to take place in 2024 to take account of the emergence of new battery chemistries (in particular lithium-based⁷ and nickel-based⁸ batteries), evolving manufacturing and recycling processes, and proper sorting, recycling and reporting of waste batteries in the context of the new Batteries Regulation. The objective is to improve the identification and classification of relevant waste streams arising from the production of batteries (e.g. cuttings and scrap containing cathode and anode materials) and from their recycling (e.g. “black mass” / battery active material).”</p> <p>FI:</p> <p>(Comments):</p> <p>FI opinion is that this proposal is not necessary, the Commission has already started the work in order to amend the List of waste (Commission decision 2000/532/EC) in this respect. If the proposal is accepted, more precise reference should be made to the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>above-mentioned Commission decision.</p> <p>FR: (Comments): FR supports the EP's proposal</p> <p>CZ: (Comments): CZ is flexible towards EP position.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>LT: (Comments): LT supports Parliament Mandate.</p> <p>AT: (Comments): We support this addition proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with EP's text</p>
405	Article 26 Recovery of critical raw materials from extractive waste	Article 26 Recovery of critical raw materials from extractive waste	Article 26 Recovery of critical raw materials from extractive waste	AT: (Comments):
406	1. Operators obliged to submit waste management plans in accordance with Article 5 of Directive 2006/21/EC shall provide to the competent	1. Operators obliged to submit waste management plans in accordance with Article 5 of Directive 2006/21/EC shall provide to the competent	1. Operators obliged to submit draw up waste management plans in accordance with Article 5 of Directive 2006/21/EC shall	SE: (Comments): SE does not support EP proposal. Environmental costs are included in the economic assessment. SE would like the

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>authority as defined in Article 3 of Directive 2006/21/EC a preliminary economic assessment study regarding the potential recovery of critical raw materials from:</p>	<p>authority as defined in Article 3 of Directive 2006/21/EC a preliminary environmental and economic assessment study regarding the potential recovery of critical raw materials from:</p>	<p>provide to the competent authority as defined in Article 3(27) of Directive 2006/21/EC a preliminary economic assessment study regarding the potential recovery of critical raw materials, when their extractive waste may contain critical raw materials, from:</p>	<p>PRES to ask EP views on this. PL: (Comments): No remarks. SI: (Comments): SI supports the GA. DK: (Comments): Important to keep the Council position, Member states should only be covered by the obligation to do an economic assessment study insofar as they have extractive waste that could potentially contain critical raw material waste. But see comment to line 408a IE: (Comments): Prefer Council Mandate as a waste management plan already incorporates an environmental assessment. BE: (Comments): The added value of the EP proposa is unclear. It may even delay the assessment of potentially interesting waste streams; an economic assessment can probably be done easily and fast; an environmental assessment may be harder to do and take longer. If it is economically not feasible,</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>FI: (Comments): In theory FI likes the addition but we are not how costly or burdensome it would be for the operators.</p> <p>IT: (Comments): Maintain but we are Flexible on EP amendment on preliminary environmental assessment. nevertheless it's need to define the scope and criterias</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We strongly advocate maintaining the Council position in this case. For companies for which exploration and extraction of critical raw materials is not part of their business activities, the obligation to carry out a corresponding study at their own expense and risk would be unreasonable.</p> <p>RO: (Comments): Agree with Council's text</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
407	(a) the extractive waste stored in the facility; and	(a) the extractive waste stored in the facility; and	(a) the extractive waste stored in the facility; and	PL: (Comments): No remarks. AT: (Comments):
407a		(aa) the extractive waste disposed by the operator since the entry into force of Directive 2006/21/EC; and		SE: (Comments): SE does not support EP proposal, it creates uncertainty. PL: (Comments): No support. SI: (Comments): SI is flexible. IE: (Comments): Reject EP Mandate as the intention is unclear. BE: (Comments): Proposal EP is acceptable. FI: (Comments): Is it relevant to assess the waste disposed for the purposes of this article? FI doesn't understand this addition. IT: (Comments): Disagree on this proposal. PT: (Comments): We can support the EP's

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>amendment. AT: (Comments): We reject this addition proposed by the Rapporteur. Such a provision would entail a loss of information, as old tailings can also contain valuable resources. RO: (Comments): Agree with EP's text</p>
408	(b) the extractive waste being generated or, where considered more effective, from the extracted volume prior to it becoming waste.	(b) the extractive waste being generated or, where considered more effective, from the extracted volume prior to it becoming waste.	(b) the extractive waste being generated or, where considered more effective, from the extracted volume prior to it becoming waste.	<p>PL: (Comments): No remarks. AT: (Comments):</p>
408a		<p>1a. Operators are exempted from the obligation under paragraph 1, if they demonstrate to the competent authorities that the extractive waste does not contain critical raw materials that are technically recoverable.</p>		<p>SE: (Comments): SE does not support EP proposal. SE believes that EP goes further than Council mandate on r. 411. PL: (Comments): No remarks. NL: (Comments): EP mandate (reduction of unnecessary regulatory burden) SI: (Comments): SI is flexible.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>DK: (Comments): This seems to have the same effect as the Council amendment in line 406 so we could perhaps be flexible about the exact exposition</p> <p>IE: (Comments): Reject EP Mandate; Ireland prefers that all operators have to do a full economic assessment, so that the data is available in the event of any change to the CRM list.</p> <p>BE: (Comments): Proposal EP is acceptable.</p> <p>FI: (Comments): The EP amendment is similar to council mandate of art 26.1. Seems acceptable for FI.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): If the Council's proposal on line 406 is adopted, this EP's amendment is not needed.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>AT: (Comments): We support this addition proposed by the Rapporteur. However, it should be sufficiently clarified how operators may demonstrate in practice that the extractive waste does not contain critical raw materials technically recoverable, in order to qualify for an exemption.</p> <p>RO: (Comments): Agree with EP's text</p>
409	<p>2. The study referred to in paragraph 1 shall at least include an estimation of the quantities and concentrations of critical raw materials contained in the extractive waste and in the extracted volume and an assessment of their technical and economic recoverability.</p>	<p>2. The study referred to in paragraph 1 shall at least include an estimation of the quantities and concentrations of critical raw materials contained in the extractive waste and in the extracted volume and an assessment of their technical and economic recoverability, as well as the environmental consequences of recovering them. Operators shall specify the methods used to estimate the quantities and concentrations.</p>	<p>2. The study referred to in paragraph 1 shall at least include an estimation of the quantities and concentrations of critical raw materials contained in the extractive waste and in the extracted volume, and an assessment of their technical and economic recoverability.</p>	<p>SE: (Comments): SE can be flexible, but this is already supposed to be made in accordance with the Extractive Waste Directive. SE wonders if the PRES can ask EP on their view of this.</p> <p>PL: (Comments): Support for the proposals of the Commission and the Council.</p> <p>NL: (Comments): Council mandate (reduction of unnecessary regulatory burden)</p> <p>SI: (Comments): SI is flexible.</p> <p>IE:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): Prefer Council Mandate as this EP proposal is encroaching on existing rules within the Extractive Waste Directive.</p> <p>BE: (Comments): The added value of the EP proposal is unclear; it may even delay the assessment of potentially interesting waste streams; an economic assessment can probably be done easily and fast; an environmental assessment may be harder to do and take longer. If it is economically not feasible,</p> <p>FI: (Comments): In theory FI likes the addition but we are not sure how costly or burdensome it would be for the operators</p> <p>FR: (Comments): France can support the EP proposal.</p> <p>IT: (Comments): Maintain the Council's position as the concept of "environmental consequences" seems too general. In case the environmental effects assessment part is to be strengthened, it is suggested</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>that an implementing act be established to define the methodology (e.g., LCA, etc.)</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Commission proposal</p> <p>PT:</p> <p>(Comments):</p> <p>We can support the EP's amendment.</p> <p>AT:</p> <p>(Comments):</p> <p>We advocate maintaining the Council position in this case. Any environmental impact coming from extracting raw materials from extractive waste and minimising them to the permissible extent must already be taken into account in permitting procedures.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text Operators shall specify the methods used to estimate the quantities and concentrations. We appreciate the inclusion of this provision and we see the necessity to be supported.</p>
410	3. Operators of existing waste facilities shall submit the study referred to in paragraph 1 to the	3. Operators of existing waste facilities shall submit the study referred to in paragraph 1 to the	3. Operators of existing extractive waste facilities shall submit the study	<p>SE:</p> <p>(Comments):</p> <p>SE wants to keep Council mandate.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>competent authority as defined in Article 3 of Directive 2006/21/EC by [OP please insert: 3 years after the date of entry into force of this Regulation]. Operators of new waste facilities shall submit this study to the competent authority when submitting their waste management plans in accordance with Article 5 of Directive 2006/21/EC.</p>	<p>competent authority as defined in Article 3 of Directive 2006/21/EC by [OP please insert: 32 years after the date of entry into force of this Regulation]. Operators of new waste facilities shall submit this study to the competent authority when submitting their waste management plans in accordance with Article 5 of Directive 2006/21/EC.</p>	<p>referred to in paragraph 1 to the competent authority as defined in Article 3(27) of Directive 2006/21/EC by [OP please insert: 3 years after the date of entry into force of this Regulation]. Operators of new waste facilities shall submit this study to the competent authority when submitting their waste management plans in accordance with Article 57 of Directive 2006/21/EC.</p>	<p>PL: (Comments): Support for the proposals of the Commission and the Council.</p> <p>NL: (Comments): Council mandate (reduction of unnecessary regulatory burden)</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to keep Council positionThis cannot cover all waste facilities so “extractive” must be inserted.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FI: (Comments): FI opinion is that the change in the council mandate (‘extractive waste facility’) needs to be kept. Otherwise the requirement may be too extensive.</p> <p>IT: (Comments): Maintain the Council's position because the reduction to 2 years from the 3 could be insufficient timeframe for proper implementation of the obligations placed on operators</p> <p>PT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
411	<p>4. Member States shall establish a database of all closed waste facilities, including abandoned waste facilities, located on their territory. This database shall contain information on:</p>	<p>4. Member States shall establish a database of all closed waste facilities, including abandoned waste facilities, located on their territory. This database shall contain information on:</p>	<p>4. Member States shall establish a database of all closed extractive waste facilities, including abandoned extractive waste facilities, located on their territory where available information indicates the presence of potentially economically recoverable quantities of critical raw materials. Such information shall be included in this database. This database shall contain information on:</p>	<p>SE: (Comments): SE wants to keep Council mandate here, and not take onboard the proposal on r. 408a.</p> <p>PL: (Comments): Support for the Commission's and Parliament's proposals.</p> <p>NL: (Comments): Council mandate (reduction of unnecessary regulatory burden)</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to keep Council position This paragraph must only cover extractive waste facilities, not <i>all</i> waste facilities, and should only apply if "available information indicates" that it is relevant.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Maintain to council position</p> <p>FI: (Comments): For FI it is important that the changes in the council mandate are kept.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
412	(a) the location, areal extent and waste volume of the waste facility;	(a) the location, areal extent and waste volume of the waste facility;	(a) the location, areal extent and waste volume, or where appropriate, the estimated volume , of the waste facility;	<p>PL: (Comments): Support for the Commission's and Parliament's proposals.</p> <p>SI: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				SI supports the GA. IE: (Comments): Prefer Council Mandate IT: (Comments): Maintain the Council's position PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
413	(b) the operator or former operator of the waste facility and, where applicable, their legal successor;	(b) the operator or former operator of the waste facility and, where applicable, their legal successor;	(b) the operator or former operator of the waste facility and, where applicable, their legal successor;	PL: (Comments): Support for the Council's proposal. AT: (Comments):
414	(c) the approximate quantities and concentrations of all raw materials contained in the extractive waste and, where available, in the original mineral deposit, in accordance with paragraph 6 of this Article;	(c) the approximate quantities and concentrations of all raw materials contained in the extractive waste and, where available, in the original mineral deposit, in accordance with paragraph 6 of this Article;	(c) the approximate quantities and concentrations of all raw materials contained in the extractive waste and, where available, in the original mineral deposit, in accordance with paragraph 6 of this Article;	PL: (Comments): Support for the Council's proposal. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
415	(d) any additional information considered relevant by the Member State to enable the recovery of critical raw materials from a waste facility.	(d) any additional information considered relevant by the Member State to enable the recovery of critical raw materials from a waste facility.	(d) any additional information considered relevant by the Member State to enable the recovery of critical raw materials from a waste facility.	PL: (Comments): Support for the Commission's proposal. AT: (Comments):
415a			4a. Member States shall, by [OP please insert: 4 years after the date of entry into force of this Regulation] adopt and implement measures to promote the recovery of critical raw materials from extractive waste, in particular from closed extractive waste facilities identified in the database referred to in paragraph 4 as containing potentially economically recoverable critical raw materials.	SE: (Comments): SE wants to keep Council mandate. PL: (Comments): Support for the Council's proposal. SI: (Comments): SI supports the GA. IE: (Comments): Retain Council Mandate on 4 year timeline for measures to promote recovery of extractive waste. FI: (Comments): See the comment in line 386. IT: (Comments): Maintain the Council's position DE: (Comments): We support this Council version. LT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate, <i>vd</i> line 393. RO: (Comments): Agree with Council's text
416	5. The database referred to in paragraph 4 shall be put in place by [OP please insert: 1 year after the date of entry into force of this Regulation] and all information completed by [OP please insert: 3 years after the date of entry into force of this Regulation]. It shall be made available in a publicly accessible and digital form and updated at least every 2 years to incorporate additional available information and newly closed or newly identified facilities.	5. The database referred to in paragraph 4 shall be put in place by [OP please insert: 1 year 9 months after the date of entry into force of this Regulation] and all information completed by [OP please insert: 3 2 years after the date of entry into force of this Regulation]. It shall be made available in a publicly accessible and digital form and updated at least every 2 years to incorporate additional available information and newly closed or newly identified facilities.	5. The database referred to in paragraph 4 shall be put in place by [OP please insert: 1 2 year after the date of entry into force of this Regulation] and all information completed by [OP please insert: 3 4 years after the date of entry into force of this Regulation]. It shall be made available in a publicly accessible and digital form and updated at least every 23 years to incorporate additional available information and newly closed or newly identified facilities.	SE: (Comments): SE does not support EP proposal. PL: (Comments): Support for the Council's proposal. NL: (Comments): Council mandate SI: (Comments): SI supports 2 years deadline for database. SI supports 4 years deadline for information and 3 years deadline for additional information as in the GA. IE: (Comments): Prefer Council Mandate BE: (Comments): Council position maintain for delays

