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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2008/98/EC on waste - Outcome of the European Parliament's first reading (Strasbourg, 11 to 14 March 2024)

I. INTRODUCTION

The rapporteur, Anna ZALEWSKA (ECR, PL), presented a report on the above proposal for a Directive on behalf of the Committee on the Environment, Public Health and Food Safety (ENVI) which contained 116 amendments (amendments 1 to 116) to the proposal.

In addition, The Left group tabled one amendment (amendment 117), the Greens/EFA group tabled two amendments (amendments 118 and 119) and the ECR group tabled four amendments (amendments 120 to 123).

II. VOTE

When it voted on 13 March 2024, the plenary of the European Parliament adopted amendments 1 to 116 to the proposal for a Directive. No other amendments were adopted.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto.

P9_TA(2024)0145

Amending Directive 2008/98/EC on waste

European Parliament legislative resolution of 13 March 2024 on the proposal for a directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste (COM(2023)0420 – C9-0233/2023 – 2023/0234(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0420),
 - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0233/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 25 October 2023¹,
 - after consulting the Committee of the Regions,
 - having regard to Rules 59 its Rules of Procedure,
 - having regard to the opinion of the Committee on Agriculture and Rural Development,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0055/2024),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C, C/2024/888, 06.02.2024, ELI: <http://data.europa.eu/eli/C/2024/888/oj>

Amendment 1
Proposal for a directive
Recital -1

Text proposed by the Commission

Amendment

-1. Waste prevention and management for all types of waste is a crucial tool in the pursuit of protecting the environment and human health in the Union. As Member States strive to improve continuously their waste prevention and management programmes, it is vital to stringently apply the waste hierarchy.

Amendment 2
Proposal for a directive
Recital 1

Text proposed by the Commission

Amendment

(1) The European Green Deal and the Circular Economy Action Plan⁶⁹ call for reinforced and accelerated Union and Member State action to ensure environmental and social sustainability of the textiles and food sectors as they represent top resource intensive sectors that cause significant negative environmental externalities. In those sectors, financing and technological gaps impede progress towards the transition to a circular economy and decarbonisation. The food and textiles sectors are the first- and the fourth- most resource-intensive sectors respectively⁷⁰ and they do not fully adhere to the fundamental Union waste management principles set out in the waste hierarchy which requires the prioritisation of waste prevention followed by preparation for re-use and recycling. These challenges require systemic solutions with a lifecycle approach.

(1) The European Green Deal and the Circular Economy Action Plan call for reinforced and accelerated Union and Member State action to ensure environmental and social sustainability of the textiles and food sectors as they represent top resource intensive sectors that cause significant negative environmental externalities. In those sectors, financing and technological gaps, ***among other things***, impede progress towards the transition to a circular economy and decarbonisation. The food and textiles sectors are the first- and the fourth- most resource-intensive sectors respectively and they do not fully adhere to the fundamental Union waste management principles set out in the waste hierarchy which requires the prioritisation of waste prevention followed by preparation for re-use and recycling. These challenges require systemic solutions with a lifecycle approach ***with particular attention paid to food and textile products***.

⁶⁹ COM(2020)98 final of 11 March 2020.

⁷⁰ EU Transition Pathways (europa.eu)

Amendment 3
Proposal for a directive
Recital 2

Text proposed by the Commission

(2) According to the EU Strategy for Sustainable and Circular Textiles⁷¹, important changes are needed to move away from the currently prevailing linear way in which textile products are designed, produced, used and discarded, with a particular need to limit fast fashion. That Strategy considers it important to make producers responsible for the waste that their products create and refers to the establishment of harmonised Union extended producer responsibility rules for textiles with eco-modulation of fees. It provides that the key objective of such rules is to create an economy for collection, sorting, re-use, preparation for re-use and recycling, and to incentivise producers to ensure that their products are designed in respect of circularity principles. To that end, it foresees that a notable share of contributions made by producers to extended producer responsibility schemes have to be dedicated to waste prevention measures and preparation for re-use. It also supports the need for strengthened and more innovative approaches to sustainable management of biological resources to increase the circularity and valorisation of food waste and re-use of bio-based textiles.

⁷¹ COM(2022)141 final of 30 March 2022.

