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#### NOTE

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from: General Secretariat of the Council  
to: Delegations

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Subject: Partial summary record of the meeting of the **Committee on the Environment, Public Health and Food Safety (ENVI)** of the European Parliament, held in Brussels on 21-22 January 2015

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- **Ministers Gerhards and Belevics presented the Presidency's work programme to the ENVI committee respectively on environment and climate change and on health policy issues. In the exchange of views, MEPs expressed serious concerns at the Commission's decision to withdraw the circular economy package and queried about possible Presidency initiatives to accelerate the tabling of a new proposal as promised by the Commission. A separate discussion with a Commission representative on the issue again demonstrated the strength of MEPs' opposition to the withdrawal.**
- **On health, they pushed for accelerating the pace towards a swift conclusion of negotiations on medical devices and in vitro medical devices.**
- **The discussion on TTIP showed strong concerns by MEPs, notably on the left on the risks for environmental, food safety and public health standards. All called for the Commission to be more transparent.**

- **The committee examined the proposed amendments to the draft report on a market stability reserve for the Union greenhouse gas ETS (emission trading scheme).**
- **It adopted the motion for a resolution on country of origin-labelling for meat in processed foods calling for such provisions to be submitted by the Commission.**

**4. Amendment to the fuel quality directive and the renewable energy directive (Indirect Land Use Change)**

The Chair Mr LA VIA announced the timetable :

- Consideration of the draft recommendation on the same day;
- Deadline for amendments: 27 January 2015
- ENVI vote on 24 February 2015
- Vote in plenary on 2 April 2015.

**5. Exchange of views with Mr Kaspars Gerhards, Minister of Environment and Regional Development, Latvian Presidency**

**On 21 January, the Latvian Minister for the Environment, Mr Gerhards, presented to the ENVI committee the priorities of the Presidency on climate and the environment (climate change, resource efficiency and green growth, air quality and biodiversity). MEPs speaking on behalf of political groups welcomed the Presidency priorities and programme. Their interventions focused in particular on the need to remain ambitious on the circular economy and air quality agendas. They asked about the Presidency's plans to contribute to making the Paris Conference a success.**

Minister Gerhards presented the priorities of the Latvian Presidency on environmental issues. He cited the four main priorities (climate change, air quality, resource efficiency and green growth). On **climate**, he mentioned in particular the reform of ETS and the Market Stability Reserve (MSR). He called for a fruitful cooperation with the Parliament. A competitive Europe was not possible without the sustainability dimension. In March, a discussion would take place on the European Semester. On **biofuels** and ILUC, he also wished that the two co-legislators could reach a balanced agreement.

A more efficient use of natural resources was required. On **air quality**, he stressed the morbidity rate related to bad air quality and the need to achieve progress on the issue, as called for in the 7<sup>th</sup> Environmental Action Programme. To this end, the Presidency was keen to reach a good agreement on small combustion engines and stressed the need to set national emissions ceilings. On the **circular economy** package, the Commission's decision to withdraw the waste package was not to everyone's satisfaction. The Presidency was committed to work on a satisfactory solution. On the protection of **biodiversity**, there was a good basis for an EU strategy on the issue, which would be dealt with in the context of the informal ministers' meeting in April. That meeting would also deal with the links with energy policy issues. Both objectives were to be brought forward in parallel. The LV Presidency was looking forward to a first reading agreement on Novel food. On **international climate negotiations**, these would be pursued intensively towards reaching an agreement in Paris. The Presidency would invest the necessary work towards a strong EU position in view of the various international negotiations ahead. Global cooperation on environmental matters was key.

MEPs on behalf of political groups all welcomed the priorities identified by the Presidency.

Mr BELET (EPP, BE) welcomed the Presidency's intentions on air quality and circular economy. On the MSR, on which he was the rapporteur, he considered it a major pillar of ETS reform and welcomed the Presidency's approach. The ENVI committee would determine its position on the issue in a few weeks' time. He asked about the Presidency's position on back-loading, the proposal for an innovation fund and the issue of carbon leakage. MEPs wanted a guarantee that carbon leakage would remain an available tool for the best performers.

Mr GROOTE (S&D, DE) stressed that the Parliament was in favour of an ambitious agenda both on the waste and air packages. He welcomed the Presidency's commitment on ILUC. Referring to the European Semester he called for legislative texts, not inconclusive conferences.

