



EU Commissioner for Internal Market, Industry, Entrepreneurship and SMEs
Mrs. Elżbieta Bieńkowska

and

EU Commissioner for Environment, Maritime Affairs and Fisheries
Mr. Karmenu Vella

By Email: cab-karmenu-vella-contact@ec.europa.eu
jose.falcon-vilar@ec.europa.eu

Copy of email: Bettina.LORZ@ec.europa.eu, Maria.BANTI@ec.europa.eu,
Magnus.GISLEV@ec.europa.eu

Subject: **An opportunity for the EU Circular Economy**

Arnhem, 22 November 2017

Dear Mrs. Bieńkowska and Mr. Vella,

Recently our industry was informed that the Chinese Government notified the World Trade Organisation – WTO (Notification G/TBT/N/CHN/1211) concerning the import restrictions by the end of 2017 of 4 classes, 24 kinds of solid wastes, including plastics waste from living sources, vanadium slag, unsorted waste paper and waste textile materials. The new policy was preceded by the campaign named 'National Sword', which started March of this year.

National Sword is challenging the EU recycling industry, which consist of small and medium enterprises as well as large companies and employs > 100.000 persons in Europe. The abrupt change in market conditions, which now happens for the second time¹ in the last 4 years, clearly demonstrates that Europe needs to implement a robust and sustainable waste market. Rather than trying to oppose the decision of the Chinese government, the EU with urgency should take measures to improve the regulated waste markets without imposing new legislation. Taking as guidance Waste Electronic and Electrical Equipment – WEEE, which results and outlooks are deplorable, we propose the following concrete measures:

- 1) Fix the loopholes in the take-back of electronics. Despite legislation for more than a decade the overall collection rate in the EU is some 30-35 % of what has been put on the market. It is foreseen that only half of the Member States will meet the 45 % in 2017, which is legally required. Follow the money of EPR systems and improve accountability of Member States.

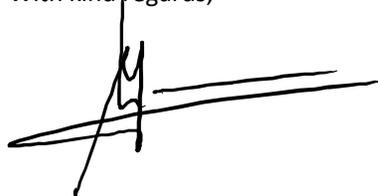
¹ In 2013 the Chinese Government initiated the Green Fence policy, which at that time had a significant economic effect on Europe's waste industry.

- 2) Make sure that BAT practices are implemented because they result in more and better quality recycled materials including critical raw materials and in a structural reduction of CO2 emissions. The BAT practices are published in European Norms - EN 50625 series, which was mandated by the EC. Make them mandatory, because we already can see that voluntary compliance does create the level playing for the industry, which is absolutely necessary.
- 3) Stop export outside Europe if BAT technology is not proven for the recycling facilities in the importing countries. How many more documentaries do we need, to proof that EU exported WEEE is creating devastating health and environmental conditions in developing countries?
- 4) Stop changing goal posts by changing legal requirements for recycled materials, and continuously adding of or changing thresholds values for certain substances. The recycling industry is able to remove the hazardous substances, but there must be a realistic phasing out strategy for legacy substances.
- 5) Stop creating artificial barriers for shipment of waste, intermediate and recycled materials between Member States within the EU. Create fast track notifications which fit with the pace of the industry.
- 6) Stimulate the demand and supply site of secondary raw materials by promoting and implementing green public procurement of electronic products containing recycled materials, by the EC and Member States.
- 7) Create financial incentives for investments in the recycling industry and for the application of recycled materials. Why is it for instance necessary to pay for a second time value added taxes on certain raw materials, that are recycled?

In our view all these measures can be taken without any new legislation and contribute to a Circular Economy . It is a matter of having a moral compass, focus, setting priorities and endurance. In case you would like to know more about our insights please do not hesitate to contact us.

We are looking forward to your reactions,

With kind regards,

A handwritten signature in black ink, appearing to be 'N. Zonneveld', with a long horizontal line extending to the right.

On behalf of 36 European companies that treat 2,2 million tonnes of WEEE annually.

Norbert Zonneveld
Executive Secretary

Back ground EERA

EERA counts 36 recycling companies that treat > 2,2 million tonnes of WEEE annually. Our members are located in the following countries: Austria, Belgium, Bulgaria, Czech Republic, Denmark, Italy, Finland, France, Germany, Greece, Ireland, Poland, Portugal, Romania, The Netherlands, Norway, Slovakia, Spain, Sweden, Switzerland and the United Kingdom.

The companies operate over the full WEEE chain including collection, logistics, preparation for reuse, treatment and final treatment of metals and plastics.

For more information visit: www.eera-recyclers.com