Amendment

(2) According to the EU Strategy for Sustainable and Circular Textiles⁷¹, important changes are needed to move away from the currently prevailing linear way in which textile products are designed, produced, used and discarded, with a particular need to limit fast fashion. ***According to the Strategy's vision for 2030, consumers should benefit longer from high quality affordable textiles.*** That Strategy considers it important to make producers responsible for the waste that their products create and refers to the establishment of harmonised Union extended producer responsibility rules for textiles with eco-modulation of fees. It provides that the key objective of such rules is to create an economy for collection, sorting, re-use, preparation for re-use and recycling, and to incentivise producers to ensure that their products are designed in respect of circularity principles. To that end, it foresees that a notable share of contributions made by producers to extended producer responsibility schemes have to be dedicated to waste prevention measures and preparation for re-use. It also supports the need for strengthened and more innovative approaches to sustainable management of biological resources to increase the circularity and valorisation of food waste and re-use of bio-based textiles

⁷¹ COM(2022)141 final of 30 March 2022.

Amendment 4
Proposal for a directive
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) According to the briefing of the European Environmental Agency entitled ‘Microplastics from textiles in Europe’^{1a}, up to 35% of global microplastics released into the aquatic, terrestrial and marine ecosystems are from synthetic textiles. Plastic waste impairing aquatic, terrestrial and marine ecosystems can be appropriately collected, recycled and ultimately given a new life promoting a full circular economy as well as raising public awareness for the dissemination of best practices.

1a

<https://www.eea.europa.eu/publications/microplastics-from-textiles-towards-a>

Amendment 5
Proposal for a directive
Recital 3

Text proposed by the Commission

Amendment

(3) *Having regard to* the negative effects of food waste, Member States committed themselves to taking measures to promote the prevention and reduction of food waste in line with the 2030 Agenda for Sustainable Development, adopted by the United Nations (UN) General Assembly on 25 September 2015, and in particular its target of halving per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses, by 2030. Those measures aimed to prevent and reduce food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households.

(3) *Taking into account* the negative effects of food waste, Member States committed themselves to taking measures to promote the prevention and reduction of food waste in line with the 2030 Agenda for Sustainable Development, ***and the SDG Target 12.3 in particular***, adopted by the United Nations (UN) General Assembly on 25 September 2015, and in particular its target of halving per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses, by 2030. Those measures aimed to prevent and reduce food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in

households.

Amendment 6
Proposal for a directive
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Wood is a valuable resource and it is encouraged to be added to a list of materials subject to separate collection, and with re-use and recycling targets.

Amendment 7
Proposal for a directive
Recital 7

Text proposed by the Commission

Amendment

(7) Member States have, to a certain extent, developed materials and carried out campaigns targeting food waste prevention for consumers and food business operators; however, these mainly focus on raising awareness ***rather than eliciting*** behavioural change. In order to reach the full potential for reducing food waste and ensure progress over time, behavioural change interventions have to be developed, tailored to the specific situations and needs in Member States, and fully integrated in national food waste prevention programmes. Importance should also be given to regional circular solutions, including public-private partnerships and citizen engagement as well adaptation to specific regional needs such as outermost regions or islands.

(7) Member States have, to a certain extent, developed materials and carried out campaigns targeting food waste prevention for consumers and food business operators; however, these mainly focus on raising awareness ***and substantial dietary shifts including*** behavioural change. In order to reach the full potential for reducing food waste and ensure progress over time, behavioural change interventions have to be developed, tailored to the specific situations and needs in Member States, and fully integrated in national food waste prevention programmes. Importance should also be given to regional circular solutions, citizen engagement as well adaptation to specific regional needs such as outermost regions or islands;

Amendment 8
Proposal for a directive
Recital 10

Text proposed by the Commission

Amendment

(10) ***Having regard to the Union's commitment to the ambition set out in SDG Target 12.3, the*** setting of food waste reduction targets to be achieved by

(10) ***The*** setting of food waste reduction targets to be achieved by Member States by 2030, ***in line with the Union's commitment to the ambition set out in***

Member States by 2030 should provide a strong policy impulse to take action and ensure a significant contribution to global targets. However, given the legally binding nature of such targets, they should be proportionate and feasible, and take into account the role of different actors in the food supply chain as well as their capacity (in particular micro and small enterprises).

The establishment of legally binding targets should thus follow a step-wise approach, starting with a level which is lower than the one set under the SDG, with a view to ensuring a consistent response of Member States and tangible progress towards Target 12.3.