Ms GIRLING (ECR, UK) asked about the intentions of the Presidency on the REFIT programme. The burden of environmental legislation was heavily borne by SMEs and the issue was about a cost-efficient implementation of environment legislation. She wanted guarantees that REFIT would be an ongoing process.

Mr GERBRANDY (ALDE, NL) expressed concerns at a number of difficulties with regard to EU environmental ambitions. He referred to the risks of seeing the Commission withdraw proposals covering some areas of the air quality package. On circular economy, none of the arguments brought forward by Vice-President Timmermans to explain the reasoning behind the Commission's decision to withdraw the package were convincing. The new proposal should be submitted earlier than suggested by the Commission. He was happy about the focus on biodiversity whilst expressing concerns at the links made with energy. He wanted guarantees that the REFIT on NATURA 2000 would not end up watering down existing legislation.

Ms KONECNA (GUE, CZ) stressed in particular the issue of international climate negotiations. On air quality, some member states failed to comply with existing legislation, which was to the detriment of others. She urged the Presidency to press for compliance and asked about the Presidency's intentions on TTIP.

Mr EICKHOUT (Greens, NL) said that Paris seemed a long way ahead, but past experience had shown that time was short. He urged the EU not to drag its feet to table its international determined contributions (IDCs). He asked about what exactly was included in the 40% objective set by the EU.

Mr PEDICINI (EFDD, IT) referred to non-compliance of certain Italian regions with EU environment legislation and the high prevalence of specific types of cancers and other health problems as a result. He asked about initiatives to be taken by the Presidency to make sure that the polluter payer principle was applied everywhere.

In reply, the Minister said that the Council was working intensively towards a balanced package on ETS to be submitted to EP. On CO2 emissions, hard work lied ahead. The priority was to restore market stability. Work would first focus on carbon leakage. The green economy had to bring growth and legislation had to be implemented. On waste, the Council was supporting a number of objectives towards improving the legal framework and reaching the Europe 2020 objectives. The Council was concerned about the Commission withdrawing some of its legislative proposals on

circular economy. The Council was awaiting the Commission's proposals. Meanwhile, it was keen to make progress on the basis of the existing proposal. On biodiversity the informal ministerial meeting would kick off a debate that would be pursued beyond the current presidency. On air quality, member states had indeed to live up to their responsibilities in terms of implementation. On TTIP EU environmental standards - the most ambitious worldwide - had to be upheld and the EU would defend them. On the international agenda, this year would be decisive. Lima had allowed for some progress that led to good foundations for further negotiation. The current and the next presidencies (LU) were in close contact to bring forward the climate agenda towards Paris. The ETS had to be improved, as well as the renewable energies framework.

In reply to a second round of questions by some twenty MEPs on a wide range of issues, Minister Gerhards agreed with MEPs that a future-oriented economy was the way out of the economic crisis and stated the readiness of the Presidency to bring forward the issue once a proposal on circular economy would be on table. On air quality and non-road machinery, the Presidency was working towards reaching common ground among delegations. On cloning, the Presidency would work on a compromise that would bring this sensitive issue forward to avoid going back to the 2011 situation.

## **6. Recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP)**

The Rapporteur for the opinion Mr STAES (Greens, BE) stressed that there were major discrepancies in the legislations of the two partners on the environment and on food safety. His draft opinion was work in progress. He referred inter alia to serious concerns among the public opinion and stakeholders on ISDS provisions, which could be used to challenge EU legislation on environment and food safety. There was criticism in the US on the REACH and environment legislation and no political will to have a more ambitious legislation on environment and food safety. He referred to chlorine-treated chickens. He advocated excluding from negotiations the integrated EU legislation on food safety and the environment.

Mr DORFMANN (EPP, IT) advocated focusing on issues of concern to the ENVI committee, especially food safety. There was no scope for harmonisation of legislation between EU and US, given the gap in respective levels of ambition and approaches on those issues. There could be negotiations e.g. on pesticides, on which there were barriers to trade. On the environment, he suggested that the EU be more confident and ambitious in negotiations. He mentioned the need to negotiate on labelling of origin. The EPP had not reached agreement on all issues yet.

Mr POC (S&D, CZ) stated that the EU standards were non negotiable. Some food safety related issues were considered as non-tariff barriers. He expressed concerns on ISDS and transparency issues. He focused his intervention on relevant food safety and public health issues.