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>FI: (Comments): FI strongly prefers the Council mandate.</p> <p>FR: (Comments): The delays set up in the EP proposal do not seem realistic and are not harmonized with paragraph 6 of the same Article. Setting up the database and fully filling it represents a considerable amount of work for which additional human resources cannot be allocated immediately after the entry into force of this Regulation. In addition, the deadline for completing all information must allow the investigations provided for in article 26(6)(c) to be taken into account.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Council position in this case. The timeframes as proposed by the Rapporteur seem rather unrealistic.</p> <p>RO: (Comments): Agree with EP's text</p>
417	6. In order to provide the information referred to in paragraph 4, point (c), Member States shall undertake at least the following activities:	6. In order to provide the information referred to in paragraph 4, point (c), Member States shall undertake at least the following activities:	6. In order to provide the information referred to in paragraph 4, point (c), Member States shall undertake at least the following activities:	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>
418	(a) for all closed waste facilities, Member States shall comprehensively review the available permitting files by [OP please insert: 1 year after the date of entry into force of this Regulation];	(a) for all closed waste facilities, Member States shall comprehensively review the available permitting files by [OP please insert: 1 year 9 months after the date of entry into force of this Regulation];	(a) for all -closed extractive waste facilities, Member States shall comprehensively review the available permitting files, or other available documentation when permitting files do not exist , by [OP please insert: 12 year after the date of entry into force of this Regulation];	<p>SE: (Comments): SE does not support EP proposal.</p> <p>PL: (Comments): Support for the Council's proposal.</p> <p>NL: (Comments): Council mandate</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to maintain Council positionAs also mentioned above it must be specified this covers extractive waste facilities only, not all waste</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>facilities</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Council position; 1 year is already very short.</p> <p>FI: (Comments): FI prefers the Council mandate.</p> <p>FR: (Comments): France strongly supports the Council proposal, in line with comments for L 416.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
419	(b) for such waste facilities	(b) for such waste facilities	(b) for such extractive waste	<p>SE: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>where available information does not a priori exclude the presence of potentially economically recoverable quantities of critical raw materials, Member States shall additionally conduct, by [OP please insert: 2 years after the date of entry into force of this Regulation], a representative geochemical sampling;</p>	<p>where available information does not a priori exclude the presence of potentially economically recoverable quantities of critical raw materials, Member States shall additionally conduct, by [OP please insert: 2 years 18 months after the date of entry into force of this Regulation], a representative geochemical sampling;</p>	<p>facilities where available information does not a priori exclude indicates the presence of potentially economically recoverable quantities of critical raw materials, Member States shall additionally conduct, by [OP please insert: 23 years after the date of entry into force of this Regulation], a representative geochemical sampling;</p>	<p>SE does not support EP proposal. PL: (Comments): Support for the Council's proposal. NL: (Comments): Council mandate SI: (Comments): SI supports the GA including the deadline. DK: (Comments): Important to maintain Council position As also mentioned above it must be specified this covers extractive waste facilities only, not all waste facilities IE: (Comments): Prefer Council Mandate BE: (Comments): Council position; 1 year is already very short. FI: (Comments): FI strongly prefers the Council mandate. FR: (Comments): France strongly supports the Council proposal. The</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>economic criteria adopted by the Member States can under no circumstances be invoked by operators as a guarantee of the economic profitability of their operations.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
420	<p>(c) for such waste facilities where the activities described under points (a) and (b) of this paragraph have indicated potentially economically recoverable quantities of critical raw materials, Member States shall additionally carry out, by [OP please insert: 3 years after the date of entry into force of this Regulation], a more detailed analysis involving core</p>	<p>(c) for such waste facilities where the activities described under points (a) and (b) of this paragraph have indicated potentially economically recoverable quantities of critical raw materials, Member States shall additionally carry out, by [OP please insert: 3 years30 months after the date of entry into force of this Regulation], a more detailed analysis</p>	<p>(c) for such extractive waste facilities where the activities described under points (a) and (b) of this paragraph have indicated potentially economically recoverable quantities of critical raw materials, Member States shall additionally carry out, by [OP please insert: 34 years after the date of entry into force of this Regulation], a more detailed</p>	<p>SE: (Comments): SE does not support EP proposal.</p> <p>PL: (Comments): Support for the Council's proposal.</p> <p>NL: (Comments): Council mandate</p> <p>SI:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	logging or equivalent techniques, where this is environmentally sound in accordance with applicable environmental requirements at Union level and with the requirements of Directive 2006/21/EC where relevant.	involving core logging or equivalent techniques, where this is environmentally sound in accordance with applicable environmental requirements at Union level and with the requirements of Directive 2006/21/EC where relevant.	analysis sampling with subsequent chemical and mineralogical characterisation involving core logging or equivalent techniques, where this is environmentally sound in accordance with applicable environmental requirements at Union level and with the requirements of Directive 2006/21/EC where relevant.	<p>(Comments): SI supports the GA. DK: (Comments): Important to maintain Council positionAs also mentioned above it must be specified this covers extractive waste facilities only, not all waste facilities IE: (Comments): Prefer Council Mandate BE: (Comments): Council position : 4 years delay FI: (Comments): FI strongly prefers the Council mandate. FR: (Comments): France strongly supports the Council proposal. The implementation of these complementary actions depends on the results of steps (a) and (b). The deadline provided here must allow the completion of steps (a), (b) and (c) since it begins on the date of entry into force of the regulation. IT: (Comments): Maintain the Council's position LT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
421	<p>7. The activities described in paragraph 6 shall be carried out within the limits of national legal systems pertaining to property rights, ownership of land, mineral resources and waste, and any other relevant provisions. Where such factors inhibit the activities, the Member State authorities shall seek the cooperation of the operator or owner of the waste facility. The results of the activities described under paragraph 6 shall be made accessible as part of the database. Where possible, the Member States shall include in the database a classification of the closed extractive waste facilities according to the United Nations Framework</p>	<p>7. The activities described in paragraph 6 shall be carried out within the limits of national legal systems pertaining to property rights, ownership of land, mineral resources and waste, and any other relevant provisions. Where such factors inhibit the activities, the Member State authorities shall seek the cooperation of the operator or owner of the waste facility. The results of the activities described under paragraph 6 shall be made accessible as part of the database referred to in paragraph 4. Where possible, the Member States shall include in thethat database a classification of the closed extractive waste facilities</p>	<p>7. The activities described in paragraph 6 shall be carried out within the limits of national legal systems pertaining to property rights, ownership of land, mineral resources and waste, environmental and health impacts and any other relevant provisions. Where such factors inhibit the activities, the Member State authorities shall seek the cooperation of the operator or owner of the waste facility. The results of the activities described under paragraph 6 shall be made accessible as part of the database. Where possible, the Member States shall include in the database a classification of the closed extractive waste facilities according to the</p>	SE: (Comments): SE can support adding the clarification of reference to para 4. PL: (Comments): Support for the Council's proposal. SI: (Comments): SI is flexible. IE: (Comments): Prefer Council Mandate IT: (Comments): Maintain the Council's position PT: (Comments): Agreement with Council's mandate.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	Classification for Resources.	according to the United Nations Framework Classification for Resources.	United Nations Framework Classification for Resources.	AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
422	Article 27 Recyclability of permanent magnets	Article 27 Recyclability of permanent magnets	Article 27 Recyclability of permanent magnets	AT: (Comments):
423	1. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market magnetic resonance imaging devices, wind energy generators, industrial robots, motor vehicles, light means of transport, cooling generators, heat pumps, electric motors, including where they are integrated in other products, automatic washing machines, tumble driers, microwaves, vacuum cleaners or dishwashers shall ensure that those products bear a conspicuous, clearly legible and indelible label indicating:	1. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market magnetic resonance imaging devices, wind energy generators, industrial robots, motor vehicles, light means of transport, cooling generators, heat pumps, electric motors, including where they are integrated in other products, automatic washing machines, tumble driers, microwaves, vacuum cleaners or dishwashers shall ensure that those products bear a conspicuous, clearly legible and indelible label indicating:	1. From [OP please insert: 32 years after the date of entry into force of this Regulation the implementing act referred to in paragraph 2], any natural or legal person that places on the market magnetic resonance imaging devices, wind energy generators, industrial robots, motor vehicles, light means of transport, cooling generators, heat pumps, electric motors, including where they are integrated in other products, automatic washing machines, tumble driers, microwaves, vacuum cleaners or dishwashers shall ensure that those products bear a conspicuous, clearly legible and indelible label indicating:	PL: (Comments): We support the Commission's proposal. IE: (Comments): Prefer Council Mandate as an implementing act will aid implementation; prefer 30 month timeline. FI: (Comments): FI prefers the Council mandate. FR: (Comments): France strongly supports the Council mandate. IT: (Comments): Maintain the Council's position LT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				LT supports Commission proposal AT: (Comments): RO: (Comments): Agree with Council's text
424	(a) whether or not those products incorporate one or more permanent magnets;	(a) whether or not those products incorporate one or more permanent magnets;	(a) whether or not those products incorporate one or more permanent magnets;	PL: (Comments): No remarks. AT: (Comments):
425	(b) if the product incorporates one or more permanent magnets, whether those magnets belong to any of the following types:	(b) if the product incorporates one or more permanent magnets, whether those magnets belong to any of the following types:	(b) if the product incorporates one or more permanent magnets, whether those magnets belong to any of the following types:	PL: (Comments): No remarks. AT: (Comments):
426	(i) Neodymium-Iron-Boron;	(i) Neodymium-Iron-Boron;	(i) Neodymium-Iron-Boron;	PL: (Comments): No remarks. AT: (Comments):
427	(ii) Samarium-Cobalt;	(ii) Samarium-Cobalt;	(ii) Samarium-Cobalt;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
428	(iii) Aluminium-Nickel-Cobalt;	(iii) Aluminium-Nickel-Cobalt;	(iii) Aluminium-Nickel-Cobalt;	PL: (Comments): No remarks. AT: (Comments):
429	(iv) Ferrite.	(iv) Ferrite.	(iv) Ferrite.	PL: (Comments): No remarks. AT: (Comments):
429a		(ba) if the product incorporates one or more permanent magnets of the types referred to in point (b), how many of each type of magnets is incorporated in the product.		SE: (Comments): SE can be flexible. PL: (Comments): No remarks. SI: (Comments): SI is not in favour of the EP amendment. This article already imposes certain additional obligations/procedures on producers of permanent magnets, which will result in additional costs for their production. The remaining few European producers of permanent magnets (one is in Slovenia) already face a very challenging/uncompetitive conditions on the markets due to significantly cheaper imported Chinese magnets. For

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>these reasons Slovenia would like to stick to the GA and we do not want any further costs occurrence for producers.</p> <p>IE: (Comments): Reject EP Mandate as it does not appear to add value</p> <p>BE: (Comments): Acceptable</p> <p>FI: (Comments): FI would prefer not to add more requirements in this article</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal as it clarifies the information to be indicated</p> <p>LT: (Comments): LT supports Parliament Mandate.</p> <p>RO: (Comments): Agree with EP's text</p>
430	2. The Commission shall adopt an implementing act establishing the format for the	2. The Commission shall adopt an implementing act establishing the format for the	2. The Commission shall adopt an implementing act establishing the format for the	<p>PL: (Comments): We support the Commission's proposal.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>labelling referred to in paragraph 1. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>labelling referred to in paragraph 1 by [date: 1 years after the date of entry into force of this Regulation]. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>labelling referred to in paragraph 1. That implementing act shall be adopted by [OP please insert: 30 months after the date of entry into force of this Regulation] in accordance with the examination procedure referred to in Article 37(3).</p>	<p>SI: (Comments): SI supports the GA. DK: (Comments): DK is flexible regarding the proposal from EP. IE: (Comments): Prefer Council Mandate as an implementing act will aid implementation; prefer 30 month timeline. FI: (Comments): FI prefers the Council mandate. FR: (Comments): France strongly supports the Council proposal. IT: (Comments): we are flexible to Parliament's proposal LT: (Comments): LT supports Council Mandate AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text</p>
431				SE:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>3. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market products referred to in paragraph 1 incorporating one or more permanent magnets of the types referred in paragraph 1, point (b), points (i) to (iii), shall ensure that a data carrier is present on or in the product.</p>	<p>3. From [OP please insert: 3 years after the date of entry into force of this Regulation], any natural or legal person that places on the market products referred to in paragraph 1 incorporating one or more permanent magnets of the types referred in paragraph 1, point (b), points (i) to (iii), shall ensure that a data carrier is present on or in the product.</p> <p>The data carrier shall, under no circumstances, contain or give access to commercially sensitive information.</p>	<p>3. From [OP please insert: 32 years after the date of entry into force of this Regulation the implementing act referred to in paragraph 2], any natural or legal person that places on the market products referred to in paragraph 1 incorporating one or more permanent magnets of the types referred in paragraph 1, point (b), points (i) to (iii), shall ensure that a data carrier is present on or in the product.</p>	<p>(Comments): SE supports EP proposal. PL: (Comments): We support the Parliament's proposal. DK: (Comments): It is very important to maintain the text in the Council Mandate, in order to broaden the types of magnets that will be covered. See also line 448. IE: (Comments): Prefer Council Mandate BE: (Comments): In favour of PE for confidential information FI: (Comments): FI prefers the wording in the Council mandate. The last sentence of the EP amendment is acceptable. FR: (Comments): France strongly supports the Council proposal. IT: (Comments): Maintain the Council's position LT: (Comments): LT supports Parliament</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Mandate</p> <p>PT:</p> <p>(Comments):</p> <p>We support the Council's mandate and the EP's amendment "The data carrier shall, under no circumstances, contain or give access to commercially sensitive information."</p> <p>AT:</p> <p>(Comments):</p> <p>As already pointed out in various lines throughout Batches I and II, the correct handling of sensitive data is of utmost importance. For this reason, we very much support the amendment proposed by the Rapporteur referring to commercially sensitive information within data carriers.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
432	<p>4. The data carrier referred to in paragraph 3 shall be linked to a unique product identifier that provides access to the following:</p>	<p>4. The data carrier referred to in paragraph 3 shall be linked to a unique product identifier that provides targeted access to the following:</p>	<p>4. The data carrier referred to in paragraph 3 shall be linked to a unique product identifier that provides access to the following:</p>	<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible.</p> <p>PL:</p> <p>(Comments):</p> <p>No remarks.</p> <p>IE:</p> <p>(Comments):</p> <p>Prefer Council Mandate</p> <p>IT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): Maintain the Council's position AT: (Comments):
433	(a) the name, registered trade name or registered trade mark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	(a) the name, registered trade name or registered trade mark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	(a) the name, registered trade name or registered trade mark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	PL: (Comments): No remarks. IT: (Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with Council's text
434	(b) information on the weight, location and chemical composition of all individual permanent magnets included in the product, and on the presence and type of magnet coatings, glues and any additives used;	(b) information on the weight, location and chemical composition of all individual permanent magnets included in the product, and on the presence and type of magnet coatings, glues and any additives used;	(b) information on the weight, location and chemical composition of all individual permanent magnets included in the product, and on the presence and type of magnet coatings, glues and any additives used;	PL: (Comments): No remarks. AT: (Comments):
435	(c) information enabling access and removal of all permanent magnets incorporated in the product, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the permanent magnet, without	(c) information enabling access and removal of all permanent magnets incorporated in the product, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the permanent magnet, without	(c) information enabling access and safe removal of all permanent magnets incorporated in the product, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the	SE: (Comments): SE finds it important to keep wording of 'safe' removal. PL: (Comments): No remarks. IT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	prejudice to Article 15(1) of Directive 2012/19/EU.	prejudice to Article 15(1) of Directive 2012/19/EU.	permanent magnet, without prejudice to Article 15(1) of Directive 2012/19/EU.	(Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with Council's text
436	5. For products where the incorporated permanent magnets are exclusively contained in one or more electric motors incorporated in the product, the information referred to in paragraph 4, point (b), may be replaced by information on the location of those electric motors, and the information referred to in paragraph 4, point (c), may be replaced by information on the access and removal of the electric motors, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the electric motors.	5. For products where the incorporated permanent magnets are exclusively contained in one or more electric motors incorporated in the product, the information referred to in paragraph 4, point (b), may be replaced by information on the location of those electric motors, and the information referred to in paragraph 4, point (c), may be replaced by information on the access and removal of the electric motors, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the electric motors.	5. For products where the incorporated permanent magnets are exclusively contained in one or more electric motors incorporated in the product, the information referred to in paragraph 4, point (b), may be replaced by information on the location of those electric motors, and the information referred to in paragraph 4, point (c), may be replaced by information on the access and removal of the electric motors, at least including the sequence of all removal steps, tools or technologies required for the access and removal of the electric motors.	PL: (Comments): No remarks. AT: (Comments):
437	6. For products referred to in paragraph 3 for which a product passport as defined in Regulation XX/XXXX [the Ecodesign for Sustainable	6. For products referred to in paragraph 3 for which a product passport as defined in Regulation XX/XXXX [the Ecodesign for Sustainable	6. For products referred to in paragraph 3 for which a product passport as defined in Regulation XX/XXXX [the Ecodesign for Sustainable	SE: (Comments): SE support Council mandate on r. 438 instead of separating the paragraphs and keep wording of Council mandate. However, SE