SDG Target 12.3, should provide a strong policy impulse to take action and ensure a significant contribution to global targets. However, given the legally binding nature of such targets, they should be proportionate, ***attainable*** and feasible, and take into account the role of different actors in the food supply chain as well as their capacity, in particular micro and small enterprises.

Amendment 9
Proposal for a directive
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Disparities in bargaining power between suppliers and buyers of agricultural and food products still persist in food supply chains across the Union. This is particularly the case in the agricultural sector, since the specific nature of agricultural products and the associated need to dispose of them quickly distorts equality among counterparties from the very outset. Every effort should therefore be made to ensure that the most common unfair trading practices affecting agricultural suppliers, particularly in the supply of perishable products, do not increase as a result of binding targets to reduce food waste.

Amendment 10
Proposal for a directive
Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) The European Economic and Social Committee and the European Food Security Crisis preparedness and response Mechanism has recognised the

contribution of packaging in reducing food waste and ensuring food supply and security.

Amendment 11
Proposal for a directive
Recital 11

Text proposed by the Commission

(11) Reducing food waste at the production and consumption stages requires different approaches and measures and involves different stakeholder groups. Therefore, one target should be proposed for the processing and manufacturing stage and another one for the retail and other distribution of food, restaurants and food services and households.

Amendment

(11) Reducing food waste at the production and consumption stages requires different approaches and measures and involves different stakeholder groups. Therefore, one target should be proposed for the processing and manufacturing stage and another one for the retail and other distribution of food, restaurants and food services and households. ***Reducing food waste at any point along the food supply chain yields a significant positive environmental impact.***

Amendment 12
Proposal for a directive
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) To promote a uniform and consistent interpretation of food waste data and reporting across actors in the food supply chain and Member State authorities, the Commission should provide comprehensive guidelines pertaining to the methodology for food waste measurement.

Justification

A more streamlined data necessary to promote the set goals.

Amendment 13
Proposal for a directive
Recital 14 b (new)

Text proposed by the Commission

Amendment

(14b) The harmonised methodology established in Commission Delegated Decision (EU) 2019/1597 provides for the use of different reporting methods. To ensure that future data are scientifically sound, high quality and comparable, it is necessary to establish and apply clear and consistent measurement methods among the Member States and minimum quality requirements for the uniform measurement of food waste.*

* *Commission Delegated Decision (EU) 2019/1597 of 3 May 2019 supplementing Directive 2008/98/EC of the European Parliament and of the Council as regards a common methodology and minimum quality requirements for the uniform measurement of levels of food waste (OJ L 248, 27.9.2019, p. 77).*

Amendment 14
Proposal for a directive
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) Member States should take measures to promote solutions such as clearer date labelling on food products and facilitate the use of date markings in accordance with Regulation (EU) 1169/2011 of the European Parliament and of the Council, in order to avoid consumers' confusion about date marking.*

* *Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the*

Amendment 15
Proposal for a directive
Recital 17

Text proposed by the Commission

(17) In line with the polluter-pays principle, as referred to in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), it is essential that the producers placing on the Union market certain textile, textile-related and footwear products take responsibility for their management at their end-of life as well as extending their lifetime through making used textile, textile-related and footwear products available on the market for re-use. To implement the polluter pays principle, it is appropriate to lay down the obligations for the management of textile, textile-related and footwear producers, which include any manufacturer, importer or distributor, that, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2, point (7), of Directive 2011/83/EU of the European Parliament and of the Council⁷⁷, makes available those products on the market for the first time within a territory of a Member States on a professional basis under its own name or trademark. The scope of the producers covered by the extended producer responsibility should exclude micro enterprises and self-employed tailors producing customised products in view of their reduced role in the textile market as well as those placing on the market used textiles, textile-related and footwear products or such products derived from used or waste of those products in view of supporting re-use, including through repair, refurbishment and upcycling whereby certain functionalities of the original product is

