



## EuPR Newsletter

### EU Regulatory affairs

#### REACH and Plastic Recycling

The REACH Regulation has entered into legal force on 1 June 2007, and ECHA, the new **European CHemical Agency** in Helsinki has been set up. "Real" operations, starting with pre-registrations, will start on 1 June 2008. Most Technical Guidance Documents, which industry needs to implement Reach in practice, will only be ready by the end of this year. But many practical problems remain unsolved.

For plastics recyclers, the main as yet unsolved issue is Plastics Recycling. With the legal Reach text as it stands today, the technical and administrative burden on plastics recycling will be such that costs would be a multiple of the average revenue. The result would be either to stop plastics recycling in Europe (and the consequent exportation of the waste) or to continue recycling in non-compliance with the Regulation, exposing our industry eventually to heavy civil and financial penalisation as well as in fine the loss of the market because customers will gradually wish to be 100% Reach compliant for all raw materials they use in their processes.

**EuPR** and EuPC, the association of European Plastics Converters, have from the start taken a constructive attitude towards this challenge of "Recycling in Reach". Our objective is to present new solutions which are technically and financially feasible, while at the same time respecting the "spirit" of REACH. We have presented a double solution. First, a new "Safety Data Sheet - Recycling" has been worked out, for which the data will be supplied mainly on a "generic" basis. The "average historic recipe" of the waste-to-be-recycled will be determined by experience, measurements and by pooling historic knowledge of plastics recyclers, plastics processors and additive manufacturers. The principle of this SDS-R is however still being discussed in the Reach Implementation Project 3.2-2 where the Technical Guidance Documents are being drafted. Second, we are asking the Commission Services to follow our broad interpretation of the obligation for Registration of Substances in "Preparations formulated in a Recycling Process" such as recycled plastics, in order to make the whole system workable, or even to exempt these substances from Registration altogether.

**EuPR** and EuPC are confident that, with the additional support of the main Member States, a workable

solution will have been found by the "Entry into Operations" of Reach", i.e. before 1 June 2008 .

#### EU Ministers seal deals on waste

Environment council backs recovery status for efficient waste incinerators,

EU environment ministers have reached unanimous political agreement on proposals to revise the bloc's waste management rules, following "difficult negotiations" in Luxembourg. An efficiency formula to reclassify efficient waste incinerators as recovery operation was adopted but with the possibility of opt-outs for some plants.

A breakthrough had seemed unlikely after German environment minister Sigmar Gabriel, who chaired the meeting, described many countries' positions as being "diametrically opposed". But ministers unanimously approved a last-minute compromise drawn up by the Germans.

As expected the question of whether to classify waste-to-energy incinerators as recovery operations proved an early sticking point. Ministers eventually endorsed the European commission's original efficiency calculation, but added a clause allowing derogations to take into account "local climatic conditions".

But it was the issue of imports and exports of waste bound for recovery which proved the most divisive at the council. A group of countries bordering Germany, led by the Czech Republic, demanded the right of prior consent for all waste imports into their territories. In the end, it was agreed that countries can block imports bound for recovery if they can prove that as a result domestic waste would either be displaced to landfill, or treated in a manner "not in line with national waste management plans".

Ministers confirmed their desire for a five-stage EU waste hierarchy. This should be a "guiding principle" rather than the stronger "general rule" that some countries had wanted.

Member states will have to develop national waste prevention plans containing "quantitative or qualitative benchmarks". The next step is now to work with the EP to reach a common position. This is expected towards end of 2007.

## LabelAgriWaste

LabelAgriWaste in its second year of activities has mapped the current situation in Europe concerning Ecolabelling systems. The state of the art results are as follows: In the EU there are numerous Ecolabelling systems at national level which create obstacles and impede the development of the EU Ecolabel flower. Rarely this tool has been used or developed as a marketing tool for products. In addition most of the schemes analysed are voluntary. Therefore, to make the system workable, the Ecolabel system needs to be recognized also to be a commercial tool for companies. And a future Ecolabelling system for agriculture plastic waste that includes all types of agriculture plastic waste needs to serve two purposes: the environmental "sensitivity" needs to be accompanied by: A) an economical return and B) a tested efficient system of collection the agriculture plastic waste. There is no scheme at European level for agricultural plastic wastes (APW): Germany (Palmira) and Norway (Plastretur) represent the most advanced systems in the continent.

Deliverable 18 is certainly one of the most important of project because it aims to:

- Analyze the legal basis of the proposed labeling scheme by analyzing the existing labeling schemes and legislation in the EU;
- identify (or create) the legal framework under which the proposed labeling scheme should operate at European level;
- Identify the technical basis of the proposed labeling scheme;
- Quantification of the procedures of the labeling and economic scheme;
- Any other complimentary issues.

On 27, 28 and 29 June the LabelAgriWaste partners met in Montpellier for its 4 meeting since the start of project. More information:

<http://labelagriwaste.aua.gr>

## Ban of Waste Exports to China

The European Commission published the Commission Regulation (EC) No 801/2007 on the 6 July 2007. This Regulation regards the export for recovery of certain waste listed in Annex III or IIIA to Regulation (EC) No 1013/2006 to certain countries to which the OECD Decision on the control of transboundary movements of wastes does not apply.

Surprisingly, the exports of most plastic waste towards China are forbidden by the Regulation. This decision is important, taking into account that the European Union exported 37.35% (786 thousand tons) of its waste, parings and scrap, of plastics to China in 2006.

Several Member States have complained to the European Commission in order to overcome the issue. Moreover, the Commission has to update the regulation periodically. The first such amendment will be no later than in September /October 2007. **EuPR** is following very closely this issue and will inform its members of any further development.

## EuPR Personalia

Antonino Furfari joined on 2 July 2007 the **EuPR** organisation and consequently the EuPC team in Brussels. Antonino is an Italo/Belgian management engineer graduated from the Solvay Business School in Brussels. He will



be in charge of the interests of the plastics recyclers with a particular focus on datacollection and statistics.

## Calendar of events

- **5-6 September 2007, PE Film meeting, Karup, Denmark**
- **13 September 2007, EuPR Crates&Pallets meeting, Brussels, Belgium**
- **14 September 2007, MC meeting, Brussels, Belgium**
- **27 September 2007, PET WG meeting, Barcelona, Spain**
- **8 October 2007, EuPR PVC meeting, Brussels, Belgium**
- **13 December 2007, MC meeting, Brussels, Belgium**
- **14 December 2007, General Assembly, Brussels, Belgium**