Ms GIRLING (ECR, UK) was critical of a draft opinion which was taking a negative approach and was not mentioning the potential benefits of TTIP. She referred to air quality standards in the US as more stringent than EU ones and as potentially beneficial to developing EU legislation. She argued for ENVI making sure it would be part of the process by promoting objective views.

Ms JÄÄTTENMÄKI (ALDE, FI) welcomed the new standards for transparency of negotiations following the publication of the TTIP negotiating mandate. She advocated clearly stating ENVI's concerns and objectives for the negotiation. She referred to the need for the EP to get better knowledge of the views of the US party, including Congress positions.

Ms FORENZA (GUE, IT) argued that there were substantive issues at stake on food safety and public health. The issue was broader than just defending EU standards. The draft opinion required improvement.

She asked for clearer guarantees from the Commission on the precautionary principle to be applied "from farm to fork", stressing that the US approach was only focusing on the end product and not on process. She mentioned concerns on fracking and risks of EU legislation being watered down. GUE was keen to continue raising public awareness on those issues.

Similar concerns were raised by Mr AFFRONTE (EFDD, IT) as to the precautionary principle and more generally EU food safety standards being watered down as a result of TTIP negotiations.

Mr PARGNEAUX (S&D, FR) supported Ms KONECNA (GUE, CZ) strongly argued for the Commission to strictly comply with the mandate it had received and with its treaty obligations by being fully transparent on negotiations at all stages of the procedure and to consult public and private stakeholders. He recalled that the EP had the power to reject agreements that were not in line with such requirements. Mr LIESE (EPP, DE) reminded that the EPP was in favour of TTIP as a means to create growth and jobs. On cloning, there was no EU legislation yet, but the Commission had to clarify to the US that the EU was soon to legislate on the issue. He, Ms HUITEMA (ALDE, NL) and Mr EICKHOUT (Greens, NL) all agreed that more debate was needed on TTIP to identify EU political priorities in the negotiation. Mr BALCZO (NI, HU) argued that free-ride market would not provide additional opportunities to EU operators. The US biotech lobby wanted to dismantle EU food safety and public health legislation. Ms GROSSETETE (EPP, FR) considered that the draft was biased and suggested to focus on the issues at the heart of ENVI's work. EU standards had to be safeguarded, but the EU should be open to negotiations. Ms WILLMOTT (S&D, UK) and KONECNA (GUE, CZ) conveyed concerns on transparency of clinical trials. FJELLNER (EPP, SV) suggested focusing on the EU's objectives in the negotiation. The EU had a better legislation than the US, but the US had the second-best in the world, and there was an opportunity to promote issues important to the EU.

The Commission representative referred to the measures taken towards increased transparency. INTA members and rapporteurs had full access to documents. Such level of transparency on trade negotiations was unprecedented. He recalled that TTIP would question neither existing nor future legislation. The purpose of TTIP was to create opportunities, increase the EU's competitiveness and improve cost-effectiveness. Fiscal instruments were not available anymore, and free trade was one of the few instruments left. TTIP was giving the opportunity for legislators to cooperate. On cars for example, EU-US cooperation was aimed at improving cost-effectiveness by recognizing equivalence and reducing costs.

With respect to food safety and Sanitary and Phytosanitary (SPS) measures, there were concerns on both sides of the Atlantic in a number of areas. The EU would remain sovereign in defining its food safety legislation. The Commission was keen to gain the confidence of the Parliament because there were challenges in to communicating the issue to public opinions given the complexity of the negotiation and the Commission was hoping that MEPs could communicate the actual stakes to their constituencies.

The timetable for adoption is as follows:

- Deadline for tabling amendments: 5 February, 6pm
- Vote in ENVI : 31 March 2015
- The vote in Plenary is scheduled in May.

**7. Amendment to the fuel quality directive and the renewable energy directive (Indirect Land Use Change)**

The rapporteur Mr TORVALDS (ALDE, SV) said that the position reached in first reading was the basis. The process had to be science-based and technology-neutral. There were diverging views on ILUC factors. Double-counting was part of the equation. During the first reading, technology was not ripe. There had been a breakthrough in the meantime. Electric trains had been taken out. He had not suggested major changes to annexes.