Amendment

(17) In line with the polluter-pays principle, as referred to in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), it is essential that producers placing on the Union market certain textile, textile-related and footwear products take responsibility for their management at their end-of life as well as extending their lifetime through making used textile, textile-related and footwear products available on the market for re-use. To implement the polluter pays principle, it is appropriate to lay down obligations for the management of textile, textile-related and footwear producers, which include any manufacturer, importer or distributor, that, irrespective of the selling technique used, including by means of distance contracts as defined in Article 2, point (7), of Directive 2011/83/EU of the European Parliament and of the Council⁷⁷, makes available those products on the market for the first time within a territory of a Member States on a professional basis under its own name or trademark. The scope of the producers covered by the extended producer responsibility should exclude micro enterprises, ***for which such a responsibility would impose a disproportionate financial and administrative burden***, and self-employed tailors producing customised products in view of their reduced role in the textile market as well as those placing on the market used textiles, textile-related and footwear products or such products derived from used or waste of those products in view of supporting re-use, including

changed, within the Union.

through repair, refurbishment and upcycling whereby certain functionalities of the original product is changed, within the Union. ***Micro enterprises should, however, be allowed to participate in producer responsibility organisations.***

⁷⁷ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

⁷⁷ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

Amendment 16
Proposal for a directive
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) According to the European Environment Agency, currently less than 1% of all clothing waste is used to make new clothing in a circular loop. Today, most textiles are not designed for circularity. 78% of all textile products require disassembly before textile-to-textile recycling. In order to ensure investment into circular textiles, targets should be established for the prevention, collection, sorting, reuse and local reuse, as well as recycling and fibre-to-fibre recycling of textiles to support and drive technological development and the investments into infrastructure as well as the push for eco-design of textiles. Total textile waste generated, covering clothing and footwear, home textiles, technical textiles, and post-industrial and pre-consumer waste, is estimated to be 12, 6 million tonnes. This includes fractions that are discarded during textile production, at the retail stage and by households and commercial entities waste^{1a}.

1a

https://environment.ec.europa.eu/system/files/2023-07/IMPACT%20ASSESSMENT%20REPORT_SWD_2023_421_part1_0.pdf
(pag.6)

Amendment 17
Proposal for a directive
Recital 19

Text proposed by the Commission

(19) *The household textile and apparel clothing comprise the largest share of Union textile consumption and the biggest contributor to unsustainable patterns of over production and overconsumption. Household textiles and apparel are also the focus of all existing separate collection systems in Member States along with other post-consumer apparel and accessories and footwear that are not primarily composed of textiles. Therefore, the scope of the established extended producer responsibility scheme should cover household textile products and other articles of apparel, clothing accessories and footwear.* In order to ensure the legal certainty for the producers on the products subject to the extended producer responsibility, the products in scope should be identified by reference to the Combined Nomenclature codes pursuant to Annex I to Council Regulation (EEC) No 2658/87⁷⁸.

⁷⁸ OJ L 256, 7.9.1987, p. 1.

Amendment

(19) In order to ensure the legal certainty for the producers on the products subject to the extended producer responsibility, the products in scope should be identified by reference to the Combined Nomenclature codes pursuant to Annex I to Council Regulation (EEC) No 2658/87⁷⁸.

⁷⁸ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

Amendment 18
Proposal for a directive
Recital 20

(20) The textile sector is resource intensive. While, in relation to both the production of raw materials and textiles, most of the pressures and impacts related to the consumption of clothing, footwear and **household** textiles in the Union occur in third countries, they also affect the Union due to their global impact on climate and the environment. Therefore, preventing, preparing for re-use and recycling textile waste can help reduce the global environmental footprint of the sector, including in the Union. In addition, the current resource-inefficient waste management of textile waste is not in line with the waste hierarchy and leads to environmental harm both in the Union and in third countries, including through greenhouse gas emissions from incineration and landfilling.

(20) The textile sector is resource intensive. While, in relation to both the production of raw materials and textiles, **and as 73% of clothes and household textiles consumed in Europe are imported[1]**, most of the pressures and impacts related to the consumption of clothing, footwear and textiles in the Union occur in third countries, they also affect the Union due to their global impact on climate and the environment. Therefore, preventing, preparing for re-use and recycling textile waste can help reduce the global environmental footprint of the sector, including in the Union. In addition, the current resource-inefficient waste management of textile waste is not in line with the waste hierarchy and leads to environmental harm both in the Union and in third countries, including through greenhouse gas emissions from incineration and landfilling. **[1]**
https://ec.europa.eu/commission/presscorner/detail/en/QANDA_22_2015

