



FEAD BULLETIN N° 34 - 18 December 2020




Season's greetings from the FEAD Secretariat!

FEAD will be closed from **25 December 2020** to **3 January 2021** inclusive. The next FEAD Bulletin will be sent on **15 January 2021**.

Communication, Networking, and Future Events

- [FEAD on the news](#)

-  **FEAD's** Position and [Press Release](#) welcoming the new European Commission's proposal (dated 10 December) for a Regulation concerning batteries and waste batteries was featured [on the news](#) on 14 December.


- **FEAD's contribution to the success of the European Green Deal**
 -  On **11 December 2020**, **FEAD** published a report with its contribution to the growth and success of the **European Green Deal on its one-year anniversary**.
 - The unique among business associations initiative includes almost the entirety of our positions, while it reports also on other actions, which we either have initiated or we participated in.
 -  **FEAD President, Peter Kurth** writes the **editorial** to the report.
 - You can find the short and full versions of the **FEAD report [here](#)**. We invite you to publish it also on your organisations' websites.
 - On December 14, **FEAD** published a relevant [Press Release](#).




Ongoing Surveys and Consultations

- **EC Consultation on Batteries:**
 - The Commission has **published** a new initiative - **Consultation on the Proposal for a Regulation on Batteries - modernising EU rules**. FEAD will prepare a draft response and share it with you in the following weeks (deadline for feedback is **11 February 2021** - midnight Brussels time).
 - Please, find all the relevant documents (proposal for a regulation, annexes, impact assessment report, and Regulatory Scrutiny Board opinion) **here**.
- **Stakeholder workshops for the IED and E-PRTR impact assessments:**

- On 15 December, the 2 online workshops on **IED** and **E-PRTR** were conducted by the EC consultants' consortia. **FEAD** has gathered the following main points from the **IED morning session**:
 - **IED will be used as an instrument also for decarbonization and to boost circular economy**, mainly through the promotion of industrial symbiosis. IED was assessed not to be effective in addressing circular economy aspects and resource efficiency. This statement was included in a presentation by Vito mentioning this study [here](#).
 - BAT-AEPLs (Associated Environmental Performance Levels): they are considering to make them binding as BAT-AELs conclusions, regardless of whether a plant is already covered by ETS
 - They are considering of including in BAT 1 a reporting obligation consisting of a plan on how to improve resource efficiency
 - They are considering of **including in the IED the full coverage of landfills** including methane recovery
 - They mentioned the inclusion of the agriculture sector in IED
 - They also mentioned the alignment of EU Regulation: REACH, POP, IED etc.
- Slides of the session should be published at some point in Ricardo's [website](#).
- The main points **FEAD** has seen as potentially problematic from the **E-PRTR afternoon session** are:
 - “more rapid access to information” and the idea to reduce the **reporting period to 3 months** with parallel reporting to Competent Authorities and EEA at the same time. We have to warn against this: it is the responsibility to validate and agree on the data reported before we bring them up to public information (since mistakes may occur, instruments may have failures or drift etc).
 - every 3 months results in factor 4 of extra administrative burden (not the data as such but the

- interaction and checking with/by the Competent Authorities).
- the suggestion to **delete all thresholds** (an old idea from NGOs).
 - The foreseen **timeline for IED** is the following:
 - Open public consultation Joint E-PRTR and IED: published today or this week
 - Beginning of New Year: targeted stakeholders survey.
 - Interview/focus group: Q1/Q2 2021
 - Final stakeholders workshop Q2 2021
 - Adoption of proposals Q4 2021.
- **CARACAL consultation - Guidance Annex VIII - Labelling packaging:**
 - The ECHA Secretariat invites the CARACAL experts group (of which we're members) to comment on the **revised draft Guidance on harmonised information relating to emergency health response – Annex VIII to CLP (v.4.0) and the revised draft Guidance on labelling and packaging in accordance with the CLP Regulation (limited revision, v.4.2) developed by ECHA.**
 - A detailed consolidated summary of the comments received from the Partner Experts Group consultation and a summary of ECHA's response to them are given in the overview spreadsheet [here](#).
 - Please find attached the following documents:
 - Draft version 4.0 of Guidance on harmonised information relating to emergency health response – Annex VIII [here](#).
 - Draft version 4.2 of Guidance on labelling and packaging in accordance with the CLP Regulation [here](#).
 - Combined comments by the PEG group [here](#).
 - Following the FEAD Committee 5 meeting, section 4.2 is related to **UFI codes** and this may give us the occasion to provide some inputs if we recognise there's a need.
 -  If you have **any comments on the above guidelines**, please forward them to us by the **8 January 2021 COB**.