The shadow rapporteurs stressed the following:

Mr FJELLNER (EPP, SV) agreed on the approach based on the first reading position. He noted that the sub targets of 2.5 % second-generation biofuels was very ambitious. Mr GASBARRA (S&D, IT) welcomed the draft report. Sustainability criteria were needed. He agreed on the 2.5 % objective for second-generation biofuels. MS GIRLING (ECR, UK) agreed on the need to reach agreement and conclude this file. The 2030 framework should be simple and easily applicable. The ILUC factor should be dropped. As to a cap to unconventional biofuels, she would submit an amendment. Double counting should be abandoned. The 2.5 % target was ok, but it could be lowered. Ms KONECNA (GUE, CZ) stressed that the issue was controversial. There was the will to bring the issue forward in the Parliament, but there still were concerns. Some Member States did not use second-generation biofuels and one could wonder what objectives could be met by 2020. There were very divergent ways to calculate ILUC. If no consensus could be reached, the issue should be left aside.

Mr EICKHOUT (Greens, NL) said that the objective was to reduce the negative impact of biofuels. The process had taken a long time and first-generation biofuels needed to be capped. The transition towards new generation biofuels was too slow and the issue of ILUC remained urgent. The Fuel Quality Directive was part of the reflection. Mr PEDICINI (EFDD, IT) supported the rapporteur's approach. It was important to cap first-generation biofuels and promote second-generation ones. The risk of fraud was real given the competition in the sectors concerned. He argued for a 6 % cap for unconventional biofuels and suggested that the list be regularly updated.

The Commission representative stated that a clear and stable framework and a balanced outcome was needed on these complex issues. The first-generation investments had to be reduced and there a clear signal needed to be given to the markets to effectively promote second-generation biofuels. There was too much uncertainty and controversy on ILUC to include it in the legislative framework at this stage. The Commission shared the EP's position on capping and double counting. On the ILUC factor, it was to be used only for reporting purposes.

- Deadline for tabling amendments: **27 January 2015, 12.00**
- vote in ENVI: 24 February 2015
- vote in plenary : April 2015

## **8. European Energy Security Strategy**

The item was postponed.

## **9. Exchange of views with Mr Guntis Belēvičs, Minister of Health, Latvian Presidency**

**Minister Belēvičs** said that the Presidency intended to focus inter alia on **healthy living, patient-driven prevention** and the package of **medical devices** and **in vitro medical devices**. On the latter issue, the Presidency would seek to ensure progress in negotiations. Priority areas also included the fight against **chronic diseases** as well as reducing **alcohol** consumption by 10 per cent and reducing related premature deaths. The EU was the region with the highest alcohol consumption per capita in the world. The cost to society of related health issues was very high. This issue remained a member states competence, but a comprehensive policy was needed. Work would be pursued on **healthy lifestyles** and awareness raising on the need for reducing consumption of salt, trans-fats, sugar etc.. This involved action in the field of education. There was no proactive legislation in those areas. Health could bring a major contribution to economic development.

The Minister further referred to multi-resistant **tuberculosis** (TB) as a growing concern, which was spreading cross-borders irrespective of lifestyle: over 300,000 had contracted the disease and over 70,000 people had contracted its multi-resistant form. The **Health Week** would focus inter alia on prevention, innovation, the role of ICT and the need for ensuring that cures were made available to those in need. He acknowledged that the objectives outlined were ambitious given the short time available.

On behalf of **political groups**, Mr LIESE (EPP, DE), Mr GROOTE (S&D, DE), Ms KONECNA (GUE, CZ), Ms AUKEN (Greens, DK) and the co-rapporteur on medical devices Ms WILLMOTT (S&D, UK) urged for more ambition and progress on the issues at stake and argued for accelerating the legislative process on the **medical devices** package, which had been on table for over 2 years, towards clinching a deal during the current Presidency. Ms AUKEN referred to strong lobbying by the industry and argued for more openness and transparency on the issues at stake within institutions. Mr GROOTE welcomed the priority on chronic diseases. On **tuberculosis**, he referred to a hearing with the WHO on the consequences of the economic crisis on prevalence of chronic diseases. Mr PIECHA (ECR, PL) welcomed the goal of 10% reduction in alcohol consumption, the level of which was often related to traditions, as an ambitious one. He asked about concrete measures to achieve that objective, and whether these included regulating advertisement of alcohol products. Ms MEISSNER (ALDE, DE) referred to ways to prevent alcohol consumption during pregnancy. Alcohol consumption was also raised inter alia by Ms WILLMOTT, who said that a new strategy was needed, and Mr FARIA (ALDE, PT). The latter, as a rapporteur on **pricing of medicines** for human health, asked about the Presidency's position and the state of play in the Council. Ms KONECNA, Ms RIVASI (Greens, FR) and Ms GROSSETETE (EPP, FR) argued that equal access to medicines across the EU should be ensured in practice. Issues related to **cross border health**, the need to regulate to ensure **effective equal access** to (innovative) medicines and **reimbursement of medicines** were raised by several MEPs. Ms AUKEN and the rapporteur on the issue Mr PEDICINI (EFDD, IT) argued for more attention to be granted to the issue of **antibiotic resistance** which, according to Mr PEDICINI citing concurring scientific research, would kill more than cancer by 2050 and would entail a high cost for society. He referred to a US administration five-year action plan on the issue.