Amendment 19

Proposal for a directive

Recital 21

(21) The purpose of the extended producer responsibility for textiles, textile-related and footwear products is to ensure a high level of environmental and health protection in the Union, create an economy for collection, sorting, re-use, preparation for re-use and recycling, in particular, fibre-to-fibre recycling, as well as incentives for producers to ensure that their products are designed in respect of circularity principles. The producers of textiles and footwear should finance the costs of collecting, sorting for re-use, preparing for re-use and recycling, and of the recycling and other treatment of collected used and waste textiles and footwear, including unsold consumer

(21) The purpose of the extended producer responsibility for textiles, textile-related and footwear products is to ensure a high level of environmental and health protection in the Union, create an economy for collection, sorting, re-use, preparation for re-use and recycling, in particular, fibre-to-fibre recycling, as well as incentives for producers to ensure that their products are designed in respect of circularity principles. The producers of textiles and footwear should finance the costs of collecting, sorting for re-use, preparing for re-use and recycling, and of the recycling and other treatment of collected used and waste textiles and footwear, including unsold consumer

products considered waste that were supplied on the territory of the Member States after the entry into force of this amending Directive to ensure that the extended producer responsibility obligations do not apply retroactively and comply with the principle of legal certainty. Those producers should also finance the costs of carrying out compositional surveys of mixed collected municipal waste, support to research and development in sorting and recycling technologies, reporting on separate collection, re-use and other treatment and of providing information to end-users about the impact and sustainable management of textiles.

products considered waste that were supplied on the territory of the Member States after the entry into force of this amending Directive to ensure that the extended producer responsibility obligations do not apply retroactively and comply with the principle of legal certainty. Those producers should also finance the costs of carrying out compositional surveys of mixed collected municipal waste, support to research and development in sorting and recycling technologies, *especially digital solutions*, reporting on separate collection, re-use and other treatment and of providing information to end-users about the impact and sustainable management of textiles.

Producers should also finance the development of reuse and repair operations.

Amendment 20
Proposal for a directive
Recital 25

Text proposed by the Commission

(25) In view of the key role of social enterprises and social economy entities in the existing textile collection systems and their potential to create local, sustainable, participatory and inclusive businesses models and quality jobs in the Union, in line with the objectives of the EU Social Economy Action Plan⁷⁹, the introduction of extended producer responsibility schemes should maintain and support the activities of social enterprises and social economy entities involved in used textiles management. These entities therefore should be regarded as partners in the separate collection systems supporting the scale-up of re-use and repair and creating quality jobs for all and in particular for vulnerable groups.

⁷⁹ COM (2021) 778 final of 9 December 2021.

Amendment

(25) Taking into account the key role of social enterprises and social economy entities in the existing textile collection systems and their potential to create local, sustainable, participatory and inclusive businesses models and quality jobs in the Union, in line with the objectives of the EU Social Economy Action Plan⁷⁹, the introduction of extended producer responsibility schemes should maintain and support the activities of social enterprises and social economy entities involved in used ***and waste*** textiles management. These entities therefore should be regarded as partners in the separate collection systems supporting the scale-up of ***preparing for re-use and*** re-use and repair, and creating quality jobs for all and in particular for vulnerable groups.

⁷⁹ COM (2021) 778 final of 9 December 2021.

Amendment 21
Proposal for a directive
Recital 26

Text proposed by the Commission

(26) Producers and producer responsibility organisations should be actively involved in providing information to end users, in particular consumers, that used and waste textiles and footwear should be collected separately, that collection systems are available and that end-users have an important role in ensuring waste prevention and an environmentally optimal management of textiles waste. This information should include availability of re-use arrangements for textiles and footwear and the environmental benefits of sustainable consumption and the environmental, health and social impacts of the textile apparel industry. The end users should also be informed about their important role in making informed, responsible and sustainable textile consumption choices and ensuring an environmentally optimal management of textile and footwear waste. These information requirements apply in addition to the requirements on the provision of information to end-users in relation to the textile products laid down in the Ecodesign for Sustainable Product Regulation⁸⁰ and the Regulation (EU) No 1007/2011 of the European Parliament and of the Council⁸¹. The disclosure of information to all end users should make use of modern information technologies. The information should be provided both by classical means, such as posters both indoors and outdoors and social media campaigns, and by more innovative means, such as electronic access to websites provided by QR codes.

⁸⁰ OJ to insert the reference number once adopted.