- **EC Targeted stakeholder consultation on draft amendment of Commission Notice on Waste Classification:**
 - DG ENV is running a targeted stakeholder consultation on a draft text towards the possible amendment of the **Commission Notice on technical guidance on the classification of waste** (2018/C 124/01). The original existing guidance with no revision can be found [here](#).
 - The amendment currently under consideration has the purpose of providing additional specific guidance on the **classification of waste containing substances which have a specific classification under Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP), which applies only to a certain form or physical state of the substance concerned (e.g. titanium dioxide)**.
 - Changes introduced are shown in **track-changes** and are highlighted in **yellow in the text** (on page 23-24 of part 1 and on pages 73, 74, 75, 108 and 133 of the annex). Please note that other elements of the guidance are **not** subject to review.
 - Please, find [here](#) for your convenience **only the paragraphs with changes in the text**. The full versions are in the zip file [here](#).
 -  Please, give us **your feedback on the revised elements by 8 January 2021 COB**.

- **15th meeting of the IED Article 13 Forum - 25 January 2021:**
 - FEAD has been invited to the **15th meeting of the IED Article 13 Forum on 25 January 2021** which will take place online from **10:00 - 16.30 CET**.
 - The main objective of the meeting will be to obtain the Forum's opinion on the **Work Programme** for the exchange of information under the IED (see [here](#)).
 - Please let us know if you're interested in participating in the Forum on behalf of FEAD **by the 11th of January 2021 COB**. (The Commission didn't mention any participants' limits per organisation).

- **CPA GA side session on Standardisation:**

- On 11 December, the Circular Plastics Alliance General Assembly side session on “**Standardisation for a circular plastics economy**” took place. Please, find [here](#) the presentations made by the speakers.
- **EC Consultation on the 8th Environmental Action Programme:**
 - The Commission has [published](#) an initiative - **Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2030**. The EC deadline for feedback is **31 December 2020** - midnight Brussels time).
 - Please find the Proposal for Decision [here](#).
- **EC Consultation on the EU ETS:**
 - The Commission has [published](#) an initiative - **Public Consultation (questionnaire) on Climate change – updating the EU emissions trading system (ETS)**.
 - FEAD will prepare a draft response to the [EC Questionnaire](#) and we will share it with you for your feedback (EC deadline is **05 February 2021** - midnight Brussels time).
- **EC Consultation on Effort Sharing Regulation:**
 - The Commission has [published](#) an initiative - **Public Consultation (questionnaire) on National emissions reduction targets (Effort Sharing Regulation) – review based on 2030 climate target plan**.
 - FEAD will prepare a draft response to the [EC Questionnaire](#) and we will share it with you for your feedback (EC deadline is **05 February 2021** - midnight Brussels time).
- **EC Consultation on the Evaluation and Review of the EU Energy Efficiency Directive (EED):**
 - The Commission has [published](#) an initiative - **Public Consultation (questionnaire) on the evaluation and review of the EU Energy Efficiency Directive (EED)**. FEAD will provide feedback only if any members want us to do so. In any case, you can provide your separate

responses (deadline for feedback is **09 February 2021** - midnight Brussels time).

- For your convenience, please, find the Questionnaire, the Inception Impact Assessment, and FEAD's response to the corresponding Roadmap [here](#).