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>Products Regulation] is required pursuant to another Union legislative act, the information referred to in paragraph 4 shall be included in that product passport.</p>	<p>Products Regulation] or XX/XXXX [Batteries and waste batteries Regulation] is required pursuant to another Union legislative act, the information referred to in paragraph 4 shall be included in that product or digital passport. The information referred to in paragraph 3 shall be complete, up-to-date and accurate and shall remain available for a period at least equal to the product's typical lifetime plus ten years, including after an insolvency, a liquidation or a cessation of activity in the Union of the responsible natural or legal person.</p>	<p>Products Regulation] is required pursuant to another Union legislative act, the information referred to in paragraph 4 shall be included in that product passport.</p>	<p>can support inclusion of Batteries regulation. PL: (Comments): We support the proposal of the Commission and the Council. NL: (Comments): Preference for EP Mandate. The NL likes the reference to both ESPR and Batteries Regulation and to associated (digital) product passports. DK: (Comments): We are flexible in terms of including reference to the Batteries and Waste Batteries Regulation. IE: (Comments): Prefer Council Mandate BE: (Comments): EP proposal on addition batteries regulation, is acceptable. FI: (Comments): For FI the reference to battery passport is OK (is actually rather harmless in this context, underlines nicely the interconnectedness between battery regulation and this regulation). However, in EP's</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>suggestion there is this formulation "shall be included in that product or digital passport." It is a bit misleading. All the product passports area meant to be digital, be they for batteries, magnets, cars, clothing, or whatever. Maybe a compromise could be "digital product passport"?</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): Flexible on EP's proposal</p> <p>DE: (Comments): Scrutiny reservation regarding this EP addition. Inclusion of Batteries and waste batteries regulation is obviously ok, but requirement of 10 years goes beyond the regulation.</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We should reword this paragraph to include not only the Ecodesign Regulation but all the Acts that have, or will have something that contains the same information as the data carrier, namely Batteries and</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				waste batteries. AT: (Comments): RO: (Comments): Agree with Council's text
438	7. The information referred to in paragraph 3 shall be complete, up-to-date and accurate and shall remain available for a period at least equal to the product's typical lifetime plus ten years, including after an insolvency, a liquidation or a cessation of activity in the Union of the responsible natural or legal person.	7. The information referred to in paragraph 3 shall be complete, up-to-date and accurate and shall remain available for a period at least equal to the product's typical lifetime plus ten years, including after an insolvency, a liquidation or a cessation of activity in the Union of the responsible natural or legal person.	7. The information referred to in paragraph 31, on the market shall be economic operator placing the product, as referred to in paragraph 31, on the market shall ensure that information referred to in paragraph 3 is complete, up-to-date, and accurate and shall remain available for a period at least equal to the product's typical lifetime plus ten years, including after an insolvency, a liquidation or a cessation of activity in the Union of the responsible natural or legal person. It may authorise an operator to act on their behalf.	SE: (Comments): See previous comment that refers to this row. PL: (Comments): We support the Commission's proposal. IE: (Comments): Prefer Council Mandate FI: (Comments): FI prefers the Council mandate LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): RO: (Comments): Agree with Council's text
438a			The data carrier, as referred	PL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
			<p>to in paragraph 3, shall cease to exist after the product has been recycled.</p>	<p>No remarks. IE: (Comments): Retain Council Mandate IT: (Comments): Maintain the Council's position LT: (Comments): Lt supports Council Manadate PT: (Comments): We support the Council's mandate. RO: (Comments): Agree with Council's text</p>
439	<p>The information referred to in paragraph 4 shall refer to the product model or, where the information differs between units of the same model, to a particular batch or unit. The information referred to in paragraph 4 shall be accessible to recyclers, market surveillance authorities and customs authorities.</p>	<p>The information referred to in paragraph 4 shall refer to the product model or, where the information differs between units of the same model, to a particular batch or unit. The information referred to in paragraph 4 shall be accessible to refurbishers, repairers, recyclers, market surveillance authorities and customs authorities.</p>	<p>The information referred to in paragraph 4 shall refer to the product model or, where the information differs between units of the same model, to a particular batch or unit. The information referred to in paragraph 4 shall be accessible to recyclers, market surveillance authorities and customs authorities.</p>	<p>SE: (Comments): SE can be flexible, but if so, it needs to be defined. PL: (Comments): No remarks. SI: (Comments): SI support the GA. IE: (Comments): Can show flexibility toward EP Mandate BE: (Comments): EP acceptable FR:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): France can accept the EP proposal. IT: (Comments): defining terms “refurbishers and repaires” PT: (Comments): We can agree with the EP’s proposal. AT: (Comments): RO: (Comments): Agree with Council’s text
440	8. Article 9(1), point (c) and (d) and Articles 10 and 13 of Regulation (EU) .../[OP: please insert reference to the Ecodesign for Sustainable Products], as well as the corresponding definitions in Article 2 of that Regulation, shall apply.	8. Article 9(1), point (c) and (d) and Articles 10 and 13 of Regulation (EU) .../[OP: please insert reference to the Ecodesign for Sustainable Products], as well as the corresponding definitions in Article 2 of that Regulation, shall apply.	8. Article 9(1), point (c) and (d) and Articles 10 and 13 of Regulation (EU) .../[OP: please insert reference to the Ecodesign for Sustainable Products], as well as the corresponding definitions in Article 2 of that Regulation, shall apply.	PL: (Comments): No remarks. AT: (Comments):
441	Before placing a product referred to in paragraph 3 on the market, natural or legal persons shall ensure that the unique product identifier referred to in paragraph 4 is uploaded in the registry referred to in [Article	Before placing a product referred to in paragraph 3 on the market, natural or legal persons shall ensure that the unique product identifier referred to in paragraph 4 is uploaded in the registry referred to in [Article	Before placing a product referred to in paragraph 3 on the market, natural or legal persons shall ensure that the unique product identifier referred to in paragraph 4 is uploaded in the registry referred to in [Article	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	12(1)] of Regulation (EU) .../... [Ecodesign for Sustainable Products].	12(1)] of Regulation (EU) .../... [Ecodesign for Sustainable Products].	12(1)] of Regulation (EU) .../... [Ecodesign for Sustainable Products].	
442	For purposes of the first and second subparagraph, the references to ‘the applicable delegated act adopted pursuant to Article 4’ in Article 10, point (b) and to ‘delegated acts adopted pursuant to Article 4’ in Article 10, point f, and Article 13(2) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to this Regulation.	For purposes of the first and second subparagraph, the references to ‘the applicable delegated act adopted pursuant to Article 4’ in Article 10, point (b) and to ‘delegated acts adopted pursuant to Article 4’ in Article 10, point f, and Article 13(2) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to this Regulation.	For purposes of the first and second subparagraph, the references to ‘the applicable delegated act adopted pursuant to Article 4’ in Article 10, point (b) and to ‘delegated acts adopted pursuant to Article 4’ in Article 10, point f, and Article 13(2) of Regulation (EU) 2023/xxx [OP: please insert reference to ESPR] shall be read as references to this Regulation.	PL: (Comments): No remarks. AT: (Comments):
443	9. Where information requirements relating to the recycling of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or in other Union harmonisation legislation for any of the products listed in paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	9. Where information requirements relating to the recycling of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or in other Union harmonisation legislation for any of the products listed in paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	9. Where information requirements relating to the recycling of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or in other Union harmonisation legislation for any of the products listed in paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
443a			<p>9a. Any natural or legal person that places products on the market referred to in paragraph 1 shall promote that any permanent magnets contained in them are removable in order to allow for their recovery at the product's end-of-life.</p>	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): No remarks.</p> <p>FR: (Comments): France strongly supports the Council proposal.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Council Mandate</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>RO: (Comments): Agree with Council's text</p>
444	10. Products primarily designed for defence or space applications shall be exempted from the requirements of this Article	10. Products primarily designed for defence or space aerospace applications shall be exempted from the requirements of this Article.	10. Products primarily designed for defence or space applications shall be exempted from the requirements of this Article.	<p>SE: (Comments): SE does not support the extension to 'aerospace' and wants to keep Council mandate. There is no explanation on what this refers to and why.</p> <p>PL: (Comments): No remarks.</p> <p>SI:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): SI is open to aerospace reference.</p> <p>DK: (Comments): The practical implications of the EP proposal are unclear. And whether it will reduce the impact of the regulation. Therefore DK is sceptical.</p> <p>IE: (Comments): Can show flexibility towards EP Mandate</p> <p>BE: (Comments): In favor of the parlement proposition</p> <p>FR: (Comments): France supports the substitution from space to aerospace as set in the EP proposal.</p> <p>IT: (Comments): flexible</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>AT: (Comments):</p> <p>RO: (Comments): Agree with EP's text</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
444a		Specific information referred to in paragraphs 1, 3 and 4 may be omitted if it includes commercially sensitive information.		<p>SE: (Comments): SE can support EP proposal. However, what will be determined as ‘commercially sensitive’?</p> <p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI is open to the EP amendment.</p> <p>IE: (Comments): Reject EP Mandate – prefer not to have information intentionally omitted for commercial reasons.</p> <p>BE: (Comments): In favor PE</p> <p>FR: (Comments): France opposes to the EP proposal.</p> <p>IT: (Comments): Disagree (read with line 431)</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): We can support the EP’s</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>amendment.</p> <p>AT:</p> <p>(Comments):</p> <p>We very much support this addition proposed by the Rapporteur (see also line 431).</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text</p>
445	<p>11. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements of this Article shall apply from [OP please insert: 5 years after the date of entry into force of this Regulation].</p>	<p>11. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements of this Article shall apply from [OP please insert: 5 years after the date of entry into force of this Regulation].</p>	<p>11. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements of this Article shall apply from [OP please insert: 5 years after the date of entry into force of this Regulation].</p>	<p>PL:</p> <p>(Comments):</p> <p>No remarks.</p> <p>CZ:</p> <p>(Comments):</p> <p>CZ recommends this addition: This obligation shall not apply to: (a) special purpose vehicles as defined in Article 3, point (31), of Regulation (EU) 2018/858; (b) other parts of a vehicle that have been type-approved in multi-stage type approval of category N1, N2, N3, M2 or M3 than the base vehicle; (c) vehicles produced in small series, as defined in Article 3, point (30), of Regulation 2018/858.</p> <p>AT:</p> <p>(Comments):</p>
446	<p>12. The Commission is</p>	<p>12. The Commission is</p>	<p>12. The Commission is</p>	<p>PL:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>empowered to adopt delegated acts in accordance with Article 36 to amend Annex VI in order to provide or update a list of Combined Nomenclature¹ codes and product descriptions corresponding to the products referred to in paragraph 1 with the aim of facilitating the work of customs authorities in relation to those products and the requirements set out in this Article and in Article 28.</p> <p>1. Combined Nomenclature in Annex I to Regulation (EEC) No 2658/87</p>	<p>empowered to adopt delegated acts in accordance with Article 36 to amend Annex VI in order to provide or update a list of Combined Nomenclature¹ codes and product descriptions corresponding to the products referred to in paragraph 1 with the aim of facilitating the work of customs authorities in relation to those products and the requirements set out in this Article and in Article 28.</p> <p>1. Combined Nomenclature in Annex I to Regulation (EEC) No 2658/87</p>	<p>empowered to adopt delegated acts in accordance with Article 36 to amend Annex VI in order to provide or update a list of Combined Nomenclature¹ codes and product descriptions corresponding to the products referred to in paragraph 1 with the aim of facilitating the work of customs authorities in relation to those products and the requirements set out in this Article and in Article 28.</p> <p>1. [1] Combined Nomenclature in Annex I to Regulation (EEC) No 2658/87</p>	<p>(Comments): No remarks. AT: (Comments):</p>
447	<p>Article 28 Recycled content of permanent magnets</p>	<p>Article 28 Recycled content of permanent magnets</p>	<p>Article 28 Recycled content of permanent magnets</p>	<p>PL: (Comments): No remarks. LT: (Comments): Overall LT supports Council Mandate AT: (Comments):</p>
448	<p>1. From either [OP please insert: 3 years after the date of entry into force of this Regulation] or 2 years after the entry into force of the delegated act referred to in paragraph 2, whichever is later, any natural</p>	<p>1. From either [OP please insert: 3 years after the date of entry into force of this Regulation] or 2 years after the entry into force of the delegated act referred to in paragraph 2, whichever is later, any natural</p>	<p>1. From either [OP please insert: 3 years after the date of entry into force of this Regulation] or 2 years after the entry into force of the delegatedimplementing act referred to in paragraph 2,</p>	<p>PL: (Comments): No remarks. SI: (Comments): SI supports the GA. DK:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>or legal person that places on the market products referred to in Article 27(1) which incorporate one or more permanent magnets referred to in Article 27(1), point (b)(i) to (iii) and for which the total weight of all such permanent magnets exceeds 0.2 kg shall make publicly available on a free access website the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste present in the permanent magnets incorporated in the product.</p>	<p>or legal person that places on the market products referred to in Article 27(1) which incorporate one or more permanent magnets referred to in Article 27(1), point (b)(i) to (iii) and for which the total weight of all such permanent magnets exceeds 0.2 kg shall make publicly available on a free access website the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste present in the permanent magnets incorporated in the product.</p>	<p>whichever is later, any natural or legal person that places on the market products referred to in Article 27(1) which incorporate– one or more permanent magnets referred to in Article 27(1), point (b)(i)(b), (i) to (iii) and for which the total weight of all such permanent magnets exceeds 0.2 kg shall make publicly available on a free access website the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste present in the permanent magnets incorporated in the product.</p>	<p>(Comments): Very important to maintain the Council's textAs it should cover all types of permanent magnets, not only those covered in the Commission textAlso, this should be an implementing act, not a delegated act IE: (Comments): Prefer Council Mandate; implementing not delegated act. IT: (Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with Council's text</p>
449	<p>2. By [OP please insert: 2 years after the date of entry into force of this Regulation], the Commission shall adopt a delegated act in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from manufacturing waste or post-consumer waste present in the permanent</p>	<p>2. By [OP please insert: 2 years after the date of entry into force of this Regulation], the Commission shall adopt a delegated act in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from manufacturing waste or post-consumer waste present in the permanent</p>	<p>2. By [OP please insert: 2 years after the date of entry into force of this Regulation], the Commission shall adopt a delegated act in accordance with Article 36 to supplement this Regulation by an implementing act establishing rules for the calculation and verification of the share of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from manufacturing waste or post-consumer waste,</p>	<p>PL: (Comments): No remarks. SI: (Comments): SI supports the GA. DK: (Comments): Important to maintain Council position – This should be an implementing actImportant to maintain the change so it applies to all waste, not specifically that which is recovered from manufacturing</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	magnets incorporated in the products referred to in paragraph 1.	magnets incorporated in the products referred to in paragraph 1.	that is present in the permanent magnets incorporated in the products referred to in paragraph 1.	or post-consumer waste but all relevant waste IE: (Comments): Prefer Council Mandate; implementing not delegated act. IT: (Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with Council's text
449a			The implementing act shall be adopted in accordance with the advisory procedure referred to in Article 37(2).	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. DK: (Comments): Important to maintain Council position – should be an implementing act following the advisory procedure IE: (Comments): Prefer Council Mandate; implementing not delegated act. IT: (Comments): Maintain the Council's position RO: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				Agree with Council's text
450	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No 768/2008/EC, with the adaptations necessary in view of the products concerned. When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No 768/2008/EC, with the adaptations necessary in view of the products concerned. When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No 768/2008/EC, with the adaptations necessary in view of the products concerned. When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	PL: (Comments): No remarks. AT: (Comments):
451	(a) whether the module concerned is appropriate to the type of product and proportionate to the public interest pursued;	(a) whether the module concerned is appropriate to the type of product and proportionate to the public interest pursued;	(a) whether the module concerned is appropriate to the type of product and proportionate to the public interest pursued;	PL: (Comments): Brak uwag AT: (Comments):
452	(b) the availability of competent and independent third parties able to perform potential third party conformity assessment tasks;	(b) the availability of competent and independent third parties able to perform potential third party conformity assessment tasks;	(b) the availability of competent and independent third parties able to perform potential third party conformity assessment tasks the risks entailed by the product and the extent to which conformity assessment tasks corresponds to the type and degree of risk;	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate IT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with EP's text
453	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	PL: (Comments): No remarks. AT: (Comments):
454	3. After 31 December 2030, the Commission may adopt delegated acts supplementing this Regulation by laying down minimum shares for neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste that must be present in the permanent magnet incorporated in the products referred to in paragraph 1.	3. After No later than 31 December 2030, the Commission may shall adopt delegated acts supplementing this Regulation by laying down minimum shares for neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered -from post-consumer waste that must be present in the permanent magnet incorporated in the products referred to in paragraph 1. In duly justified cases, different minimum shares may be applied for different products	3. After the entry into force of the implementing act under paragraph 2 and no later than 31 December 2030,2032 the Commission may shall adopt delegated acts under paragraph 3 supplementing this Regulation by laying down minimum shares for neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered -from post-consumer waste that must be present in the permanent magnet incorporated in the products referred to in paragraph 1.	SE: (Comments): SE supports EP addition of having differentiated shares for different products. SE wants to keep Council mandate on the rest. Q: What will be determined as 'duly justified cases'? PL: (Comments): No remarks. SI: (Comments): SI supports the GA. DK: (Comments): It is important to change may to

