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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject:	COMMISSION STAFF WORKING DOCUMENT The early warning report for France <i>Accompanying the document</i> REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS identifying Member States at risk of not meeting the 2025 preparing for re-use and recycling target for municipal waste, the 2025 recycling target for packaging waste and the 2035 municipal waste landfilling reduction target
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Delegations will find attached document SWD(2023) 184 final.

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COMMISSION STAFF WORKING DOCUMENT

The early warning report for France

Accompanying the document

Report From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions

identifying Member States at risk of not meeting the 2025 preparing for re-use and recycling target for municipal waste, the 2025 recycling target for packaging waste and the 2035 municipal waste landfilling reduction target

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1. Introduction

The early warning report aims to assist Member States at risk of failing to meet: (i) the 2025 target of 55% for the preparing for re-use and the recycling of their municipal waste (this target is set out in Article 11(2)(c) of Directive 2008/98/EC); and (ii) the 2025 target of 65% for the recycling of their packaging waste (this target is set out in Article 6(1)(f) of Directive 1994/62/EC). It also provides an update on how Member States are performing against the 2035 target to send no more than 10% of their municipal waste to landfill (this target is set out in Article 5(5) Directive 1999/31/EC).

This report builds on previous support provided by the Commission to help Member States comply with EU law on municipal waste management, including, where relevant, the early warning report from 2018.

The assessment underpinning the early warning report identified 18 Member States at risk of missing the 2025 preparing for re-use and recycling target for municipal waste, 10 of which are also at risk of missing the 2025 recycling target for all packaging waste.

This assessment is based on a collaborative and transparent process involving the Member States concerned, the European Environment Agency¹, and an in-depth analysis of the most recent policy developments in the Member States. This process also involved extensive consultation with the Member State authorities in charge of waste management. The possible actions identified during this process are based on existing best practices and aim to help Member States meet the 2025 targets, and as such they focus on policy measures which can be taken in the short term. These actions should be seen as complementary to those recommended in the roadmaps which were drawn up as part of preceding compliance-promotion activities and to those recommended in the Environmental Implementation Review².

2. Key findings

Based on the analysis of collected data and existing policies in the area of waste management, France is considered to be at risk of missing the 2025 target of 55% for the preparing for re-use and the recycling of its municipal waste. France is on track to meet the 2025 target to recycle 65% of all packaging waste. However, the country is at risk of not meeting the 2025 target of 50% that applies specifically to plastic packaging.

France's recycling rate for municipal waste steadily increased from 42.9% in 2016 to 45.1% in 2018 but has been decreasing since then. In 2020, the recycling rate was 42.7%. In addition, new rules for calculating waste recycling start to apply³, and this might result in lower recycling rates. The landfilling rate decreased from 22.4% in 2016 to 18.1% in 2020, getting closer to the 2035 target. France has a relatively high level of incineration of municipal waste: it was 38.1% in 2020, which is higher than the EU average of 27%.

France is already reporting higher recycling rates for packaging waste than the recycling targets (65.6% in 2019 vs the target of 65%); targets have also been reached for most types of waste packaging (paper and cardboard, metal, wooden and glass packaging). However, the recycling rate for plastic packaging waste is far from the 50% target (26.9% in 2019). In addition, applying the new calculation rules for packaging⁴ might result in lower recycling rates (in 2020 the recycling rate for all packaging waste was 60.3%).

Some of the main challenges facing waste management in the country are listed below.

¹ EEA and ETC/CE (2022). Early Warning Assessment Related to the 2025 Targets for Municipal and Packaging Waste (<https://www.eea.europa.eu/publications/country-profiles-early-warning-assessments>).

² European Commission (2022). Environmental Implementation Review 2022. COM/2022/438 final. (https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=comnat%3ACOM_2022_0438_FIN).

³ Commission Implementing Decision (EU) 2019/1004.

⁴ Commission Implementing Decision (EU) 2019/665.

- The collection and treatment of municipal biowaste is insufficient. The separate collection of biowaste is not common in France; only a small share of the population is covered by a separate collection scheme.
- The capture of plastic packaging in the separate collection systems is insufficient, introducing deposit-refund schemes for plastic packaging can increase those capture rates.
- Extended producer responsibility (EPR) schemes do not cover commercial plastic packaging waste; in addition, in some parts of the country, EPR schemes do not cover all types of plastic packaging products.

France has introduced many new measures that should produce better results in the coming years. However, as it usually takes time before the full effects of such measures can be observed, efforts should be intensified significantly for all of 2025 targets to be reached.