- **EC Consultation on the Review of the EU Renewable Energy**

- **Rules:**

- The Commission has [published](#) an initiative - **Public Consultation (questionnaire) on the review of the EU renewable energy rules (REDII)**. FEAD will provide feedback only if any members want us to do so. In any case, you can provide your separate responses (deadline for feedback is **09 February 2021** - midnight Brussels time).
 - For your convenience, please, find the Questionnaire, the Inception Impact Assessment, and FEAD's response to the corresponding Roadmap [here](#).

- **EC Consultation on EU Action Plan Towards a Zero Pollution Ambition for air, water and soil:**

- The Commission has [published](#) an initiative **Public Consultation (questionnaire) on EU Action Plan Towards a Zero Pollution Ambition for air, water and soil** (EC deadline is **10 February 2021** - midnight Brussels time).

- **EC Consultation on Sewage sludge use in farming – evaluation:**

- The Commission has [published](#) an initiative - **Public Consultation (questionnaire) on Sewage sludge use in farming – evaluation** (deadline for feedback is **05 March 2021** - midnight Brussels time).
 - For your convenience, please, find the Questionnaire, the Evaluation/Fitness Check Roadmap, and FEAD's response to the corresponding Roadmap [here](#).


- **FEAD provided feedback to EC Consultation:**

- On 17 December, **FEAD [provided feedback](#)** to the public consultation - questionnaire of the EC initiative

on **Construction products – review of EU rules**, which is published [here](#).

Monitoring of EU Institutions

Life of EU institutions

- The Environment Council convened on **17 December** in Brussels for the last meeting under the German Presidency. The meeting was held in public session, and the Council discussed and adopted conclusions on a number of important issues. In particular:
 - The Council [reached agreement](#) on a **general approach** on the proposal for a **European climate law**, including a new EU greenhouse gas **emissions reduction target of at least 55% by 2030** compared to 1990, following the guidance of the European Council given on 10-11 December 2020. The main aim of the European climate law is to set into legislation the objective of a climate-neutral EU by 2050.
 - The Council [approved conclusions](#) entitled "**Making the Recovery Circular and Green**" in response to the European Commission's **Circular Economy Action Plan (CEAP)**. The conclusions aim at providing comprehensive political guidance on the broad range of actions foreseen in the Action Plan. The conclusion aim to strike a balance between an ambitious approach and the need to consider a broad range of issues when implementing the various actions, including the different starting points of Member States. The conclusions highlight the role of the circular economy in the recovery from COVID-19 and make a link to digitalisation, underlining its importance for achieving the full potential of the circular economy.
 - Please, find the **Council's draft Conclusions** (dated 11 December) [here](#).
 -  On **17 December**, FEAD published a [position paper](#) on the **Council's Conclusions on the new CEAP**.

- The Council **reached agreement** on a proposal to amend the **Aarhus Regulation on improving access to justice in environmental matters**.
- In addition to the above, the Ministers exchanged views on the Commission's newly presented **Chemicals Strategy for Sustainability**.
- **European Commission Green Public Procurement News Alert Issue no. 101** December 2020.

This week's focus: Decision on plastic tax (own resource) published in the Official Journal

- The decision on the system of own resources, including the introduction of a plastic tax on non-recycled plastic packaging from 1 January 2021, has been published in the official journal on 16 December 2020 ([here](#)).
- In particular art.2.1 (c) of the Decision states: *“the application of a uniform call rate to the weight of plastic packaging waste generated in each Member State that is not recycled. The uniform call rate shall be EUR 0,80 per kilogram. An annual lump sum reduction for certain Member States as defined in the third subparagraph of paragraph 2 shall apply”*
- Art. 2.2 specifies: “For the purposes of point (c) of paragraph 1 of this Article, ‘plastic’ shall mean a polymer within the meaning of point (5) of Article 3 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (5), to which additives or other substances may have been added; ‘packaging waste’ and ‘recycling’ shall have the meaning assigned to those terms in points (2) and (2c) of Article 3 of European Parliament and Council Directive 94/62/EC (6) respectively, and as used in Commission Decision 2005/270/EC (7).
- **The weight of plastic packaging waste that is not recycled shall be calculated as the difference between the weight of the plastic packaging waste generated in a Member State in a given year and the weight of the plastic packaging waste recycled in that year that is determined pursuant to Directive 94/62/EC.”**