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		<p>or certain products may be excluded from this obligation.</p>		<p>shall, as both EP and Council text doWe could be flexible about having Dec 31 2030 as the deadline, not change to 2032. I.e. we could accept the EP text. We prefer the Council position, although flexible in terms of introducing an even earlier deadline for the Commission.</p> <p>IE:</p> <p>(Comments):</p> <p>Prefer Council Mandate due to timelines.</p> <p>BE:</p> <p>(Comments):</p> <p>Unclear if the EP proposal needs to be included here, or rather could be part of a delegated act;</p> <p>FI:</p> <p>(Comments):</p> <p>Regarding the deadlines for delegated act, FI prefers the wording in the Council mandate. The last sentence of the EP amendment is OK. It gives some flexibility, e.g., if technologies change.</p> <p>FR:</p> <p>(Comments):</p> <p>France opposes strongly to the provision added by the EP that would exclude from this obligation certain products. This addition would lower the ambition of this Article and</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>appears too vast. Nevertheless, France can accept the dead line of “no later than 31 December 2030” as set in the EP proposal.</p> <p>CZ: (Comments): CZ is flexible towards EP position.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>PT: (Comments): We support the Council’s mandate.</p> <p>AT: (Comments):</p> <p>RO: (Comments): Agree with Council's text</p>
455	Delegated acts referred to in the first subparagraph shall provide for transitional periods adapted to the difficulty of adopting the products covered by the measure to ensure compliance.	Delegated acts referred to in the first subparagraph shall provide for transitional periods adapted to the difficulty of adopting the products covered by the measure to ensure compliance.	Delegated Implementing acts referred to in the first subparagraph shall provide for transitional periods adapted to the difficulty of adopting the products covered by the measure to ensure compliance.	<p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI is in favour of Implementing acts.</p> <p>IE: (Comments): Prefer Council Mandate; implementing not delegated act.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>AT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): RO: (Comments): Agree with Council's text
456	The minimum share referred to in the first subparagraph shall be based on a prior assessment of impacts, taking into account:	The minimum share referred to in the first subparagraph shall be based on a prior assessment of impacts, taking into account:	The minimum share referred to in the first subparagraph shall be based on a prior assessment of impacts, taking into account:	PL: (Comments): No remarks. AT: (Comments):
457	(a) the existing and forecasted availability of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste;	(a) the existing and forecasted availability of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste;	(a) the existing and forecasted availability of neodymium, dysprosium, praseodymium, terbium, boron, samarium, nickel and cobalt recovered from post-consumer waste;	PL: (Comments): No remarks. AT: (Comments):
458	(b) the information collected pursuant to paragraph 1 and the relative distribution of the share of recycled content in permanent magnets incorporated in products referred to in paragraph 1 placed on the market;	(b) the information collected pursuant to paragraph 1 and the relative distribution of the share of recycled content in permanent magnets incorporated in products referred to in paragraph 1 placed on the market;	(b) the information collected pursuant to paragraph 1 and the relative distribution of the share of recycled content in permanent magnets incorporated in products referred to in paragraph 1 placed on the market;	PL: (Comments): No remarks. AT: (Comments):
459	(c) technical and scientific progress, including considerable changes in permanent magnet technologies impacting the type of materials recovered;	(c) technical and scientific progress, including considerable changes in permanent magnet technologies impacting the type of materials recovered;	(c) technical and scientific progress, including considerable changes in permanent magnet technologies impacting the type of materials recovered;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
460	(d) the effective and potential contribution of a minimum share to the Union's climate and environmental objectives;	(d) the effective and potential contribution of a minimum share to the Union's climate and environmental objectives;	(d) the effective and potential contribution of a minimum share to the Union's climate and environmental objectives;	PL: (Comments): No remarks. AT: (Comments):
461	(e) possible impacts on the functioning of products incorporating permanent magnets;	(e) possible impacts on the functioning of products incorporating permanent magnets;	(e) possible impacts on the functioning of products incorporating permanent magnets;	PL: (Comments): No remarks. AT: (Comments):
462	(f) the need to prevent disproportionate negative impacts on the affordability of permanent magnets and products incorporating permanent magnets.	(f) the need to prevent disproportionate negative impacts on the affordability of permanent magnets and products incorporating permanent magnets.	(f) the need to prevent disproportionate negative impacts on the affordability of permanent magnets and products incorporating permanent magnets.	PL: (Comments): No remarks. AT: (Comments):
463	4. Where requirements relating to the recycled content of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or other Union harmonisation legislation for any of the products listed in	4. Where requirements relating to the recycled content of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or other Union harmonisation legislation for any of the products listed in	4. Where requirements relating to the recycled content of permanent magnets are established in delegated acts adopted in accordance with Article 4 of the Regulation XX/XXXX [OP please insert: the Ecodesign for Sustainable Products Regulation] or other Union harmonisation legislation for any of the products listed in	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	paragraph 1, those requirements shall apply in replacement of the provisions of this Article.	
464	5. From the date of application of the requirement of paragraph 1, when offering the products referred to in paragraph 1 for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural and legal persons placing on the market products referred to in paragraph 1 shall ensure that their customers have access to the information referred to in paragraph 1 before being bound by a sales contract.	5. From the date of application of the requirement of paragraph 1, when offering the products referred to in paragraph 1 for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural and legal persons placing on the market products referred to in paragraph 1 shall ensure that their customers have access to the information referred to in paragraph 1 before being bound by a sales contract.	5. From the date of application of the requirement of paragraph 1, when offering the products referred to in paragraph 1 for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural and legal persons placing on the market products referred to in paragraph 1 shall ensure that their customers have access to the information referred to in paragraph 1 before being bound by a sales contract.	PL: (Comments): No remarks. AT: (Comments):
465	Natural and legal persons placing on the market products referred to in paragraph 1 shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information referred to in paragraph 1. Products primarily designed for defence or space applications shall be exempted from the requirements of this Article.	Natural and legal persons placing on the market products referred to in paragraph 1 shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information referred to in paragraph 1. Products primarily designed for defence or space aerospace applications shall be exempted from the requirements of this Article.	Natural and legal persons placing on the market products referred to in paragraph 1 shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information referred to in paragraph 1. Products primarily designed for defence or space applications shall be exempted from the requirements of this Article.	SE: (Comments): SE does not support the extension to ‘aerospace’ and wants to keep Council mandate. There is no explanation on what this refers to and why. PL: (Comments): No remarks. IE: (Comments): Can show flexibility towards EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				BE: (Comments): Support for the PE FR: (Comments): France supports the substitution of “space” for “aerospace” as set in the EP proposal. IT: (Comments): Maintain the Council's position AT: (Comments): RO: (Comments): Agree with EP's text
466	6. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements set out in paragraphs 1 and 6 shall apply from 5 years after the date of entry into force of the delegated act referred to in paragraph 2.	6. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements set out in paragraphs 1 and 6 shall apply from 5 years after the date of entry into force of the delegated act referred to in paragraph 2.	6. For magnetic resonance imaging devices, motor vehicles and light means of transport that are type-approved vehicles of category L, the requirements set out in paragraphs 1 and 6 shall apply from 5 years after the date of entry into force of the delegated act referred to in paragraph 2.	PL: (Comments): No remarks. IT: (Comments): Maintain the Council's position AT: (Comments):
467	Section 2 Certification and environmental footprint	Section 2 Certification and environmental footprint	Section 2 Certification and environmental footprint	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
468	Article 29 Recognised schemes	Article 29 Recognised schemes	Article 29 Recognised schemes	PL: (Comments): No remarks. LT: (Comments): Overall LT supports Council Mandate AT: (Comments):
469	1. Governments or organisations that have developed and oversee certification schemes related to the sustainability of critical raw materials ("scheme owners") may apply to have their schemes recognised by the Commission.	1. Governments, industry associations or groupings of interested or organisations that have developed and oversee certification schemes related to the sustainability of critical raw materials ("scheme owners") may apply to have their schemes recognised by the Commission. The decision of recognition of a scheme shall be published no later than six months after the application submitted by the scheme owner.	1. Governments or organisations that have developed and oversee certification schemes related to the sustainability of critical raw materials ("scheme owners") may apply to have their schemes recognised by the Commission.	SE: (Comments): SE does not support EP proposal and finds it important to keep Council mandate. PL: (Comments): We support the Commission's proposal and the Parliament. NL: (Comments): Decision time after application can be the same as under the CMV: 9 months. Even there, it has been proven challenging to meet this deadline. SI: (Comments): SI supports the GA. IE: (Comments): Reject EP Mandate HR: (Comments): HR can be flexible with EP