In a second round of interventions, Ms. GROSSETETE referred to the need to give more attention to **orphan diseases and medicines**. Ms GIRLING (ECR, UK) questioned whether the **Chief Scientific Advisor** should be within the Commission.

Several MEPs, including Ms RIVASI and Mr POC (S&D, CZ) urged the Presidency to push for the swift adoption of the required criteria towards legislation on **endocrine disruptors**, and considered outrageous a recent EFSA opinion arguing that bisphenol A was not harmful. Further questions were raised on ensuring diversity of **seeds material** on markets, regulating **private health systems liabilities**, addressing **hepatitis C**, **child obesity** and **Ebola**.

In reply, Minister Belēvičs indicated that:

- a binding legislation on medical devices and in vitro devices required time at Council level. The Presidency was willing to conclude work but was aware that this might not be possible. All efforts would be put into a swift conclusion of the process and Parliament would be kept duly informed about progress. A timetable had been established to ensure a proper guidance of the process;
- on TB and multi-resistant TB, the Presidency would organize a conference looking at long-term measures and related health care issues;
- on antibiotics resistance, the Presidency would work on targeted measures and a conference would be devoted to the issue;
- on alcohol consumption, an informal Council session would be held on the issue with a view to a policy promoting inter alia moderate consumption. The 10% reduction in alcohol consumption was reflecting a WHO recommendation;
- close cooperation among MS was needed on rare diseases, including through existing networks;
- the issue of private health systems, which had been discussed at an informal ministerial meeting, would be further examined by the Health Commissioner;
- the informal ministerial meeting in Riga would provide the opportunity for discussing some of the issues raised by MEPs.

## **10. Country of origin-labelling for meat in processed foods**

The motion for a resolution further to a question for oral answer was adopted with a number of amendments by 48 votes in favour, 15 votes against and 4 abstentions.

## **11. Zootechnical and genealogical conditions for trade in and imports into the Union of breeding animals and their germinal products**

The draft opinion was adopted with a number of amendments by 66 votes in favour, zero votes against and 2 abstentions.

## **12. Prohibition on driftnet fisheries**

The draft opinion was adopted with a number of amendments by 51 votes in favour, 11 against and 2 abstentions.

## **13. Establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amendment of Directive 2003/87/EC**

The Rapporteur Mr BELET (EPP, BE) indicated that there was a large majority in favour of the Market Stability Reserve (MSR), although there were differing views on the actual modalities for implementation. On backloaded allowances, most MEPs were in favour of including them in the MSR. On unallocated allowances at the end of the period, all views were not yet known. On carbon leakage, some MEPs argued that sufficient guarantees were already provided. Others from all political groups considered that more should be done. On indirect costs for companies and how to compensate them, some amendments from EPP and S&D MEPs suggested to harmonize this. The rapporteur suggested to handle this in the article dealing with the review. On the innovative fund, the rapporteur suggested to continue the debate on the issue. On thresholds, some MEPs wanted to strengthen them, others not, others suggested changing the triggering factors. On review, there was a broad consensus towards an earlier review than proposed by the Commission.

Mr GROOTE (S&D, DE) suggested the 2017 date for the review of backloaded allowances. He was in favour of erasing backloaded allowances in the MSR. On thresholds, he argued in favour of a dynamic system. 400 million threshold was too high, he suggested 300 million. X minus one for the reserve would be better. On carbon leakage, he suggested having a recital rather than dealing with it in an article.