⁸¹ Regulation (EU) No 1007/2011 of the European Parliament and of the Council of

Amendment

(26) Producers and producer responsibility organisations should be actively involved in providing information to end users, in particular consumers, that used and waste textiles and footwear should be collected separately, that collection systems are available and that end-users have an important role in ensuring waste prevention and an environmentally optimal management of textiles waste. This information should include availability of re-use arrangements for textiles and footwear and the environmental benefits of sustainable consumption and the environmental, health and social impacts of the textile apparel industry. The end users should also be informed about their important role in making informed, responsible and sustainable textile consumption choices and ensuring an environmentally optimal management of textile and footwear waste. These information requirements apply in addition to the requirements on the provision of information to end-users in relation to the textile products laid down in the Ecodesign for Sustainable Product Regulation⁸⁰ and the Regulation (EU) No 1007/2011 of the European Parliament and of the Council⁸¹. The disclosure of information to all end users should make use of modern information technologies. The information should be provided both by classical means, such as posters both indoors and outdoors and social media campaigns, and by more innovative means, such as electronic access to websites provided by QR codes ***and the digital product passport***.

⁸⁰ OJ to insert the reference number once adopted.

⁸¹ Regulation (EU) No 1007/2011 of the European Parliament and of the Council of

27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council (OJ L 272, 18.10.2011, p. 1).

27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council (OJ L 272, 18.10.2011, p. 1).

Amendment 22
Proposal for a directive
Recital 27

Text proposed by the Commission

(27) In order to increase textiles' circularity and environmental sustainability and to reduce the adverse impacts on climate and the environment, Regulation .../... [PO insert the serial number and institutions for the Ecodesign for Sustainable Product Regulation, and complete the footnote]⁸² will develop binding textile product ecodesign requirements, which will, depending on what the impact assessment will show to be beneficial for increasing textile environmental sustainability, regulate durability, reusability, reparability, and fibre-to-fibre recyclability of textiles, and mandatory recycled fibre content in textiles. It will also regulate the presence of substances of concern to allow their minimisation and tracking in view of reducing waste generation and improving recycling, as well as the prevention and reduction of synthetic fibres shed into the environment to significantly reduce microplastic release. At the same time, modulation of extended producer responsibility fees is an effective economic instrument to incentivise more sustainable textile design leading to improved circular design. In order to provide a strong incentive for ecodesign while taking into account the objectives of the internal market and the composition of the textile sector which is primarily composed of SMEs, it is necessary to harmonise criteria for the modulation of extended producer

Amendment

(27) In order to increase textiles' circularity and environmental sustainability and to reduce the adverse impacts on climate and the environment, Regulation .../... [PO insert the serial number and institutions for the Ecodesign for Sustainable Product Regulation, and complete the footnote]⁸² will develop binding textile product ecodesign requirements, which will, depending on what the impact assessment will show to be beneficial for increasing textile environmental sustainability, regulate durability, reusability, reparability, and fibre-to-fibre recyclability of textiles, and mandatory recycled fibre content in textiles. It will also regulate the presence of substances of concern to allow their minimisation and tracking in view of reducing waste generation and improving recycling, as well as the prevention and reduction of synthetic fibres shed into the environment to significantly reduce microplastic release. At the same time, modulation of extended producer responsibility fees is an effective economic instrument to incentivise more sustainable textile design leading to improved circular design. In order to provide a strong incentive for ecodesign while taking into account the objectives of the internal market and the composition of the textile sector which is primarily composed of SMEs, it is necessary to harmonise criteria for the modulation of extended producer

responsibility fees based on the most relevant ecodesign parameters to enable the treatment of textiles in line with the waste hierarchy. The fee modulation according to the ecodesign criteria should be based on the Ecodesign requirements and their measurement methodologies that are adopted pursuant to the Ecodesign for Sustainable Product Regulation for textile products or to other Union law establishing harmonized sustainability criteria and measurement methods for textile products and only where the latter are adopted. It is appropriate to empower the Commission to adopt harmonised rules for the fee modulation to ensure the alignment of the fee modulation criteria with those product requirements.

⁸² OJ to insert the reference number once adopted.

