



**European Commission  
DG Environment**

**WEEE – Between Aspiration and  
Reality**  
*The further development of product  
responsibility in Europe*

**Hohenkammer Castle,  
10 October 2017**



## Outline of presentation

- **Product responsibility in relation to (W)EEE / EPR: *what is it?***
- **Variety of implementation** – *factors of succes*
- **EPR in a circular economy** – *common requirements*
- *Linking to* **Ecodesign**
- *Other relevant* **Circular Economy priorities**
- *Focus on* **WEEE** / *outlook*





## ***EPR - Definition***

- ***"An environmental policy approach in which a producer's responsibility for a product is extended to the post-consumer stage of a product's life cycle"***
- ✓ *Expression of the polluter-pays-principle for producers (WFD)*
- ✓ *Shift in responsibility (administratively, financially or physically) from governments or municipalities to producers*
- ✓ *Seeking to achieve a reduction of environmental impact of products, from production to end-of-life*
- ✓ *EU-wide: EPR mandatory within WEEE, Batteries and ELV Directives; many schemes in MS*





## ***"Product responsibility" for (W)EEE – REQUIREMENTS OF DIFFERENT NATURE BORN BY PRODUCERS***

- **Eco-design responsibility** (Eco-design Directive, WEEE Directive, Article 4)
- **Waste operations and financing responsibility** (e.g. WEEE Directive: Articles 5, 12 and 13)
- **Information responsibility on product content and recycling properties** (e.g. WEEE Directive: Articles 14 and 15)





## GREAT VARIETY OF IMPLEMENTATION SYSTEMS, e.g. FOR COLLECTION UP TO THE COLLECTION POINT

Country	Physical Responsibility	Financial Responsibility
Austria	Distributor/Municipality/Producer	Distributor/Producer
Belgium (Brussels)	Distributor/Municipality	Distributor
Bulgaria	Producer	Producer
Cyprus	Producer	Producer
Czech R.	Distributor/Producer	Distributor/Producer
Denmark	Municipality	Municipality
Estonia	Distributor/Producer	Distributor/Producer
Finland	Distributor/Producer	Producer
France	Distributor/Municipality/Producer	Distributor/Producer
Germany	Municipality	Municipality
Greece	Producer	Producer
Hungary	Producer	Producer
Ireland	Distributor/Municipality	Distributor//Producer
Italy	Distributor/Municipality	Distributor/Municipality
Latvia	Producer	Producer
Lithuania	Distributor/Municipality/Producer	Producer
Luxembourg	Distributor/Municipality	Distributor/Municipality
Malta	Distributor/Producer	Distributor/Producer
Netherlands	Distributor/Municipality	Distributor/Municipality
Poland	Distributor	Distributor
Portugal	Distributor/Municipality/Producer	Distributor/Producer
Romania	Municipality	Municipality
Slovakia	Distributor/Producer	Distributor/Producer
Slovenia	Distributor/Municipality	Distributor/Municipality
Spain	Distributor/Municipality	Producer
Sweden	Producer	Producer
UK	Distributor/Producer	Distributor/Producer

Source: Study on the Producer Responsibility Principle of the WEEE Directive ([http://ec.europa.eu/environment/waste/weee/pdf/final\\_ep\\_okopol.pdf](http://ec.europa.eu/environment/waste/weee/pdf/final_ep_okopol.pdf))

Public-Private Partnerships play a role in different forms



## COMMISSION LOOKED INTO EPR VIA A STUDY

- **Objectives**

- ✓ Describe, compare and analyse different types of EPR systems operating in the EU (WEEE was part of it).
- ✓ Identify necessary conditions and best practices for the functioning of EPR systems.
- ✓ Propose and assess options to promote an optimal use of EPR systems across the EU.

- **Key indicators and areas of EPR systems:**

- ✓ Legal framework and objectives, role of system actors, system performance, cost efficiency, general governance and governance of PROs, control of the system, competition, impact to consumers



# FACTORS IDENTIFIED AS A SOURCE OF SUCCESS OR CHALLENGE FOR EPR

## Factors of success

The easier the identification of the producer, the easier can the principle of extended producer responsibility (EPR) be applied

The stronger the impact of one producer on the problem, the stronger the benefit of producer responsibility

The more the producer can also influence other actors with an impact on the problem, the more promising is the concept

## Factors of challenge

Diversity of regional and national waste management systems can lead to dilution of the principle of producer responsibility

Collective action difficult to organise for "the producers" as a group

Collective action may lead to restrictions of competition between "the producers" as a group

Complexity of specific national systems may lead to administrative barriers in the Community market