Mr DUNCAN (ECR, UK) said that there was a wide range of views on the start date but 2017 was an option. On backloaded allowances, he was rather in favour of inserting them in the reserve. On carbon leakage there should be triggers in place within the body of the text. The discussion was taking place against the background of an all-time low oil price.

Mr GERBRANDY (ALDE, NL) indicated that even the ITRE committee would advocate a more ambitious approach than proposed by the Commission. Even so, the system would be modest.

Ms KYLLONEN (GUE, FI) was strongly in favour of 2017 as the start date if the MSR was to be effective. On backloaded allowances, she was confident that a good compromise could be reached.

Mr EICKHOUT (Greens, NL) welcomed a positive process. He agreed with GERBRANDY that the process would end in what he called a “modest fix”. The next step would be about actual structural reform. There was a huge surplus of allowances and he argued in favour of deleting a part of it. On carbon leakage, it was not caused by climate policy as argued by industrial lobbies, which always claimed for more. He referred to the lack of a fuel switch which was as crucial an issue as carbon leakage. Coal fire power plants were one of the issues in this regard.

Ms EVI (EFDD, IT) was opposed to the ETS system which was based on the assumption that CO<sub>2</sub> was a commodity and argued in favour of doing away with it. She argued in favour of deleting the backloaded allowances if the system was to be efficient. Part of the reserve should serve to fund investments in favour of innovation and of avoiding delocalisation of industry.

Mr LIESE (EPP, DE) said that the EPP was in favour of an innovation fund. There was no agreed position on the start date. Germany was in favour of 2017 as the start date. On carbon leakage, there should be some continuity for the industry. Therefore, an article should deal with the period after 2020 sending a clear message. Several MEPs referred to the difficulties for certain industrial sectors, in particular the steel industry (WISNIEWSKA, ECR, PL, GROSSETETE, EPP, FR, BALCZO, NI, HU). Ms GROSSETETE suggested a more flexible reserve and thresholds down- and upwards. Ms GARDINI (EPP, IT) warned that energy costs would rise sooner or later. Energy costs were identified as the second major cause for carbon leakage and the third cause for the loss of competitiveness in the EU. The issue of compensation needed to be harmonized.

The Commission representative argued for an early adoption of the MSR. The Commission was open to the idea of a transfer of backloaded allowances in the reserve. The MSR was geared to preventing volatility and such transfer should have a positive effect in that respect. The Commission was open-minded on the start date. An earlier start date could provide increased predictability. The impact assessment on a start date before 2020 had shown that an earlier date would be beneficial in some respects. The review would assess the way the different parameters were performing. An earlier review was possible. On unallocated allowances, they should be auctioned at the end of the period according to legislation in force.

On carbon leakage and indirect costs, the current rules allowed MS to give state aid in cases of indirect costs impacts. This aid was funded by the benefits of auctioning in some MS. The Commission was preparing a background analysis on carbon leakage.

Mr BELET stated that major political groups were in favour of a strong political signal on carbon leakage and on tackling indirect costs. The start date should be earlier than 2020. The major groups were in favour of including backloaded allowances in the reserve. On the innovation fund, it was a good proposal and a potential dealmaker. A quicker review was needed.

- Vote on 24 February in ENVI.

**16. Amending Directives on waste, packaging and packaging waste, landfill of waste, end-of-life vehicles, batteries and accumulators and waste batteries and accumulators and on waste electrical and electronic equipment**

The Chair LA VIA stressed that both Council and Parliament were in favour of pursuing work on the basis of the existing proposal and strongly opposed the Commission's decision towards withdrawal of the proposal. Parliament would therefore continue work on the existing proposal, on which broad consensus was emerging in Parliament.

The Rapporteur Ms BONAFE (S&D, IT) would have wished for a discussion on the substance and specifics of the proposal. She referred to discussions behind the scenes, and to the clear message conveyed in plenary. She shared the Commission's objective for growth but argued that the proposed legislation had the potential of creating up to 1% more GDP and up to 2 million jobs through resource efficiency, according to the Commission's impact assessment. In that light, she wondered what would be the more ambitious goals the Commission was claiming to have. The Commission had committed to present a proposal in 2015. Parliament was ready to work and there was no good reason to wait. The Commission had made a proposal six months earlier, and the political support for the proposal was clear following the joint letter by a number of Ministers.