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>amendment.</p> <p>BE: (Comments): In favor of the parlement proposal</p> <p>FI: (Comments): FI does not support the EP proposal. The schedule demand is stringent.</p> <p>FR: (Comments): France can support the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal; important to set the timing</p> <p>PT: (Comments): We can support the EP's amendment. There are good examples of standards developed by the industry. However, as we have asked before, if a certified project applies for recognition as strategic project before the certification scheme has been recognized or before the scheme owners have applied for recognition, will it have to provide evidence of compliance with point 4 (a)? Shouldn't certifications such as IRMA be</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>assessed and eventually recognized without need for application, thus incentivizing companies that are adopting responsible mining and accelerating the recognition process for Strategic Projects?</p> <p>AT: (Comments): We support the amendments proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with Council's text</p>
470	<p>Applications referred in the first subparagraph shall contain any relevant evidence related to the fulfilment of the criteria laid down in Annex IV. The Commission shall be empowered to adopt implementing acts specifying the information that applications shall at least contain. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>Applications referred in the first subparagraph shall contain any relevant evidence related to the fulfilment of the criteria laid down in Annex IV. The Commission shall be empowered to adopt implementing acts adopt implementing acts by ... [three years after the entry into force of the Regulation] specifying the information that applications shall at least contain. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>Applications referred in the first subparagraph shall contain any relevant evidence related to the fulfilment of the criteria laid down in Annex IV. The Commission shall be empowered to adopt implementing acts specifying the information that applications shall at least contain. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>SE: (Comments): SE wants to include a timeline but can be flexible of timing. Keep wording of 'empowered to adopt'.</p> <p>PL: (Comments): We support the Commission's proposal and the Parliament.</p> <p>NL: (Comments): Prefer Council mandate, three years for establishing criteria seems long.</p> <p>SI: (Comments): Si supports the GA.</p> <p>IE: (Comments): Reject EP Mandate</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>HR: (Comments): HR can be flexible with EP amendment</p> <p>FI: (Comments): FI prefers CION and Council wording. Gives more flexibility.</p> <p>FR: (Comments): France can support the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): EP addition is too ambitious, we prefer council version.</p> <p>LT: (Comments): LT supports Parliament Mandate.</p> <p>PT: (Comments): We can support the EP's amendment.</p> <p>AT: (Comments): We support this amendment proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with Council's text</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
470a		<p>Those implementing acts shall provide for a single template to cover all information required for the application. The single template shall provide only for information needed for assessing the application. The scope of information required to complete the single template shall be reasonable.</p>		<p>SE: (Comments): SE does not support. This should be made clear in the implementing act, not in the regulation itself.</p> <p>PL: (Comments): No support.</p> <p>NL: (Comments): Prefer EP mandate</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Reject EP Mandate</p> <p>HR: (Comments): HR can be flexible with EP amendment.</p> <p>FR: (Comments): France can support the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support the EP addition as the standardization of the application procedure makes</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>the process easier.</p> <p>PT:</p> <p>(Comments):</p> <p>We can support the EP's amendment.</p> <p>AT:</p> <p>(Comments):</p> <p>We support this addition proposed by the Rapporteur as it also specifically underlines that the single template shall only provide for information necessary needed for the application. It is important that reporting obligations should be kept to a minimum.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text</p>
471	<p>2. Where, on the basis of the evidence provided pursuant to the paragraph 1, the Commission determines that a certification scheme meets the criteria laid down in Annex IV, it shall adopt an implementing act granting that scheme a recognition. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>2. Where, on the basis of the evidence provided pursuant to the paragraph 1, the Commission determines that a certification scheme meets the criteria laid down in Annex IV, it shall adopt an implementing act granting that scheme a recognition. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>2. Where, on the basis of the evidence provided pursuant to the paragraph 1, the Commission determines that a certification scheme meets the criteria laid down in Annex IV, it shall adopt an implementing act granting that scheme a recognition. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).</p>	<p>PL:</p> <p>(Comments):</p> <p>No remarks.</p> <p>AT:</p> <p>(Comments):</p>
472				SE:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	3. The Commission shall periodically verify that recognised schemes continue to fulfil the criteria laid down in Annex IV.	3. The Commission shall periodically verify verify at least every two years that recognised schemes continue to fulfil the criteria laid down in Annex IV.	3. The Commission shall periodically every three years verify that recognised schemes continue to fulfil the criteria laid down in Annex IV.	<p>(Comments): SE does not support EP proposal. PL: (Comments): We support the Commission's proposal. SI: (Comments): SI supports 3 years timetable. IE: (Comments): Prefer Council Mandate HR: (Comments): In this part, it is important to maintain Council mandate. FI: (Comments): FI prefers the Council proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): We prefer the Council version in inclusion with the EP addition in line 475. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Council position in this case. The timeframe of “at least every two years” seems to be rather unrealistic.</p> <p>RO: (Comments): Agree with EP’s text</p>
473	<p>4. Owners of recognised schemes shall inform the Commission without delay of any changes or updates made to recognised schemes. The Commission shall assess whether such changes or updates affect the basis for the recognition and take appropriate action.</p>	<p>4. Owners of recognised schemes shall inform the Commission without delay of any relevant changes or updates made to recognised schemes. The Commission shall assess whether such changes or updates affect the basis for the recognition and take appropriate action, if necessary.</p>	<p>4. Owners of recognised schemes shall inform the Commission without delay of any changes or updates made to recognised schemes. The Commission shall assess whether such changes or updates affect the basis for the recognition and take appropriate action.</p>	<p>SE: (Comments): SE does not support. Such changes is not up for the scheme owners to determine if they are relevant.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Maintain council text. It is up to the CIE to determine what is a relevant change and what is not.</p> <p>DK: (Comments): We could accept the proposed EP changes here</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>HR: (Comments): HR can be flexible with EP amendment.</p> <p>FI: (Comments): EP proposal is acceptable for</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				FI: FR: (Comments): France can support the EP proposal. IT: (Comments): we are flexible to Parliament's proposal PT: (Comments): We can support the EP's amendment. AT: (Comments): We generally support the amendments proposed by the Rapporteur. However, the term "relevant" needs to be sufficiently clarified. RO: (Comments): Agree with EP's text
474	5. If there is evidence of repeated or significant cases where economic operators implementing a recognised scheme have failed to fulfil the requirements of that scheme, the Commission shall examine, in consultation with the owner of the recognised scheme, whether those cases indicate deficiencies in the scheme affecting the basis for the recognition and take appropriate	5. If there is evidence of repeated or significant cases where economic operators implementing a recognised scheme have failed to fulfil the requirements of that scheme, the Commission shall examine, in consultation with the owner of the recognised scheme, whether those cases indicate deficiencies in the scheme affecting the basis for the recognition and take appropriate	5. If there is evidence of repeated or significant cases where economic operators implementing a recognised scheme have failed to fulfil the requirements of that scheme, the Commission shall examine, in consultation with the owner of the recognised scheme, whether those cases indicate deficiencies in the scheme affecting the basis for the recognition and take appropriate	SE: (Comments): SE does not support EP proposal. PL: (Comments): No remarks. NL: (Comments): Addition OK but not meaningful. DK: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	action.	action, if necessary .	action.	<p>We could accept the proposed EP changes here</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>HR: (Comments): HR can be flexible with EP amendment.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>AT: (Comments):</p> <p>RO: (Comments): Agree with EP's text</p>
475	6. Where the Commission identifies deficiencies in a recognised scheme affecting the basis for the recognition, it may grant the scheme owner an appropriate period of time to take remedial action.	6. Where the Commission identifies deficiencies in a recognised scheme affecting the basis for the recognition, it may grant the scheme owner an appropriate period of time to take remedial action, within a maximum of 12 months. After the expiry of that period, if the deficiency persists, the Commission shall no longer recognise the scheme.	6. Where the Commission identifies deficiencies in a recognised scheme affecting the basis for the recognition, it may grant the scheme owner an appropriate period of time to take remedial action.	<p>SE: (Comments): SE does not support. It should be determined case by case by the COM.</p> <p>PL: (Comments): We support the proposal of the Commission and the Council.</p> <p>NL: (Comments): Accept EP deadline of 12 months. Would support a process similar to the conflict minerals regulation that foresees a period of 3 to 6 months. That period may be</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>extended by the Commission taking into account the nature of the deficiencies. This extension period could be max 12 months in re. the EP position.</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): We could accept the proposed EP changes here Allowing illegal activities should not be permitted indefinitely!</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>HR: (Comments): HR can be flexible with EP amendment.</p> <p>FI: (Comments): EP proposal is acceptable for FI.</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support the EP addition</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				PT: (Comments): We can agree with EP's amendment. AT: (Comments): We support the amendments proposed by the Rapporteur in this case. RO: (Comments): Agree with EP's text
476	7. Where the scheme owner fails or refuses to take the necessary remedial action, and where the Commission has determined that the deficiencies referred to in paragraph 6 mean that the scheme no longer fulfils the criteria laid down in Annex IV, the Commission shall adopt an implementing act withdrawing the recognition of the scheme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).	7. Where the scheme owner fails or refuses to take the necessary remedial action, and where the Commission has determined that the deficiencies referred to in paragraph 6 mean that the scheme no longer fulfils the criteria laid down in Annex IV, the Commission shall adopt an implementing act withdrawing the recognition of the scheme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).	7. Where the scheme owner fails or refuses to take the necessary remedial action, and where the Commission has determined that the deficiencies referred to in paragraph 6 mean that the scheme no longer fulfils the criteria laid down in Annex IV, the Commission shall adopt an implementing act withdrawing the recognition of the scheme. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 37(3).	PL: (Comments): No remarks. AT: (Comments):
477	8. The Commission shall establish and keep up-to-date a register of recognised schemes. That register shall be made	8. The Commission shall establish and keep up-to-date a register of recognised schemes. That register shall be made	8. The Commission shall establish and keep up-to-date a register of recognised schemes. That register shall be made	SE: (Comments): SE can be flexible. PL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	publicly available on a free access website.	publicly available on a free access website. That website shall also allow for the collection of feedback from all relevant stakeholders concerning the implementation of recognised schemes. Such feedback shall be forwarded to the respective scheme owners for consideration.	publicly available on a free access website.	<p>No remarks.</p> <p>NL: (Comments): OK EP addition.</p> <p>SI: (Comments): SI is not against the EP amendment, however it should in our opinion be better places in recitals.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>HR: (Comments): We cannot support EP amendment. The EP's proposal can cause a great burden and the question is what will be achieved with it.</p> <p>BE: (Comments): Maintain Council</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): Support the EP addition.</p> <p>PT: (Comments): We can agree with the EP's amendment.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>We support the amendment proposed by the Rapporteur.</p> <p>RO: (Comments): Agree with Council's text</p>
478	Article 30 Environmental footprint declaration	Article 30 Environmental footprint declaration	Article 30 Environmental footprint declaration	<p>PL: (Comments): General remark on the environmental footprint - how will data collected from third countries be verified?</p> <p>IE: (Comments): Prefer council mandate for entire article</p> <p>AT: (Comments):</p>
479	1. The Commission is empowered to adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the environmental footprint of different critical raw materials, in accordance with Annex V and taking into account scientifically sound assessment methods and relevant international standards. The calculation and verification rules shall identify which is the	1. By 31 December 2025 , the Commission is empowered to shall adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the environmental footprint of different critical raw materials, in accordance with Annex V and taking into account scientifically sound assessment methods and relevant international standards. The calculation and verification rules shall identify which is the	1. The Commission is empowered to adopt delegated acts by [OP please insert: X years after the date of entry into force of this Regulation] in accordance with Article 36 to supplement this Regulation by establishing rules for the calculation and verification of the environmental footprint of different critical raw materials, in accordance with Annex V and taking into account scientifically sound assessment methods and relevant international standards. The	<p>SE: (Comments): SE does not support and finds it important to keep Council mandate and the impact categories that the Council agreed upon so that we do not limit ourselves to a few categories.</p> <p>PL: (Comments): We support the Commission's proposal.</p> <p>NL: (Comments): Agree that the Commission should adopt delegated acts for</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	most important impact category. The footprint declaration shall be limited to that impact category.	most important impact category or, in duly justified cases, several impact categories. The footprint declaration shall be limited to that cover that or those impact categories as well as greenhouse gas emissions.	calculation and verification rules shall identify which is the most important at least the three most relevant impact categories accounting for at least 80% of the overall environmental footprint. The footprint declaration shall be limited to that these impact categories.	<p>this purpose in acc with EP text ‘shall adopt’. Current council wording seems to unintentionally imply that the CIE foregoes its power to adopt delegated acts after the deadline: if corrected council text also acceptable. Agree with council proposal on using a minimum of three main impact categories. Agree with EP mandate to add GHG emissions as a standard category and including reference to this in all relevant lines below. Suggest in this case to add wording as below (yellow): ‘The calculation and verification rules shall identify which is the most important at least the three most relevant impact categories accounting for at least 80% of the overall environmental footprint. The footprint declaration shall be limited to COVER that these impact categories AS WELL AS GREENHOUSE GAS EMISSIONS IF NOT ALREADY INCLUDED IN THESE CATEGORIES.</p> <p>SI: (Comments): SI supports the GA. DK: (Comments): Important to uphold Council</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>textWe must follow the Commission's own standards for calculating environmental footprints, i.e. include at least 3 categories accounting for at least 80% of the total footprint. We therefore strongly prefer the Council position. It ensures coherence and consistency to existing methods used in EU legislation. In addition, the Council position avoids unintended burden shift that could have significant adverse effects on the environment.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>BE: (Comments): Council Position : 2 years after the date of entry into force</p> <p>FI: (Comments): The FI opinion is that Council Mandate is balanced. "The calculation and verification rules shall identify at least the three most relevant impact categories accounting for at least 80% of the overall environmental footprint" is a good addition.</p> <p>FR: (Comments): France supports the EP proposal.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): Maintain the Council's position.</p> <p>DE: (Comments): We support the Council version. In the case that when several more or less equally important categories are present, the absolutely most important category may nevertheless have relatively little impact. Hence the Council proposal will deliver more representative outcomes.</p> <p>LT: (Comments): LT supports Council Mandate.</p> <p>PT: (Comments): We support the Council's mandate.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with EP's text</p>
480	2. The Commission may adopt calculation and verification	2. The Commission may shall adopt calculation and	2. The Commission may adopt calculation and verification	<p>SE: (Comments): SE does not support and finds it</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>rules for a specific critical raw material if it has concluded, having considered the various relevant environmental impact categories, that the critical raw material in question has a significant environmental footprint and that therefore an obligation to declare the environmental footprint of that material regarding the most important impact category, when placing it on the market, is necessary and proportionate to contribute to the Union's climate and environmental objectives by facilitating the supply of critical raw materials with lower environmental footprint.</p>	<p>verification rules for a specific critical raw material if it has concluded, having considered the various relevant environmental impact categories and greenhouse gas emissions, that the critical raw material in question has a significantrelevant environmental footprint and that therefore an obligation to declare the environmental footprint of that material regarding the most important impact category or categories, when placing it on the market, is necessary and proportionate to contribute to the Union's climate and environmental objectives by facilitating the supply of critical raw materials with lower environmental footprint and reducing the climate and environmental impacts of other actions in this Regulation.</p>	<p>rules for a specific critical raw material if it has concluded, having considered the various relevant environmental impact categories, that the critical raw material in question has a significant environmental footprint and that therefore an obligation to declare the environmental footprint of that material regarding the three most important impact categorycategories accounting for at least 80 % of the overall environmental footprint, when placing it on the market, is necessary and proportionate to contribute to the Union's climate and environmental objectives by facilitating the supply of critical raw materials with lower environmental footprint.</p>	<p>important to keep Council mandate and the impact categories that the Council agreed upon so that we do not limit ourselves to a few categories.</p> <p>PL: (Comments): We support the Commission's proposal.</p> <p>NL: (Comments): See 479</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to uphold Council text Same as above - We must follow the Commission's own standards for calculating environmental footprints, i.e. include at least 3 categories accounting for at least 80% of the total footprint.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FI: (Comments): FI thinks that the Council Mandate is balanced.</p> <p>FR: (Comments): France supports the EP</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>proposal. IT: (Comments): Flexible on EP's proposal in accordance to our position on line 479 and 899. LT: (Comments): LT supports Council Mandate. PT: (Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with EP's text</p>
481	3. When considering whether the obligation foreseen in paragraph 2 is necessary, the Commission shall take into account:	3. When considering whether the obligation foreseen in paragraph 2 is necessary, the Commission shall take into account:	3. When considering whether the obligation foreseen in paragraph 2 is necessary, the Commission shall take into account:	<p>PL: (Comments): No remarks. AT: (Comments):</p>
482	(a) whether and how the Union's climate and environmental objectives are already being achieved through other Union legislation applicable to the critical raw material in question;	(a) whether and how as well as how effectively the Union's climate and environmental objectives are already being achieved through other Union legislation applicable to the critical raw material in	(a) whether and how the Union's climate and environmental objectives are already being achieved through other Union legislation applicable to the critical raw material in question;	<p>SE: (Comments): SE can be flexible. PL: (Comments): No remarks. IE:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		question;		(Comments): Prefer Council Mandate FI: (Comments): EP proposal is also acceptable. IT: (Comments): Flexible on EP's proposal AT: (Comments): We support the inclusion of "as well as how effectively" as proposed by the Rapporteur. RO: (Comments): Agree with EP's text
483	(b) the existence and uptake of relevant international standards and guidelines, or the prospects of agreeing on such standards at international level, as well as sustainable practices on the market, including the voluntary schemes recognised pursuant to Article 29;	(b) the existence and uptake of relevant international standards and guidelines, or the prospects of agreeing on such standards at international level, as well as sustainable practices on the market, including the voluntary schemes recognised pursuant to Article 29;	(b) the existence and uptake of relevant international standards and guidelines, or the prospects of agreeing on such standards at international level, as well as sustainable practices on the market, including the voluntary schemes recognised pursuant to Article 29;	PL: (Comments): No remarks. AT: (Comments):
484	(c) the effectiveness of strategic partnerships, strategic projects, trade agreements and other international instruments and outreach conducted by the Union in achieving the Union's climate and environmental	(c) the effectiveness of strategic partnerships, strategic projects, trade agreements and other international instruments and outreach conducted by the Union in achieving the Union's climate and environmental	(c) the effectiveness of strategic partnerships, strategic projects, trade agreements and other international instruments and outreach conducted by the Union in achieving the Union's climate and environmental	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	objectives.	objectives.	objectives.	
484a		(ca) the associated economic costs and administrative burden for economic operators.		<p>SE: (Comments): SE can be flexible.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Unnecessary, proportionality already covered in line 490 and 491</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Reject EP Mandate - Ireland seeks to retain obligations on economic operators.</p> <p>BE: (Comments): Support to EP proposal</p> <p>FI: (Comments): FI can accept the EP proposal.</p> <p>IT: (Comments): We are flexible to Parliament's proposal</p> <p>DE: (Comments): What exactly is meant by the "economic costs"?</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				LT: (Comments): LT supports Parliament Mandate AT: (Comments): We support this addition proposed by the Rapporteur. RO: (Comments): Agree with EP's text
485	4. The Commission shall conduct a prior assessment of impacts in order to decide whether to adopt a delegated act under paragraph 1. Such assessment shall:	4. The Commission shall conduct a prior assessment of impacts in order to decide whether to adopt a delegated act under paragraph 1. Such assessment shall:	4. The Commission shall conduct a prior assessment of impacts in order to decide whether to adopt a delegated act under paragraph 1. Such assessment shall:	PL: (Comments): No remarks. AT: (Comments):
486	(a) be based, inter alia, on a consultation of:	(a) be based, inter alia, on a consultation of:	(a) be based, inter alia, on a consultation of:	PL: (Comments): No remarks. SI: (Comments): SI is flexible. AT: (Comments):
487	(i) all relevant stakeholders, such as industry including downstream industry, SMEs and, where relevant, the craft industry, social partners,	(i) all relevant stakeholders, such as industry including downstream industry, SMEs, and, where relevant, the craft industry, social partners,	(i) all relevant stakeholders, such as industry including downstream industry, SMEs and, where relevant, the craft industry, social partners,	SE: (Comments): SE supports EP proposal. But wants to make sure that organisations promoting human health does not also have to be

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	traders, retailers, importers, environmental protection groups and consumer organisations;	traders, retailers, importers, environmental protection groups and organisations promoting human health and environmental protection, consumer organisations and academia;	traders, retailers, importers, environmental protection groups and consumer organisations;	involved in environmental protection, yet these can be separate. PL: (Comments): No remarks. NL: (Comments): Prefer EP text, accept council text. IE: (Comments): Prefer Council Mandate FI: (Comments): FI thinks the EP proposal is well-founded and good. FR: (Comments): France can support the EP proposal. IT: (Comments): we are flexible to Parliament's proposal PT: (Comments): We support the Council's mandate. AT: (Comments): We support this amendment proposed by the Rapporteur. RO: (Comments): Agree with EP's text

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
488	(ii) third countries whose trade with the Union may be significantly affected by this obligation;	(ii) third countries whose trade with the Union may be significantly affected by this obligation;	(ii) third countries, including OCTs , whose trade with the Union may be significantly affected by this obligation;	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): - Brak uwag</p> <p>NL: (Comments): Council mandate, but instead of “including OCTs”, “or OCTs”</p> <p>SI: (Comments): SI supports the GA.</p> <p>DK: (Comments): Important to keep Council text with the reference to OCTs, but should read “or OCTs,” instead of “including OCTs”</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FR: (Comments): France supports the inclusion of the OCTs in this Article but would like to remind that OCTs should not be assimilated as a third country and propose the following writing :“including <u>or</u> OCTs”</p> <p>IT: (Comments): Maintain the Council's position</p> <p>PT:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): We support the Council's mandate. AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
489	(iii) the Board;	(iii) the Board;	(iii) the Board;	PL: (Comments): No remarks. AT: (Comments):
489a		(iiia) the European Environment Agency, the European Scientific Advisory Board on Climate Change and the European Chemicals Agency;		SE: (Comments): SE supports EP proposal, but would like to make an amendment of ' <u>relevant EU agencies, such as</u> the European Environment Agency, the European Scientific Advisory Board on Climate Change and the European Chemicals Agency,' PL: (Comments): No remarks. NL: (Comments): Prefer EP mandate DK:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>(Comments): We do not see the merit of giving these organisations a standing seat, they can always be invited as observers if relevant</p> <p>IE: (Comments): Reject EP Mandate as all relevant stakeholders have already been covered in council text.</p> <p>FI: (Comments): FI thinks the EP proposal is good. All the added organizations to be consulted have relevant scientific knowledge.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>RO: (Comments): Agree with EP's text</p>
490	(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to	(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to	(b) ensure that any such measure is not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives, having regard to the ability of third-country suppliers to comply with such a declaration such that aggregate trade flows and critical raw materials costs are not disproportionately affected;	international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives, having regard to the ability of third-country suppliers to comply with such a declaration such that aggregate trade flows and critical raw materials costs are not disproportionately affected;	international trade and is no more trade-restrictive than necessary to achieve the Union's climate and environmental objectives, having regard to the ability of third-country suppliers to comply with such a declaration such that aggregate trade flows and critical raw materials costs are not disproportionately affected;	
490a		(ba) assess whether similar obligations under Union law has produced the intended effects and significantly contributed to the achievement of the Union's environmental targets;		<p>SE: (Comments): SE does not support EP proposal, because it widens the scope too much.</p> <p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Reject EP Mandate as unclear on wording of 'similar obligations'.</p> <p>FI: (Comments): FI thinks the EP proposal is not acceptable. Introduces extra assessment requirements, which don't necessarily give any added value.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We could be flexible towards EP addition, should also take efficiency of the measures into account.</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>RO: (Comments): Agree with EP's text</p>
491	(c) assess whether the measure would contribute to achieving the Union's climate and environmental objectives without disproportionately impacting the ability of Union industry to source the critical raw material in question.	(c) assess whether the measure would contribute to achieving the Union's climate and environmental objectives without disproportionately impacting the ability of Union industry to source the critical raw material in question.	(c) assess whether the measure would contribute to achieving the Union's climate and environmental objectives without disproportionately impacting the ability of Union industry to source the critical raw material in question.	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>
492	5. Any natural or legal person that places on the market critical raw materials for which the Commission has adopted calculation and verification rules pursuant to paragraph 1 shall make available an	5. Any natural or legal person that places on the market critical raw materials for which the Commission has adopted calculation and verification rules pursuant to paragraph 1 shall make available an	5. Any natural or legal person that places on the market critical raw materials, including processed and recycled , for which the Commission has adopted calculation and verification rules pursuant to	<p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Agree Council text (this will facilitate comparison of footprint between secondary</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	environmental footprint declaration.	environmental footprint declaration.	paragraph 1 shall make available an environmental footprint declaration.	and primary as well as between different refining practices. SI: (Comments): SI supports the GA. IE: (Comments): Prefer Council Mandate FI: (Comments): FI thinks the Council proposal is good. IT: (Comments): Maintain the Council's position LT: (Comments): LT supports Council Mandate PT: (Comments): We support the Council's mandate.. AT: (Comments): RO: (Comments): Agree with EP's text
493	The requirement set out in the first subparagraph shall apply to each individual critical raw material type placed on the market and shall not apply to critical raw materials included in intermediate or final	The requirement set out in the first subparagraph shall apply to each individual critical raw material type placed on the market and shall not apply to critical raw materials included in intermediate or final products	The requirement set out in the first subparagraph shall apply to each individual critical raw material type placed on the market and shall not apply to critical raw materials included in intermediate or final	SE: (Comments): SE can be flexible. PL: (Comments): No remarks. NL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	products.	where the critical raw material makes up a non-negligible share of the product's total environmental footprint.	products.	<p>NL supports the EP ambition to include products that have a significant known critical material content (processed or recycled, also in ref. 492 council mandate). NL of the opinion that the text should read where the critical raw material makes up a non-negligible share of the product [full stop]. This is because the ecological footprint of the product in general is not known to the operator placing it on the market so the operator could not determine whether a critical material makes up a significant share of the footprint.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FI: (Comments): FI can accept the EP proposal.</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): Flexible on EP's proposal</p> <p>LT: (Comments): LT supports Parliament Mandate</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				AT: (Comments): We support this amendment proposed by the Rapporteur. RO: (Comments): Agree with Council's text
494	6. The environmental footprint declaration referred to in paragraph 5 shall contain the following information:	6. The environmental footprint declaration referred to in paragraph 5 shall contain the following information:	6. The environmental footprint declaration referred to in paragraph 5 shall contain the following information:	PL: (Comments): No remarks. AT: (Comments):
495	(a) the name, registered trade name or registered trade mark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	(a) the name, registered trade name or registered trade mark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	(a) the name, registered trade name or registered trade mark trademark and the postal address of the responsible natural or legal person and, where available, electronic means of communication where they can be contacted;	PL: (Comments): No remarks. IT: (Comments): flexible AT: (Comments): RO: (Comments): Agree with Council's text
496	(b) information about the critical raw material type for which the declaration applies;	(b) information about the critical raw material type for which the declaration applies;	(b) information about the critical raw material type for which the declaration applies;	PL: (Comments): No remarks. AT: (Comments):
497	(c) information about the	(c) information about the	(c) information about the	PL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	country and region where the critical raw material was extracted, processed, refined and recycled, as applicable;	country and region where the critical raw material was extracted, processed, refined and recycled, as applicable;	country and region where the critical raw material was extracted, processed, refined and recycled, as applicable;	No remarks. AT: (Comments):
498	(d) the environmental footprint of critical raw material, calculated in accordance with the applicable verification and calculation rules adopted pursuant to paragraph 1;	(d) the environmental footprint of critical raw material, calculated in accordance with the applicable verification and calculation rules adopted pursuant to paragraph 1;	(d) the environmental footprint of critical raw material, calculated in accordance with the applicable verification and calculation rules adopted pursuant to paragraph 1;	PL: (Comments): No remarks. AT: (Comments):
499	(e) the environmental footprint performance class that the critical raw material corresponds to, established in accordance with the applicable delegated act adopted pursuant to paragraph 7;	(e) the environmental footprint performance class that the critical raw material corresponds to, established in accordance with the applicable delegated act adopted pursuant to paragraph 7;	(e) the environmental footprint performance class that the critical raw material corresponds to, established in accordance with the applicable delegated act adopted pursuant to paragraph 7;	PL: (Comments): No remarks. AT: (Comments):
500	(f) a web link providing access to a public version of the study supporting the environmental footprint declaration results.	(f) a web link providing access to a public version of the study supporting the environmental footprint declaration results.	(f) a web link providing access to a public version of the study supporting the environmental footprint declaration results.	PL: (Comments): No remarks. AT: (Comments):
501	7. The Commission may adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing environmental footprint	7. The Commission may shall adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing environmental	7. The Commission may adopt delegated acts in accordance with Article 36 to supplement this Regulation by establishing environmental footprint	SE: (Comments): SE wants there to be a timeline but can be flexible on the timing. It should however not be changed from 'may' to