Press Review & Reports

- **EC & SAPEA - Biodegradability of Plastics in the Open Environment**
 - On 14 December, the European Commission's Scientific Advice Mechanism published two major documents dealing with the issue of biodegradability of plastics in the open environment:
 - **The Scientific Opinion by the Group of Chief Scientific Advisors** presents key policy recommendations to inform the European Commission's forthcoming policy framework on plastics.
 - In their Opinion, the Advisors provide recommendations to assess which specific applications of biodegradable plastics in the open environment offer potential environmental benefits over conventional plastics. They recommend limiting the use of biodegradable plastics in the open environment to specific applications for which reduction, reuse, and recycling are not feasible, rather than as a solution for inappropriate waste management or littering. To realize the potential environmental benefits over conventional plastics, they recommend supporting the development of coherent testing and certification standards.
 - **The Evidence Review Report by SAPEA** presents the latest scientific evidence on the biodegradability of plastics in the open environment, which informs the Opinion.
 - In the Evidence Review Report informing the Opinion, a working group of leading experts nominated by academies across Europe conclude that biodegradable plastic has a role to play in reducing the accumulation of plastics in the environment. The SAPEA experts, however, stress that calling something 'biodegradable' does not mean that it will biodegrade in all conditions. Whether an item will biodegrade harmlessly depends not only on the item itself, but which environment it ends up in, what it breaks down into, and how long that takes.

- Both documents were delivered on Monday to the Commissioner for Innovation, Research, Culture, Education and Youth Mariya Gabriel, and the Commissioner for Environment, Oceans and Fisheries, Virginijus Sinkevičius.
- **ENDS EUROPE articles**
 - **In-depth: What has the von der Leyen commission achieved on the environment?** Read [here](#).
 - **Interview: Sinkevicius on his first year as environment commissioner.** Read [here](#).
- **European Bioplastics - Market Update 2020:**
 - **Market update 2020:** Bioplastics continue to become mainstream as the global bioplastics market is set to grow by 36 % over the next 5 years.

Webinars & Conferences

- **Polymer Comply Europe (PCE) Webinar - Plastics Recycling for Food Contact**
 - PCE will hold a Webinar on Plastics Recycling for Food Contact - Amendment Reg. (EC) No. 282/2008, on behalf of European Plastics Converters (EuPC) and Food Contact Regulatory Experts Panel (FREP).
 - 19 January 2021, 10:00 - 12:00 CET. Register [here](#).
- **RecyClass webinar - Recycled Content Traceability Certification**
 - RecyClass Unwrapped webinar series continues in 2021, with the first session focusing on the newly launched [Recycled Content Traceability Certification](#). Join the webinar to learn all about the traceability of recycled materials along the value chain, its functioning and the benefits thereof.
 - 27 January 2021, 15:00 CET. Register [here](#).
- **Call for Innovations and Abstracts – Renewable Materials Conference**
 - 18 - 20 May 2021, Cologne, hybrid event – on-site and online. Featuring a unique concept to present all sustainable

and renewable material solutions at one event: bio-based, CO₂-based and recycled. Deadline for submission: 31 March 2021.

- More information [here](#).

FEAD website - Reminder

- **Go to your Member Area (<https://fead.be/index.php> > “Members Only”)**
- **Enter your login and password** (Please ask your login and password to info@fead.be if you forgot it)
- **Go to “Active Files” and here you have access to all files followed by FEAD Secretariat. We keep it updated!**
- **Frequency of FEAD Bulletin:** The bulletin will be sent maximum once per week, but without a minimum if it not necessary. If there is a slow week with no new relevant information, then we deem that it is not necessary to send it.

For further information or enquiries, please do not hesitate to contact the FEAD Secretariat at info@fead.be