Commission Director Mr Falkenberg indicated that since Parliament's invitation in early December, the new Commission had decided to review the process towards focusing on growth. The Commission would formalize its decision after consultations with Parliament and Council. Parliament had failed to adopt a resolution on the Commission work programme, but the Commission had listened to EP debates in favour of legislation on circular economy. Discussions with the Council were also completed.

The Commission would table a new proposal in 2015, which was a clear indication that it had heard the message. There were a number of weaknesses in the present proposal, as witnessed by discussions held in Council, European Council and Parliament. The waste legislation required review and in the existing proposal, the Commission had focused on review of existing legislation. This was not enough. Some 2.5 billion tons of waste were put in landfills and the EU needed to do better. The new proposal would address wider issues. Recycling depended on the initial design of products and knowledge of their toxicity. If the design was not right, products had to be down-cycled and could not compete with raw materials. We had to live within the limits of our planet and not doing it harmed populations in developing countries. Better regulation required making sure that legislation could be effectively implemented. Environment infrastructure projects were among those projects that could be financed by the Investment Plan.

The Chair was only partly convinced by the Commission. He wanted to know which were the aspects of the current proposal which the new Commission did not favour anymore.

There was consensus by MEPs from all political groups (FLORENZ, EPP, DE; POC, S&D, CZ; DEMESMAEKER, ECR, BE; GERBRANDY, ALDE, NL; EVI, EFDD, IT and Ms KONECNA, GUE, CZ on behalf of the shadow rapporteur) that the Commission arguments lacked clarity, that it was for the Commissioner to be present and respond, that the previous Commission had worked for four years on the proposal and had carried out numerous studies; that Parliament would continue to work on the present proposal. Several of them, including Ms KONECNA and Ms AUKEN (Greens, DK) argued that the Commission intended to lower its level of ambition. This package was part of the 7<sup>th</sup> Environment Action Programme and was largely supported by Council and civil society. Presenting a new proposal meant that all the work done so far would be thrown away. If this was to happen, the Commission would lose its credibility. Mr GERBRANDY (ALDE, NL) argued that it was about the Commission wanting to show the world it was ready to attack the EU acquis. This would cause a delay of at least two years. He made a strong appeal to the Commission to rethink its strategy. Ms EVI considered this decision a bad start for the new Commission. More generally, the pricing of waste and incineration of waste was not a model to reduce waste. She argued that society was encouraged to produce waste. Mr GROOTE (S&D, DE) said that President Juncker had promised a political Commission and that this was an unfortunate political decision which he argued should be explained by the Commissioners in charge. Instead, Business Europe was present in the room. He and POC (S&D, CZ) referred to the role industrial lobbies might have played in the decision.

Good legislation was needed and time should not be wasted to discuss whether the proposal was good enough. That was the role of Council and Parliament. He argued for getting the process quickly back on track. Ms AUKEN (Greens, DK) agreed that this was a political decision by a Commission which had de-prioritized the environment. She referred to President Juncker campaigning against eco-design and to some Member States having criticized the Parliament for being too ambitious on the issue. Ms D'ORNANO (NI, FR) instead said that building a circular economy had a cost which required a major change of the economy.

In reply, the Commission representative took note of the debate, which largely echoed debates in Parliament's plenary session. He was pleased with the unprecedented level of support for a Commission environment proposal and that the current proposal was now better understood. The Council had initially criticized the proposal for being too ambitious, complex and impossible to implement and was now defending it. The Commission was aware that a proposal could not be perfect and was subject to improvements. Landfilling should be drastically reduced and waste avoided. A substantive number of MS were still landfilling 90% of their waste and this had to change. He took the example of Flanders as proving that it was possible to turn a linear economy into a circular economy and suggesting that this process should be more thoroughly analyzed and understood. The analytical work carried out by the Commission would not be lost. Legislation was already in force for the selection of waste to prevent untreated landfilling of bio-waste. Yet, Member States did not fully implement legislation already in place. There were indeed areas in which the proposal could be made more ambitious and the Commission wanted to come up with a more comprehensive proposal that could provide a contribution to growth creation. The potential was there and it was about leveraging it. The Commission would pursue its analysis towards better understanding the diversity of Member States.

The Chair LA VIA asked the Commission representative to convey the clear message from the Parliament to the Commissioners in charge.

- Deadline for tabling amendments: **28 April 2015, 12.00**

**The next meeting of the committee is scheduled on 27 January.**

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