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	performance classes for critical raw materials for which calculation and verification rules have been adopted pursuant to paragraph 1, in accordance with Annex V.	footprint performance classes within 2 years for critical raw materials for which calculation and verification rules have been adopted pursuant to paragraph 1, in accordance with Annex V.	performance classes for critical raw materials for which calculation and verification rules have been adopted pursuant to paragraph 1, in accordance with Annex V.	<p>‘shall’.</p> <p>PL: (Comments): We support the Commission's proposal.</p> <p>NL: (Comments): See 479</p> <p>SI: (Comments): SI supports the GA.</p> <p>IE: (Comments): Can show flexibility towards EP Mandate</p> <p>FI: (Comments): FI Prefers council wording.</p> <p>FR: (Comments): France can support the EP proposal.</p> <p>IT: (Comments): Maintain the Council's position</p> <p>LT: (Comments): LT supports Parliament Mandate</p> <p>PT: (Comments): We can agree with the EP's amendment.</p> <p>AT: (Comments): We advocate maintaining the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>Council position in this case.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text</p>
501a		<p>7a. Where intermediate or final products containing critical raw materials are covered by Union environmental footprint requirements in other legislation, the environmental and carbon footprint of each critical raw material shall, where possible, be incorporated into the calculation of the environmental footprint of the whole product.</p>		<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible. The wording of r. 463 can be used instead.</p> <p>PL:</p> <p>(Comments):</p> <p>No support.</p> <p>NL:</p> <p>(Comments):</p> <p>See 493</p> <p>IE:</p> <p>(Comments):</p> <p>Reject EP Mandate</p> <p>FI:</p> <p>(Comments):</p> <p>For FI EP proposal is acceptable.</p> <p>FR:</p> <p>(Comments):</p> <p>France can support the EP proposal.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal</p> <p>LT:</p> <p>(Comments):</p> <p>LT supports Parliament Mandate</p> <p>PT:</p> <p>(Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>We can agree with the EP's mandate.</p> <p>AT:</p> <p>(Comments):</p> <p>In terms of coherence, we support this addition proposed by the Rapporteur.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with EP's text</p>
501b		<p>7b. By 31 December 2030, the Commission shall submit a report to the European Parliament and to Council analysing options to limit the access to the Union market only to raw materials belonging to the best performing environmental footprint performance classes referred to in paragraph 7 for all or certain products placed on the Union market. The Commission shall, where appropriate, accompany that report with legislative proposals.</p>		<p>SE:</p> <p>(Comments):</p> <p>SE does not support EP proposal. It may cause problems for innovation, technological advancements and production within the EU.</p> <p>PL:</p> <p>(Comments):</p> <p>No support.</p> <p>NL:</p> <p>(Comments):</p> <p>PM IMH-HIAM, proportioneel?</p> <p>SI:</p> <p>(Comments):</p> <p>SI is flexible.</p> <p>IE:</p> <p>(Comments):</p> <p>Reject EP Mandate as it is not practical and could potentially cause market distortion.</p> <p>FR:</p> <p>(Comments):</p> <p>France can support the EP proposal.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>LT: (Comments): LT flexible</p> <p>PT: (Comments): We do not agree with the EP's amendment. There may be other reasons to prevail.</p> <p>AT: (Comments): This addition proposed by the Rapporteur could have a negative impact on the overall competitiveness. We thus reject this proposal.</p> <p>RO: (Comments): Agree with EP's text</p>
502	8. The environmental footprint declaration shall be made available on a free access website.	8. The environmental footprint declaration shall be made available on a free access website in an easily understandable manner.	8. The environmental footprint declaration shall be made available on a free access website.	<p>SE: (Comments): SE can support this.</p> <p>PL: (Comments): No remarks.</p> <p>SI: (Comments): SI is flexible.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FI:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): EP proposal is acceptable for FI. IT: (Comments): flexible PT: (Comments): We can agree with the EP's amendment. AT: (Comments): We support this amendment proposed by the Rapporteur. RO: (Comments): Agree with Council's text
503	The Commission is empowered to adopt an implementing act establishing the format for the environmental footprint declaration referred to in paragraph 5. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 37(3).	The Commission is empowered to adopt an implementing act establishing the format for the environmental footprint declaration referred to in paragraph 5. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 37(3).	The Commission is empowered to adopt an implementing act establishing the format for the environmental footprint declaration referred to in paragraph 5. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 37(3).	PL: (Comments): No remarks. AT: (Comments):
504	9. When offering critical raw materials for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural	9. When offering critical raw materials for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural	9. When offering critical raw materials for sale, including in case of distance selling, or displaying them in the course of a commercial activity, natural	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	and legal persons placing on the market critical raw materials shall ensure that their customers have access to the environmental footprint declaration before being bound by a sales contract.	and legal persons placing on the market critical raw materials shall ensure that their customers have access to the environmental footprint declaration before being bound by a sales contract.	and legal persons placing on the market critical raw materials shall ensure that their customers have access to the environmental footprint declaration before being bound by a sales contract.	
505	Natural and legal persons placing on the market critical raw materials shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information included in the environmental footprint declaration.	Natural and legal persons placing on the market critical raw materials shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information included in the environmental footprint declaration.	Natural and legal persons placing on the market critical raw materials shall not provide or display labels, marks, symbols or inscriptions that are likely to mislead or confuse customers with respect to the information included in the environmental footprint declaration.	PL: (Comments): No remarks. AT: (Comments):
835	Annex IV	Annex IV	Annex IV	SE: (Comments): SE finds it important to keep Council mandate in Annex IV. Otherwise, it will be too restrictive on potential standards. The writing is only valid for IRMA standard. PL: (Comments): No remarks. LT: (Comments): Overall LT supports Parliament Mandate.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				AT: (Comments):
836	Criteria for certification schemes	Criteria for certification schemes	Criteria for certification schemes	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. FI: (Comments): FI opinion is that the criteria should avoid overlap with existing and prepared legislation where similar requirements are set out (Such as the EU batteries regulation and the EU CSDD legislation). Would the new criteria cause undue administrative burden for operators that need to change their existing certification schemes? Undue administrative burden should be avoided in the Act. AT: (Comments):
837	A recognised certification scheme shall meet the following criteria:	A recognised certification scheme shall meet the following criteria:	A recognised certification scheme shall meet the following criteria:	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements;	(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements and it is of multi-stakeholder governance ;	(a) it is open under transparent, fair and non-discriminatory terms to all economic operators willing and able to comply with the scheme's requirements;	<p>SE: (Comments): SE does not understand the amendment by EP and would like a clarification.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): NL strongly supports multistakeholder cooperation in this space, but does not see this as a definite minimum requirement. Could agree only if wording is changed to reflect <i>support</i> for multistakeholder governance of schemes.</p> <p>IE: (Comments): Prefer Council Mandate as EP proposal would be restrictive to enforce.</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We strongly support EP version. To ensure a high level of human rights and</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>environmental protection the involvement of trade unions, civil society groups and rights holders is crucial, see our protocol statement to the council adoption on 30.06.2023.</p> <p>AT: (Comments): We support this amendment by the Rapporteur.</p> <p>RO: (Comments): Agree with Council's text</p>
839	(b) the requirements for certification shall include at least:	(b) the requirements for certification shall include at least must be coherent throughout EU law and shall include:	(b) the requirements for certification shall include at least:	<p>SE: (Comments): SE can be flexible.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Agree EP text.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FR: (Comments): France can accept the EP proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support EP version as</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>coherence with EU law will help to standardise the requirements</p> <p>AT:</p> <p>(Comments):</p> <p>We have underlined the importance of ensuring coherence with other relevant EU legislation. For this reason, we support the amendment proposed by the Rapporteur.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
840	<p>(i) requirements ensuring environmentally sustainable practices, including requirements ensuring environmental management and impact mitigation;</p>	<p>(i) requirements ensuring environmentally sustainable practices before, during and after closure of operation, including requirements ensuring environmental management and impact mitigation; in the following environmental risk categories:</p>	<p>(i) requirements ensuring environmentally sustainable practices, including requirements ensuring environmental management and impact mitigation;</p>	<p>SE:</p> <p>(Comments):</p> <p>SE supports high ambition but believes that it may be hard to implement. Therefore, wants to keep Council mandate on r. 840-840i.</p> <p>PL:</p> <p>(Comments):</p> <p>We support the proposal of the Commission or the Council. Strongly do not support the Parliament's proposition.</p> <p>IE:</p> <p>(Comments):</p> <p>Prefer Council Mandate</p> <p>FR:</p> <p>(Comments):</p> <p>France strongly supports the addition of the environmental risk categories added by the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>EP.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal certification could also include a monitoring system environmental management, we propose to add: <i>environmental management, monitoring and impact mitigation</i></p> <p>DE:</p> <p>(Comments):</p> <p>Scrutiny reservations</p> <p>PT:</p> <p>(Comments):</p> <p>We can agree with the EP's amendment, although the list is far too descriptive..</p> <p>AT:</p> <p>(Comments):</p> <p>The certification schemes should focus exclusively on relevant risk categories. We therefore advocate maintaining the Council position in this case and reject lines 840a-i.</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
840a		(1) air, including air pollution such as greenhouse gas emissions;		<p>PL:</p> <p>(Comments):</p> <p>As above.</p> <p>NL:</p> <p>(Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>In principle agree with usefulness of specifying environmental categories, and also the reference to before, during and post-closure impacts. The NL understands row 840 and 840a to be coherent with the CSDDD environmental categories where the categories given here are specifications, and would like guidance if this is not in fact coherent. Suggestion to include <i>deforestation</i> as a separate category instead of 'flora'. [NB CSDDDenvironmental categories:a) climate change;b) biodiversity loss;c) air, water and soil pollution;d) degradation of land, marine and freshwater ecosystems;e) deforestation;f) overconsumption of material, water, energy and other natural resources;g) harmful generation and mismanagement of waste, including hazardous substances;]</p> <p>IE:</p> <p>(Comments):</p> <p>Reject EP Mandate in points (1) - (9) as the suggestions made are too granular and decision on impact categories is provided for in the implementing acts of Article 29.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT: (Comments): We can agree with the EP's amendment.
840b		(2) water, including seabed and marine environment, and water pollution, water use, water quantities (flooding or droughts) and access to water;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT: (Comments): We can agree with the EP's