3. Key recommendations

Among the measures deemed necessary to support France's efforts to improve its performance in waste management, three main recommendations are listed below.

1. Support preparing for re-use of municipal waste and re-use systems for packaging
2. Improve separating and collecting biowaste at source and ensure there is enough dedicated capacity for treating it.
3. Implement a pay-as-you-throw system, which covers the entire population and gives further incentives to the public to separate waste at source.
4. Improve and extend separate collection systems, especially for plastic waste, and ensure that all types of plastic packaging waste are separately collected.

The table below lists some possible actions to support France's efforts to improve its performance in waste management.

4. Good practices

The following measures implemented by France are considered good practices that could be replicated and help Member States in attaining the above-mentioned targets:

- A national focus on Extended Producer Responsibility (EPR) – New EPR schemes have been developed to promote recycling of new products between 2021 and 2025 (professional packaging, construction products or materials from the building sector, toys, sports and leisure equipment, do-it-yourself and gardening products, sanitary textiles, fishing gear, and cigarette butts). Therefore, 25 product families will be covered by an EPR system by 2025. The governance of EPR sectors is open to other parties (besides producers) such as local authorities, environmental protection associations, waste prevention and management operators, and the state.
- Waste prevention – The 2020 anti-waste law⁵ introduced several measures on waste prevention. One of these measures is funding, financed by producers under EPR schemes, for repairing and reusing certain products (electrical and electronic equipment, furniture, textile clothing, etc.). Funding is reserved for businesses that operate in the social and solidarity economy. In addition, consumers have access to a reparability index that lets them to choose electric and electronic appliances that are easier to repair. Other measures include labelling products with information on recycled content and recyclability.

⁵ *Loi n° 2020-105 du 10 février 2020 relative à la lutte contre le gaspillage et à l'économie circulaire*, <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000041553759/and> <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042169391>.

OVERVIEW OF POSSIBLE ACTIONS TO IMPROVE PERFORMANCE

Governance

- 1) To monitor, enforce and achieve higher capture rates, mandatory objectives or indicators for separate waste collection should be set by the bodies in charge of the collection of municipal waste (e.g. municipalities). This could be complemented with a system of financial rewards and penalties for those entities depending on whether they achieve the targets or not. The performance of municipalities could also be made available to the general public to raise awareness (e.g. on a website).

Prevention

- 2) Take measures to increase re-use and to prevent the generation of non-recyclable municipal waste

Separate collection

- 3) Roll out high-convenience collection services to a larger part of the population, especially for biowaste. A door-to-door collection for biowaste is recommended, particularly in dense urban areas where local composting is a challenge.
- 4) Improve the separate collection of plastic waste. In some parts of the country, only specific types of plastic packaging waste are currently collected separately. All plastic packaging waste should be collected separately throughout the entire country, and the sorting infrastructure should be extended in capacity and modernised accordingly.

Waste treatment

- 5) Develop waste treatment infrastructure associated with the higher steps of the waste hierarchy. Firm plans and concrete action are needed, such as further supporting home composting and increasing the capacity for treating biowaste to accommodate its separate collection.
- 6) Support preparing for reuse of municipal waste and develop waste-treatment infrastructure in a way that focuses on the higher steps of the waste hierarchy. Firm plans and concrete actions are needed, such as supplementing centralised biowaste treatment with decentralised composting solutions such as home composting and community composting.

Communication and awareness-raising

- 7) Maintain and reinforce awareness raising activities about waste prevention, littering and separate collection. A set of national communication materials should be developed that: (i) are addressed to the general public for use at local level; (ii) have clear and consistent messages; and (iii) have a particular focus on biowaste, separate collection and sound management of waste. These materials should be used in awareness-raising activities on social media and the internet and at civic amenity sites.

Extended producer responsibility and economic instruments

- 8) Expand the application of the Pay-as-you-throw system to both businesses and households to achieve higher capture rates for recyclable fractions and reduce residual waste. Local authorities could be supported through guidance on how to design incentive mechanisms and create pilot projects to test and refine them.
- 9) Implement economic instruments (e.g. a landfill tax of a sufficient magnitude) to incentivise waste management associated with the higher steps of the waste hierarchy. This will make waste sorting, collection and recycling more effective and make re-use, preparation for re-use and recycling economically attractive. The economic incentive should be designed and sufficiently large to

develop a ‘steering effect’.
10) Introduce a Deposit-refund scheme so that more beverage packaging (bottles and cans) is re-used and recycled.
11) Stepping up efforts to establish re-use systems for packaging will bring environmental benefits and help Member States in complying with the EU packaging recycling targets.