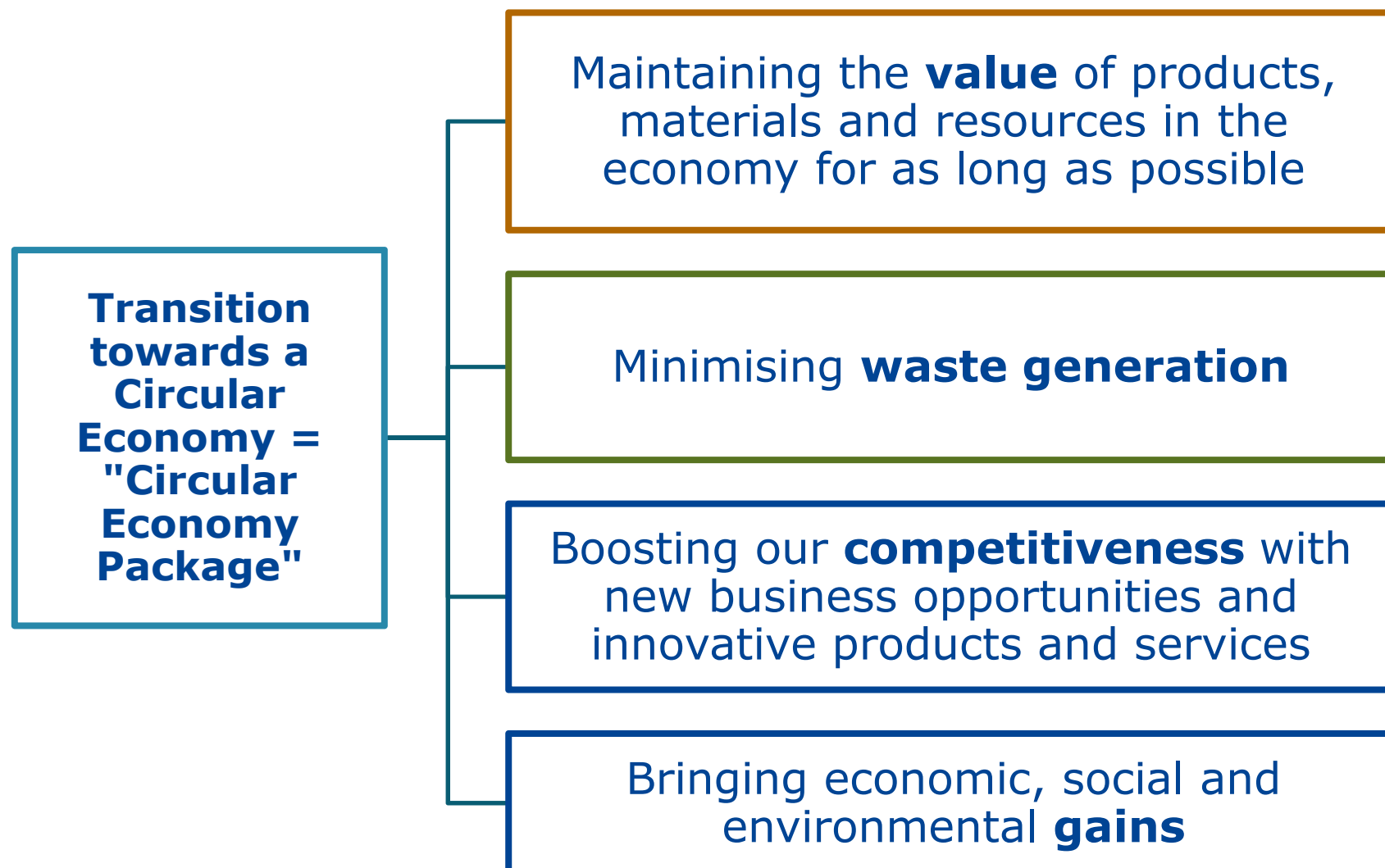


## **EPR minimum requirements in the 'Circular Economy' waste proposals**

- Based on the role & importance of EPR in (EU) waste policy
  - Challenges faced by existing EPR schemes
  - Study to assess implementation of EPR schemes in the EU and proposing guiding principles on EPR design
  - OECD guidance on EPR (2001, update in 2016)
- = proposals for common EPR minimum requirements**









## Circular Economy Package

*presented 2 December 2015*



Action Plan  
Communication



List of Follow-up  
Initiatives (Annex)



4 Legislative  
proposals on waste



*Report 26/01/2017:*  
**1/3 of the actions  
are being  
implemented**



**Under debate at the  
Council and at the  
European Parliament**



## Proposed general requirements for EPR schemes

Member States shall ensure that:

### 1. EPR schemes

- Clearly define **roles and responsibilities**
- Establish measurable **targets** re waste management
- Establish **reporting systems** (POMs, collection, treatment)
- Ensure **equal treatment** and non-discrimination

### 2. Waste holders

- Be **informed** about waste collection and litter prevention
- Be **incentivized** to participate in separate collection





# General requirements for EPR schemes

Member States shall ensure that:

## 3. Producer responsibility organisations (PROs)

- *Have clearly defined **coverage** (geographical, products, materials)*
- *Have sufficient operational and financial **means** to meet obligations*
- *Put in place adequate **self-control** mechanisms and audits*
- *Ensure **transparency***

## 4. Financial contributions

- *Be '**modulated**' taking into account re-usability/recyclability*
- *Be based on **optimised costs** in case of involvement of public waste operators*



## Example: Eco-modulation of fees (France)

**Eco-modulated fees were created by a multi-stakeholder group** in the context of preparation of specifications for the WEEE PROs.

Today the **13 following product types** are concerned by eco-modulated fees: fridge, freezer, washing machine, dishwasher, vacuum cleaner, coffee machine, kettle, tea machine, computer, notebooks, tablet, printer, phone, drilling machine, screwdriver, games console, lamps.

### Conditions that allow the system work:

- Defined by type of equipment (13 at this stage, not by category).
- Identical for all PROs.
- Designed by producers and based on real field practices.
- Proposed by producers.
- Pragmatic, generating operational improvement and real positive environmental impact.
- Related to end of life, on the basis of treatment operators observations.
- European, to have an impact on eco-design.
- Easy to put in place (accessible in existing databases, to avoid additional administrative work), easy to control.
- Easy to prove: the means of evidence must be clearly defined

Major household appliances Category	Eco-Modulation criteria	Bonus/Fees
Refrigerator/Freezer > 80kg	PRG refrigerant > 15.	+20%
	OR Non-Provision of a technical documentation to the electrical repairers.	
	OR Non-Availability of spare parts essential to the use of the equipment.	
Washing Machine/Dishwasher	Provision of parts essential to the use of the equipment during 11 years.	-20%
	AND Integration of post-consumer recycled plastic (10% threshold).	

**Malus**  
Sanctions in case of non-compliance with one of the normal criteria

**Bonus**  
Rewards in case of respect of all the ambitious environmental criteria related to the product



## General requirements for EPR schemes

Member States shall ensure:

### 5. Adequate monitoring and enforcement framework

- *With respect to obligations, financial means, reporting*
- *Independent 'monitoring' authority in case of multiple PROs*

### 6. Regular stakeholder dialogue through EPR platform





## Eco- design

- ***Circular Economy Action Plan:*** *promote durability, reparability and ease for recycling of products when developing minimum product requirements under the **Ecodesign Directive***
- ***Ecodesign Working Plan for 2016 – 2019:*** *electric kettles and solar panels (new) products groups, TVs and electronic displays, refrigerators and freezers, dishwashers and washing machines, dryers, vacuum cleaners and computers (being revised); possible more dynamic approach for ICT products such as mobile phones and base stations;*  
***Toolbox*** - *guidance for inclusion of resource and material efficiency aspects; **standardisation request** to CEN/CENELEC (durability, reusability and recyclability and use of reused components and or recycled materials in products)*





## Outlook on WEEE developments

- Circular economy package: waste proposals to be adopted by the end of 2017
  
- WEEE Compliance promotion exercise:
  - ✓ Recommendations on:
    - Need for clear roles and responsibilities of different actors
    - Transparency
    - Existence of a clearing house/ coordination body when needed (many PROs)
    - Eco-modulation of fees
  - ✓ Final workshop in Brussels (24 October 2017)







## Outlook on WEEE developments – cont'd

- Implementation of WEEE Article 15
- Implementing regulation establishing the format for registration and reporting and the frequency of reporting to the register
- Implementation of quality standards for the treatment of WEEE in the EU and abroad





## Circular Economy

2017

**Plastics Strategy:** encourage use of recycled plastic; better design for less toxicity, more durability, better recycling; stronger incentives to collect, sort and recycle all plastics; better information

**Interface** chemicals, products and waste legislation: information about substances of concern in recycled materials, waste-non-waste ...

**Indicators for the assessment** of the environmental performance of buildings

**Predemolition assessment guidelines** for the construction sector

**Monitoring and indicator framework**

**Minimum requirements for reused water**

Let's turn Europe into a  
more circular economy



**Thank you!**

European Commission  
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<http://ec.europa.eu/environment/waste/index.htm>

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