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				amendment.
840c		(3) soil, including soil pollution, soil erosion, land use and land degradation;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT: (Comments): We can agree with the EP's amendment.
840d		(4) biodiversity, including damage to habitats, wildlife, flora and ecosystems, including ecosystem services;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>we are flexible to Parliament's proposal</p> <p>DE:</p> <p>(Comments):</p> <p>Scrutiny reservations</p> <p>PT:</p> <p>(Comments):</p> <p>We can agree with the EP's amendment.</p>
840e		(5) hazardous substances;		<p>PL:</p> <p>(Comments):</p> <p>As above.</p> <p>IE:</p> <p>(Comments):</p> <p>Reject EP Mandate</p> <p>FR:</p> <p>(Comments):</p> <p>France strongly supports EP Proposal.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal</p> <p>DE:</p> <p>(Comments):</p> <p>Scrutiny reservations</p> <p>PT:</p> <p>(Comments):</p> <p>We can agree with the EP's amendment.</p>
840f		(6) noise and vibration;		<p>PL:</p> <p>(Comments):</p> <p>As above.</p> <p>IE:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT: (Comments): We can agree with the EP's amendment.
840g		(7) plant safety;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): We can agree with the EP's amendment
840h		(8) energy use;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal. IT: (Comments): we are flexible to Parliament's proposal DE: (Comments): Scrutiny reservations PT: (Comments): We can agree with the EP's amendment.
840i		(9) waste and residues;		PL: (Comments): As above. IE: (Comments): Reject EP Mandate FR: (Comments): France strongly supports EP Proposal.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): Scrutiny reservations</p> <p>PT: (Comments): We can agree with the EP's amendment.</p>
841	(ii) requirements for ensuring socially responsible practices, including respect for human rights and labour rights;	(ii) requirements for ensuring socially responsible practices, including respect for human rights and labour rights including the community life of indigenous peoples;	(ii) requirements for ensuring socially responsible practices, including respect for human rights and labour rights;	<p>PL: (Comments): No remarks.</p> <p>NL: (Comments): Accept reference to indigenous peoples. In this case, would prefer to also mention women's rights as a specific set of human rights.</p> <p>FR: (Comments): France strongly supports EP Proposal.</p> <p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): Support EP addition, in line with ILO 169</p> <p>PT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>We can agree with the EP's amendment.</p> <p>AT:</p> <p>(Comments):</p> <p>We advocate maintaining the Council position.RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
842	<p>(iii) requirements for ensuring business integrity and transparency including requirements to apply sound management of financial, environmental and social matters;</p>	<p>(iii) requirements for ensuring business integrity and transparency including requirements to apply sound management of financial, environmental and social matters and anti-corruption and anti-bribery policies in line with the OECD Guidelines listed in Annex III, point 4;</p>	<p>(iii) requirements for ensuring business integrity and transparency including requirements to apply sound management of financial, environmental and social matters;</p>	<p>PL:</p> <p>(Comments):</p> <p>No remarks.</p> <p>NL:</p> <p>(Comments):</p> <p>NL support for EP position: essential to ensure coherence with the OECD Guidelines.</p> <p>DK:</p> <p>(Comments):</p> <p>We could be flexible concerning the EPs proposal. Helpful to explicitly mention anti corruption and anti bribery and reference Annex III. However the EP text makes it sound like it is a closed list, that it is only a matter of applying the OECD guidelines as a definitive yardstick, when they should rather be indicative of what would probably be required.</p> <p>FR:</p> <p>(Comments):</p> <p>France strongly supports EP Proposal.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>IT: (Comments): we are flexible to Parliament's proposal</p> <p>DE: (Comments): We support the EP addition</p> <p>PT: (Comments): We can agree with the EP's amendment.</p> <p>AT: (Comments): We advocate maintaining the Council position in this case.</p> <p>RO: (Comments): Agree with Council's text</p>
842a			<p>(ba) the requirements listed in paragraph (b) point (i to iii) shall ensure high levels of social and environmental protection and be in line with Union legislation or the international instruments listed in Annex III;</p>	<p>SE: (Comments): SE wants to keep Council mandate.</p> <p>PL: (Comments): No remarks.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>IT: (Comments): maintain</p> <p>PT: (Comments): We support the Council's mandate.</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with Council's text
843	(c) verification and monitoring of compliance is objective, based on international, Union or national standards, requirements and procedures and carried out independently from the relevant economic operator;	(c) verification and monitoring of compliance is objective, based on international, Union or national standards, requirements and procedures and carried out independently from the relevant economic operator;	(c) verification and monitoring of compliance is objective, based on international, Union or national standards, requirements and procedures and carried out independently from the relevant economic operator;	PL: (Comments): No remarks. AT: (Comments):
844	(d) it includes sufficient requirements and procedures to ensure the competence and independence of responsible verifiers.	(d) it includes sufficient requirements and procedures to ensure the competence and independence of responsible verifiers.	(d) it includes sufficient requirements and procedures to ensure the competence and independence of responsible verifiers.	PL: (Comments): No remarks. AT: (Comments):
844a		(da) it includes requirements to ensure an audit-report established at the site level.		PL: (Comments): No remarks. NL: (Comments): Support to include this; understanding it as excluding schemes that only audit companies (instead of sites). DK: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>We could be flexible around the EP proposal</p> <p>IE:</p> <p>(Comments):</p> <p>Reject EP Mandate</p> <p>SK:</p> <p>(Comments):</p> <p>Auditing requirements shall be kept to a reasonable extent, i.e. not putting excessive administrative burden on obliged subjects.</p> <p>FR:</p> <p>(Comments):</p> <p>France strongly supports the EP proposal.</p> <p>IT:</p> <p>(Comments):</p> <p>we are flexible to Parliament's proposal</p> <p>DE:</p> <p>(Comments):</p> <p>We support the EP addition</p> <p>AT:</p> <p>(Comments):</p> <p>We do not agree with any additional bureaucracy created. The availability of auditors is limited and this addition proposed does not make any contribution to speeding up the processes. We therefore reject this addition proposed by the Rapporteur.</p>
845	Annex V	Annex V	Annex V	PL:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments): No remarks. LT: (Comments): Overall LT supports Council Mandate AT: (Comments):
846	Environmental footprint	Environmental footprint	Environmental footprint	PL: (Comments): No remarks. AT: (Comments):
847	Part I 1. Definitions	Part I 1. Definitions	Part I 1. Definitions	PL: (Comments): No remarks. AT: (Comments):
848	For the purposes of this Annex, the following definitions shall apply:	For the purposes of this Annex, the following definitions shall apply:	For the purposes of this Annex, the following definitions shall apply:	PL: (Comments): No remarks. AT: (Comments):
849	(a) 'Activity data' means the information associated with processes while modelling Life Cycle Inventories (LCI). The	(a) 'Activity data' means the information associated with processes while modelling Life Cycle Inventories (LCI). The	(a) 'Activity data' means the information associated with processes while modelling Life Cycle Inventories (LCI). The	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	aggregated LCI results of the process chains that represent the activities of a process are each multiplied by the corresponding activity data and then combined to derive the environmental footprint associated with that process;	aggregated LCI results of the process chains that represent the activities of a process are each multiplied by the corresponding activity data and then combined to derive the environmental footprint associated with that process;	aggregated LCI results of the process chains that represent the activities of a process are each multiplied by the corresponding activity data and then combined to derive the environmental footprint associated with that process;	
850	(b) 'Bill of materials' means list of the raw materials, sub-assemblies, intermediate assemblies, sub-components, parts and the quantities of each needed to manufacture the product in scope of the study;	(b) 'Bill of materials' means list of the raw materials, sub-assemblies, intermediate assemblies, sub-components, parts and the quantities of each needed to manufacture the product in scope of the study;	(b) 'Bill of materials' means list of the raw materials, sub-assemblies, intermediate assemblies, sub-components, parts and the quantities of each needed to manufacture the product in scope of the study;	PL: (Comments): No remarks. AT: (Comments):
851	(c) 'Company-specific data' refers to directly measured or collected data from one or multiple facilities (site-specific data) that are representative for the activities of the company. It is synonymous to "primary data";	(c) 'Company-specific data' refers to directly measured or collected data from one or multiple facilities (site-specific data) that are representative for the activities of the company. It is synonymous to "primary data";	(c) 'Company-specific data' refers to directly measured or collected data from one or multiple facilities (site-specific data) that are representative for the activities of the company. It is synonymous to "primary data";	PL: (Comments): No remarks. AT: (Comments):
852	(d) 'Impact assessment method' means the protocol for quantitative translation of life cycle inventory data into contributions to an environmental impact of	(d) 'Impact assessment method' means the protocol for quantitative translation of life cycle inventory data into contributions to an environmental impact of	(d) 'Impact assessment method' means the protocol for quantitative translation of life cycle inventory data into contributions to an environmental impact of	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	concern;	concern;	concern;	
853	(e) 'Impact category' means a class of resource use or environmental impact to which the life cycle inventory data are related;	(e) 'Impact category' means a class of resource use or environmental impact to which the life cycle inventory data are related;	(e) 'Impact category' means a class of resource use or environmental impact to which the life cycle inventory data are related;	PL: (Comments): No remarks. AT: (Comments):
854	(f) 'Life cycle' means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal (ISO 14040:2006);	(f) 'Life cycle' means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal (ISO 14040:2006);	(f) 'Life cycle' means the consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal (ISO 14040:2006);	PL: (Comments): No remarks. AT: (Comments):
855	(g) 'Life cycle inventory (LCI)' means the combined set of exchanges of elementary, waste and product flows in a LCI dataset;	(g) 'Life cycle inventory (LCI)' means the combined set of exchanges of elementary, waste and product flows in a LCI dataset;	(g) 'Life cycle inventory (LCI)' means the combined set of exchanges of elementary, waste and product flows in a LCI dataset;	PL: (Comments): No remarks. AT: (Comments):
856	(h) 'Life cycle inventory (LCI) dataset' means a document or file with life cycle information of a specified product or other reference (e.g., site, process), covering descriptive metadata and quantitative life cycle inventory. A LCI dataset could	(h) 'Life cycle inventory (LCI) dataset' means a document or file with life cycle information of a specified product or other reference (e.g., site, process), covering descriptive metadata and quantitative life cycle inventory. A LCI dataset could	(h) 'Life cycle inventory (LCI) dataset' means a document or file with life cycle information of a specified product or other reference (e.g., site, process), covering descriptive metadata and quantitative life cycle inventory. A LCI dataset could	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	be a unit process dataset, partially aggregated or an aggregated dataset;	be a unit process dataset, partially aggregated or an aggregated dataset;	be a unit process dataset, partially aggregated or an aggregated dataset;	
857	<p>(i) ‘Secondary data’ means data not from a specific process within the supply-chain of the company performing an environmental footprint study. This refers to data that is not directly collected, measured, or estimated by the company, but sourced from a third party LCI database or other sources. Secondary data includes industry average data (e.g., from published production data, government statistics, and industry associations), literature studies, engineering studies and patents, and may also be based on financial data, and contain proxy data, and other generic data. Primary data that go through a horizontal aggregation step are considered as secondary data;</p>	<p>(i) ‘Secondary data’ means data not from a specific process within the supply-chain of the company performing an environmental footprint study. This refers to data that is not directly collected, measured, or estimated by the company, but sourced from a third party LCI database or other sources. Secondary data includes industry average data (e.g., from published production data, government statistics, and industry associations), literature studies, engineering studies and patents, and may also be based on financial data, and contain proxy data, and other generic data. Primary data that go through a horizontal aggregation step are considered as secondary data;</p>	<p>(i) ‘Secondary data’ means data not from a specific process within the supply-chain of the company performing an environmental footprint study. This refers to data that is not directly collected, measured, or estimated by the company, but sourced from a third party LCI database or other sources. Secondary data includes industry average data (e.g., from published production data, government statistics, and industry associations), literature studies, engineering studies and patents, and may also be based on financial data, and contain proxy data, and other generic data. Primary data that go through a horizontal aggregation step are considered as secondary data;</p>	<p>PL: (Comments): No remarks. AT: (Comments):</p>
858	<p>(j) ‘System boundary’ means the aspects included or excluded from the life cycle study.</p>	<p>(j) ‘System boundary’ means the aspects included or excluded from the life cycle study.</p>	<p>(j) ‘System boundary’ means the aspects included or excluded from the life cycle study.</p>	<p>PL: (Comments): No remarks. AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
859	Additionally, the calculation rules for the environmental footprint of a critical raw material shall include any further definition necessary for their interpretation.	Additionally, the calculation rules for the environmental footprint of a critical raw material shall include any further definition necessary for their interpretation.	Additionally, the calculation rules for the environmental footprint of a critical raw material shall include any further definition necessary for their interpretation.	PL: (Comments): No remarks. AT: (Comments):
860	Part II 2. Scope	Part II 2. Scope	Part II 2. Scope	AT: (Comments):
861	This Annex provides essential elements on how to calculate the environmental footprint of critical raw materials.	This Annex provides essential elements on how to calculate the environmental footprint of critical raw materials.	This Annex provides essential elements on how to calculate the environmental footprint of critical raw materials.	PL: (Comments): No remarks. AT: (Comments):
862	The calculation rules for the environmental footprint of specific critical raw materials shall build on the essential elements included in this Annex, taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment.	The calculation rules for the environmental footprint of specific critical raw materials shall build on the essential elements included in this Annex, taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment.	The calculation rules for the environmental footprint of specific critical raw materials shall build on the essential elements included in this Annex, taking into account scientifically sound assessment methods and relevant international standards in the area of life cycle assessment.	PL: (Comments): No remarks. AT: (Comments):
863	The calculation of the environmental footprint of a critical raw material shall be based on the bill of material, the	The calculation of the environmental footprint of a critical raw material shall be based on the bill of material, the	The calculation of the environmental footprint of a critical raw material shall be based on the bill of material, the	PL: (Comments): No remarks. AT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	energy, production methods, and auxiliary materials used at the facilities involved on the production of critical raw material.	energy, production methods, and auxiliary materials used at the facilities involved on the production of critical raw material.	energy, production methods, and auxiliary materials used at the facilities involved on the production of critical raw material.	(Comments): RO: (Comments): Agree with Council's text
864	When establishing calculation rules for the environmental footprint of specific critical raw materials, the Commission shall aim to ensure consistency with calculation rules for the environmental footprint of product making use of the relevant critical raw materials.	When establishing calculation rules for the environmental footprint of specific critical raw materials, the Commission shall aim to ensure consistency with calculation rules for the environmental footprint of product intermediate and final products making use of the relevant critical raw materials.	When establishing calculation rules for the environmental footprint of specific critical raw materials, the Commission shall aim to ensure consistency with calculation rules for the environmental footprint of product making use of the relevant critical raw materials.	SE: (Comments): SE can be flexible. Depends on the outcome on r. 493 and 501a. PL: (Comments): No remarks. IE: (Comments): Prefer Council Mandate FR: (Comments): France strongly supports the EP proposal. IT: (Comments): We are flexible to Parliament's proposal PT: (Comments): We can agree with the EP's amendment. AT: (Comments):
865	Part III 3. Declared unit	Part III 3. Declared unit	Part III 3. Declared unit	AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
866	The declared unit shall be 1 kg of the relevant critical raw material type.	The declared unit shall be 1 kg of the relevant critical raw material type.	The declared unit shall be 1 kg of the relevant critical raw material type.	PL: (Comments): No remarks. AT: (Comments):
867	The calculation rules for the environmental footprint of specific critical raw materials may specify a higher or lower declared unit, expressed in kg, where necessary to take into account the nature or use of the relevant critical raw material.	The calculation rules for the environmental footprint of specific critical raw materials may specify a higher or lower declared unit, expressed in kg, where necessary to take into account the nature or use of the relevant critical raw material.	The calculation rules for the environmental footprint of specific critical raw materials may specify a higher or lower declared unit, expressed in kg, where necessary to take into account the nature or use of the relevant critical raw material.	PL: (Comments): No remarks. AT: (Comments):
868	All quantitative input and output data collected by the manufacturer to quantify the carbon footprint shall be calculated in relation to this declared unit.	All quantitative input and output data collected by the manufacturer to quantify the carbon footprint shall be calculated in relation to this declared unit.	All quantitative input and output data collected by the manufacturer to quantify the carbon footprint shall be calculated in relation to this declared unit.	PL: (Comments): No remarks. HR: (Comments): HR supports proposal AT: (Comments):
869	Part IV 4. System boundary	Part IV 4. System boundary	Part IV 4. System boundary	AT: (Comments):
870	Extraction, concentration and refining are the three life cycle stages to be included in the	Extraction, concentration and refining are the three life cycle stages to be included in the	Extraction, concentration and refining are the three life cycle stages to be included in the	PL: (Comments): No remarks. AT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	system boundary of primary critical raw materials with the following processes (when relevant to the specific raw material):	system boundary of primary critical raw materials with the following processes (when relevant to the specific raw material):	system boundary of primary critical raw materials with the following processes (when relevant to the specific raw material):	(Comments):
871	(a) Upstream processes including the extraction of ore for raw material production, production and supply (transport) of chemicals, auxiliaries, production and supply (transport) of fuels, production and supply of electricity, and transport of materials in vehicles not owned by the organisation;	(a) Upstream processes including the extraction of ore for raw material production, production and supply (including transport) of chemicals, auxiliaries, production and supply (including transport) of fuels, production and supply of electricity, and transport of materials in vehicles not owned or operated by the organisation;	(a) Upstream processes including the extraction of ore for raw material production, production and supply (transport) of chemicals, auxiliaries, production and supply (transport) of fuels, production and supply of electricity, and transport of materials in vehicles not owned by the organisation;	SE: (Comments): SE can be flexible. PL: (Comments): No remarks. IE: (Comments): Can show flexibility towards EP Mandate. IT: (Comments): We are flexible to Parliament's proposal PT: (Comments): We can agree with the EP's amendment. AT: (Comments): In terms of clearer wording, we support the amendments proposed by the Rapporteur. RO: (Comments): Agree with EP's text
872	(b) Transport of ore, concentrates and raw materials	(b) Transport of ore, concentrates and raw materials	(b) Transport of ore, concentrates and raw materials	PL: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	in vehicles owned or operated by the organisation;	in vehicles owned or operated by the organisation;	in vehicles owned or operated by the organisation;	No remarks. AT: (Comments):
873	(c) Storage of ore, concentrates and raw materials;	(c) Storage of ore, concentrates and raw materials;	(c) Storage of ore, concentrates and raw materials;	PL: (Comments): No remarks. AT: (Comments):
874	(d) Ore crushing and cleaning;	(d) Ore crushing and cleaning;	(d) Ore crushing and cleaning;	PL: (Comments): No remarks. AT: (Comments):
875	(e) Raw material concentrate production;	(e) Raw material concentrate production;	(e) Raw material concentrate production;	PL: (Comments): No remarks. AT: (Comments):
876	(f) Metal extraction (by chemical, physical or biological means);	(f) Metal extraction (by chemical, physical or biological means);	(f) Metal extraction (by chemical, physical or biological means);	PL: (Comments): No remarks. AT: (Comments):
877	(g) Smelting;	(g) Smelting;	(g) Smelting;	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				AT: (Comments):
878	(h) Metal conversion;	(h) Metal conversion;	(h) Metal conversion;	PL: (Comments): No remarks. AT: (Comments):
879	(i) Slag cleaning;	(i) Slag cleaning;	(i) Slag cleaning;	PL: (Comments): No remarks. AT: (Comments):
880	(j) Metal refining;	(j) Metal refining;	(j) Metal refining;	PL: (Comments): No remarks. AT: (Comments):
881	(k) Metal electrolysis;	(k) Metal electrolysis;	(k) Metal electrolysis;	PL: (Comments): No remarks. AT: (Comments):
882	(l) Metal casting or packaging;	(l) Metal casting or packaging;	(l) Metal casting or packaging;	PL: (Comments): No remarks. AT:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				(Comments):
883	(m) Spent material and slag treatment;	(m) Spent material and slag treatment;	(m) Spent material and slag treatment;	PL: (Comments): No remarks. AT: (Comments):
884	(n) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), internal logistics.	(n) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), internal logistics.	(n) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), internal logistics.	PL: (Comments): No remarks. AT: (Comments):
885	In the system boundary of secondary critical raw materials (defining the recycling life cycle stage), the following processes (when relevant to the specific recycled raw material) shall be included:	In the system boundary of secondary critical raw materials (defining the recycling life cycle stage), the following processes (when relevant to the specific recycled raw material) shall be included:	In the system boundary of secondary critical raw materials (defining the recycling life cycle stage), the following processes (when relevant to the specific recycled raw material) shall be included:	PL: (Comments): No remarks. AT: (Comments):
886	(a) Upstream processes including the generation of raw feed material (scrap materials	(a) Upstream processes including the generation of raw feed material (scrap materials	(a) Upstream processes including the generation of raw feed material (scrap materials	PL: (Comments): No remarks.

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	and virgin copper concentrates, the production and supply (transport) of chemicals, auxiliaries, production and supply (transport) of fuels, the production and supply of electricity, and the transport of materials in vehicles not owned by the organisation;	and virgin copper concentrates, the production and supply (transport) of chemicals, auxiliaries, production and supply (transport) of fuels, the production and supply of electricity, and the transport of materials in vehicles not owned by the organisation;	and virgin copper concentrates, the production and supply (transport) of chemicals, auxiliaries, production and supply (transport) of fuels, the production and supply of electricity, and the transport of materials in vehicles not owned by the organisation;	AT: (Comments):
887	(b) Transport of concentrates and scraps in vehicles owned or operated by the organisation;	(b) Transport of concentrates and scraps in vehicles owned or operated by the organisation;	(b) Transport of concentrates and scraps in vehicles owned or operated by the organisation;	PL: (Comments): No remarks. AT: (Comments):
888	(c) Storage of scraps, concentrates and raw materials;	(c) Storage of scraps, concentrates and raw materials;	(c) Storage of scraps, concentrates and raw materials;	PL: (Comments): No remarks. AT: (Comments):
889	(d) Secondary material pre-treatment;	(d) Secondary material pre-treatment;	(d) Secondary material pre-treatment;	PL: (Comments): No remarks. AT: (Comments):
890	(e) Smelting;	(e) Smelting;	(e) Smelting;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
891	(f) Metal conversion;	(f) Metal conversion;	(f) Metal conversion;	PL: (Comments): No remarks. AT: (Comments):
892	(g) Metal refining;	(g) Metal refining;	(g) Metal refining;	PL: (Comments): No remarks. AT: (Comments):
893	(h) Metal electrolysis;	(h) Metal electrolysis;	(h) Metal electrolysis;	PL: (Comments): No remarks. AT: (Comments):
894	(i) Metal casting or packaging;	(i) Metal casting or packaging;	(i) Metal casting or packaging;	PL: (Comments): No remarks. AT: (Comments):
895	(j) Spent material treatment;	(j) Spent material treatment;	(j) Spent material treatment;	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
896	(k) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), and internal logistics.	(k) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), and internal logistics.	(k) All related auxiliary processes such as waste water treatment (on site, including for treatment of process waters, direct cooling, water and surface run off water), gas abatement systems (including for primary and secondary off gases, boilers (including pre-treatment of feed water), and internal logistics.	PL: (Comments): No remarks. AT: (Comments):
897	The use phase or end-of-life phase shall be excluded from the environmental footprint calculations, as it is not under the direct influence of the responsible economic operator. Other processes may be excluded where their contribution to the environmental footprint of a specific critical raw material is insignificant.	The use phase or end-of-life phase shall be excluded from the environmental footprint calculations, as it is not under the direct influence of the responsible economic operator. Other processes may be excluded where their contribution to the environmental footprint of a specific critical raw material is insignificant.	The use phase or end-of-life phase shall be excluded from the environmental footprint calculations, as it is not under the direct influence of the responsible economic operator. Other processes may be excluded where their contribution to the environmental footprint of a specific critical raw material is insignificant.	PL: (Comments): No remarks. AT: (Comments):
898	Part V 5. Impact categories	Part V 5. Impact categories	Part V 5. Impact categories	AT: (Comments):
899	The calculation rules shall specify the impact category that needs to be included in the	The calculation rules shall specify the impact category or categories that need that needs	The calculation rules shall specify the impact category that needs categories that need to	SE: (Comments): SE does not support and finds it important to keep Council

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	<p>environmental footprint calculation. The choice shall be based on the hotspot analysis performed in line with scientifically sound methodologies developed at international level and taking into account the:</p>	<p>to be included in the environmental footprint calculation as well as greenhouse gas emissions. The choice shall be based on the hotspot analysis performed in line with scientifically sound methodologies developed at international level and taking into account the:</p>	<p>be included in the environmental footprint calculation. The choice shall be based on the hotspot analysis performed in line with scientifically sound methodologies developed at international level and taking into account the:</p>	<p>mandate and the impact categories that the Council agreed upon so that we do not limit ourselves to a few categories.</p> <p>PL: (Comments): No remarks.</p> <p>NL: (Comments): See above. At least three categories, GHG as default.</p> <p>DK: (Comments): Strongly prefer the Council mandate, which underlines that one impact category is not sufficient. Besides, greenhouse gas emission is a part of the environmental footprint calculation. Therefore, the EP proposal to mention greenhouse gas emissions explicitly might lead to misunderstandings.</p> <p>IE: (Comments): Prefer Council Mandate</p> <p>FR: (Comments): France strongly supports the EP proposal.</p> <p>IT: (Comments): Maintain Council Mandate as specified in Article 30(1). The carbon footprint is one of the</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
				<p>impact categories of the environmental footprint.</p> <p>DE:</p> <p>(Comments):</p> <p>We support EP additions</p> <p>PT:</p> <p>(Comments):</p> <p>We agree with the Council's mandate. The Recital (51) "The Environmental Footprint methods constitute a relevant basis for the development of the calculation rules. They rely on scientifically sound assessment methods which take into account similar obligations established by other Union legislation and developments on international level and cover environmental impacts, including climate change and impacts related to water, air, soil, resources, land use and toxicity" already covers the greenhouse emissions because they are included in the environmental impacts.</p> <p>AT:</p> <p>(Comments):</p> <p>RO:</p> <p>(Comments):</p> <p>Agree with Council's text</p>
900	(a) relative importance of different impacts, including their relative importance for	(a) relative importance of different impacts, including their relative importance for	(a) relative importance of different impacts, including their relative importance for	<p>SE:</p> <p>(Comments):</p> <p>SE can be flexible.</p> <p>PL:</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	meeting Union climate and environmental impacts;	meeting Union climate and environmental impacts;	meeting Union climate and environmental impacts;	(Comments): No remarks. IE: (Comments): Prefer Council Mandate IT: (Comments): Maintain the Council's proposal DE: (Comments): We support EP version since global impacts are relevant. AT: (Comments):
901	(b) needs of downstream companies wishing to communicate on the environmental footprint of the critical raw materials they use.	(b) needs of downstream companies wishing to communicate on the environmental footprint of the critical raw materials they use.	(b) needs of downstream companies wishing to communicate on the environmental footprint of the critical raw materials they use.	PL: (Comments): No remarks. AT: (Comments):
902	Part VI 6. Use of company specific and secondary datasets	Part VI 6. Use of company specific and secondary datasets	Part VI 6. Use of company specific and secondary datasets	AT: (Comments):
903	The calculation rules shall specify the use of company specific or secondary datasets for all relevant processes and materials.	The calculation rules shall specify the use of company specific or secondary datasets for all relevant processes and materials. If calculation rules allow for the choice between a	The calculation rules shall specify the use of company specific or secondary datasets for all relevant processes and materials.	SE: (Comments): SE can support. PL: (Comments): No remarks. SI:

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		company specific dataset and a secondary dataset, there shall be a sufficient incentive in the calculation method to use the company specific dataset.		<p>(Comments): SI is flexible.</p> <p>IE: (Comments): Prefer Council Mandate as it is unclear as to what 'sufficient incentive' means.</p> <p>IT: (Comments): Maintain the Council's proposal</p> <p>AT: (Comments): We support this amendment proposed by the Rapporteur with due regard for the protection of trade and business secrets.</p> <p>RO: (Comments): Agree with Council's text</p>
904	The use of company-specific data shall be required at least for the processes under the direct influence of the responsible operator and have the largest contribution to the relevant impact categories.	The use of company-specific data shall be required at least for the processes under the direct influence of the responsible operator and have the largest contribution to the relevant impact categories.	The use of company-specific data shall be required at least for the processes under the direct influence of the responsible operator and have the largest contribution to the relevant impact categories.	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>
905	The company specific activity data shall be used in combination with the relevant Environmental Footprint compliant secondary datasets.	The company specific activity data shall be used in combination with the relevant Environmental Footprint compliant secondary datasets.	The company specific activity data shall be used in combination with the relevant Environmental Footprint compliant secondary datasets.	<p>PL: (Comments): No remarks.</p> <p>AT: (Comments):</p>

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	The calculation rules should specify whether sampling is allowed, in line with the criteria set out in scientifically sound methodologies developed at international level.	The calculation rules should specify whether sampling is allowed, in line with the criteria set out in scientifically sound methodologies developed at international level.	The calculation rules should specify whether sampling is allowed, in line with the criteria set out in scientifically sound methodologies developed at international level.	
906	A change in the bill of materials or energy mix used to produce a critical raw material type requires a new calculation of the environmental footprint.	A change in the bill of materials or energy mix used to produce a critical raw material type requires a new calculation of the environmental footprint.	A change in the bill of materials or energy mix used to produce a critical raw material type requires a new calculation of the environmental footprint.	PL: (Comments): No remarks. AT: (Comments):
906a		When calculating the carbon intensity of the energy used across the process stages as listed in point 4, average greenhouse gas emissions data of the energy mix of the country or, where possible, region, where the specific activity or process took place, shall be used. Lower emission factors shall only be used where the economic operator can reliably demonstrate that its individual processes or energy supply are less carbon intensive than the energy mix of the country average or, where possible, region, average. This shall be demonstrated via a direct connection to a producer of		PL: (Comments): No support. NL: (Comments): NL would like guidance on the implication of this. SI: (Comments): SI is flexible. IE: (Comments): Reject EP Mandate as addition on carbon intensity is outside scope. HR: (Comments): HR can support EP proposal FR: (Comments): France strongly supports the

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
		renewable energy or a producer with lower carbon intensity or a contract demonstrating a temporal and geographical link between the energy supply and the use by the economic operator, which shall be verified by a third party verification statement.		EP proposal. IT: (Comments): Flexible on EP's proposal but with "may" instead of "shall" to avoid excessive burden.
907	The calculation rules to be elaborated via a delegated act shall include detailed modelling of the following lifecycle stages:	The calculation rules to be elaborated via a delegated act shall include detailed modelling of the following lifecycle stages:	The calculation rules to be elaborated via a delegated act shall include detailed modelling of the following lifecycle stages:	PL: (Comments): No remarks. AT: (Comments):
908	(a) Primary raw material extraction, concentration and refining stage;	(a) Primary raw material extraction, concentration and refining stage;	(a) Primary raw material extraction, concentration and refining stage;	PL: (Comments): No remarks. AT: (Comments):
909	(b) Secondary raw material acquisition and processing stage.	(b) Secondary raw material acquisition and processing stage.	(b) Secondary raw material acquisition and processing stage.	PL: (Comments): No remarks. AT: (Comments):
910	Part VII 7. Impact assessment methods	Part VII 7. Impact assessment methods	Part VII 7. Impact assessment methods	AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
911	The environmental footprint shall be calculated using scientifically sound impact assessment methods which take into account developments on the international level for relevant impact categories related to climate change, water, air, soil, resources, land use and toxicity.	The environmental footprint shall be calculated using scientifically sound impact assessment methods which take into account developments on the international level for relevant impact categories related to climate change, water, air, soil, resources, land use and toxicity.	The environmental footprint shall be calculated using scientifically sound impact assessment methods which take into account developments on the international level for relevant impact categories related to climate change, water, air, soil, resources, land use and toxicity.	PL: (Comments): No remarks. AT: (Comments):
912	The results shall be provided as characterised results (without normalisation and weighting).	The results shall be provided as characterised results (without normalisation and weighting).	The results shall be provided as characterised results (without normalisation and weighting).	PL: (Comments): No remarks. AT: (Comments):
913	Part VIII 8. Environmental footprint performance classes	Part VIII 8. Environmental footprint performance classes	Part VIII 8. Environmental footprint performance classes	PL: (Comments): No remarks. AT: (Comments):
914	Depending on the distribution of the values of the environmental footprint declarations placed on the internal market, a meaningful number of classes of performance shall be identified, with category A being the best class with the lowest life cycle	Depending on the distribution of the values of the environmental footprint declarations placed on the internal market, a meaningful number of classes of performance shall be identified, with category A being the best class with the lowest life cycle	Depending on the distribution of the values of the environmental footprint declarations placed on the internal market, a meaningful number of classes of performance shall be identified, with category A being the best class with the lowest life cycle	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	impact, to allow for market differentiation. The identification of the threshold for each class of performance, as well as their width, will be based on the distribution of performances of the relevant critical raw materials placed on the market in the previous 3 years, the expected technological improvements, and other technical factors to be identified.	impact, to allow for market differentiation. The identification of the threshold for each class of performance, as well as their width, will be based on the distribution of performances of the relevant critical raw materials placed on the market in the previous 3 years, the expected technological improvements, and other technical factors to be identified.	impact, to allow for market differentiation. The identification of the threshold for each class of performance, as well as their width, will be based on the distribution of performances of the relevant critical raw materials placed on the market in the previous 3 years, the expected technological improvements, and other technical factors to be identified.	
915	The Commission shall review the number of performance classes and the thresholds between them every 3 years in order to keep them representative of the market reality and its expected development.	The Commission shall review the number of performance classes and the thresholds between them every 3 years in order to keep them representative of the market reality and its expected development.	The Commission shall review the number of performance classes and the thresholds between them every 3 years in order to keep them representative of the market reality and its expected development.	PL: (Comments): No remarks. AT: (Comments):
916	Part IX 9. Conformity assessment	Part IX 9. Conformity assessment	Part IX 9. Conformity assessment	AT: (Comments):
917	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No	The calculation and verification rules shall specify the applicable conformity assessment procedure from among the modules set out in Annex II to Decision No	PL: (Comments): No remarks. AT: (Comments):

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
	768/2008/EC, with the adaptations necessary in view of the material concerned.	768/2008/EC, with the adaptations necessary in view of the material concerned.	768/2008/EC, with the adaptations necessary in view of the material concerned.	
918	When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	When specifying the applicable conformity assessment procedure, the Commission shall consider the following criteria:	PL: (Comments): No remarks. AT: (Comments):
919	(a) whether the module concerned is appropriate to the type of material and proportionate to the public interest pursued;	(a) whether the module concerned is appropriate to the type of material and proportionate to the public interest pursued;	(a) whether the module concerned is appropriate to the type of material and proportionate to the public interest pursued;	PL: (Comments): No remarks. AT: (Comments):
920	(b) the availability of competent and independent third parties able to perform potential third party conformity assessment tasks;	(b) the availability of competent and independent third parties able to perform potential third party conformity assessment tasks;	(b) the availability of competent and independent third parties able to perform potential third party nature of the risks entailed by the product and the extent to which conformity assessment tasks corresponds to the type and degree of risk;	PL: (Comments): No remarks. SI: (Comments): SI supports the GA. IT: (Comments): Maintain the Council's proposal AT: (Comments): We advocate maintaining the Council position in this case. RO: (Comments): Agree with EP's text

	Commission Proposal	EP Mandate	Council Mandate	MS comments/drafting
921	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	(c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II of Decision No 768/2008/EC.	PL: (Comments): No remarks. AT: (Comments):
922	Annex VI	Annex VI	Annex VI	PL: (Comments): No remarks. AT: (Comments):
923	Relevant products as referred to in Article 26(1)	Relevant products as referred to in Article 26(1) 27(1)	Relevant products as referred to in Article 26(1) 27(1)	PL: (Comments): No remarks. AT: (Comments): RO: (Comments): Agree with EP and Council's mandates
924	The following table lists goods as classified in the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87.	The following table lists goods as classified in the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87.	The following table lists goods as classified in the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87.	PL: (Comments): No remarks. AT: (Comments):