Amendment 23
Proposal for a directive
Recital 27 a (new)

Text proposed by the Commission

responsibility fees based on the most relevant ecodesign parameters to enable the treatment of textiles in line with the waste hierarchy, ***as well as on the proportion of microplastic release***. The fee modulation according to the ecodesign criteria should be based on the Ecodesign requirements and their measurement methodologies that are adopted pursuant to the Ecodesign for Sustainable Product Regulation for textile products or to other Union law establishing harmonized sustainability criteria and measurement methods for textile products and only where the latter are adopted. It is appropriate to empower the Commission to adopt harmonised rules for the fee modulation to ensure the alignment of the fee modulation criteria with those product requirements.

⁸² OJ to insert the reference number once adopted.

Amendment

(27a) Introducing a Digital Product Passport, as a tool to significantly enhance the traceability of textile products throughout their value chain, can empower consumers to make informed choices by providing better access to product information regarding end-of-life management. This would also enable economic operators to accurately track the amount of textile waste generated, assist Member States in implementing and monitoring separate collection obligations for textiles for re-use, preparation for re-use, and recycling in accordance with this Regulation.

Amendment 24
Proposal for a directive
Recital 28

(28) In order to monitor that producers meet their obligations relating to their financial, and organisational obligations to ensuring the management of used and waste textile, textile-related and footwear products they make available on the market for the first time within the territory of a Member State, it is necessary that a register of producers is established and managed by each Member State and that producers should be obliged to register. The registration requirements and format should be harmonised across the Union to the greatest extent possible so as to facilitate registration in particular where producers make textile, textile-related and footwear products available on the market for the first time in different Member States. The information in the register should be accessible *to those entities that play a role in the verification of the compliance with the extended producer responsibility obligations and their enforcement*.

(28) In order to monitor that producers meet their obligations relating to their financial, and organisational obligations to ensuring the management of used and waste textile, textile-related and footwear products they make available on the market for the first time within the territory of a Member State, it is necessary that a register of producers is established and managed by each Member State and that producers should be obliged to register. The registration requirements and format should be harmonised across the Union to the greatest extent possible so as to facilitate registration in particular where producers make textile, textile-related and footwear products available on the market for the first time in different Member States. The information in the register should be *publicly* accessible.

Amendment 25
Proposal for a directive
Recital 32

(32) Exports of used and waste textiles outside the EU have been steadily increasing with exports representing the greatest share of the re-use market for post-consumer textiles generated in the EU. In view of the significant increase of the collected textile waste after the introduction of separate collection by 2025 it is important to strengthen the efforts to combat illegal shipments of waste to third countries disguised as non-waste for the purpose of ensuring high environmental protection. Building on Regulation .../... [P.O. insert the institutions and serial number, and complete the footnote for the Regulation on the Shipment of waste]⁸⁴ and in view of the objective to ensure the

(32) Exports of used and waste textiles outside the EU have been steadily increasing with exports representing the greatest share of the re-use market for post-consumer textiles generated in the EU. In view of the significant increase of the collected textile waste after the introduction of separate collection by 2025 it is important to strengthen the efforts to combat illegal shipments of waste to third countries disguised as non-waste for the purpose of ensuring high environmental protection. Building on Regulation .../... [P.O. insert the institutions and serial number, and complete the footnote for the Regulation on the Shipment of waste]⁸⁴ and in view of the objective to ensure the

sustainable management of post-consumer textiles and tackle illegal shipments of waste, it should be provided that all separately collected used textiles, textile-related and footwear products undergo a sorting operation prior to their shipment. Furthermore, it should be provided that all separately collected used textile, textile-related and footwear items are regarded as waste and subject to Union waste legislation, including on the shipments of waste, until they have undergone a sorting operation by a trained sorting for re-use and recycling operator. The sorting should be carried out in accordance with the harmonised sorting requirements that deliver high quality re-usable fraction that meet the needs of the receiving second hand textile markets in the EU and globally and by establishing criteria to distinguish between used goods and waste. Shipments of used textiles, textile-related and footwear products should be accompanied by information demonstrating that those items are the output of a sorting or a preparing for re-use operation and that the items are suitable for re-use.

sustainable management of post-consumer textiles and tackle illegal shipments of waste, it should be provided that all separately collected used textiles, textile-related and footwear products undergo a sorting operation prior to their shipment. Furthermore, it should be provided that all separately collected used textile, textile-related and footwear items are regarded as waste and subject to Union waste legislation, including on the shipments of waste, until they have undergone a sorting operation by a trained sorting for re-use and recycling operator ***and meet the end-of-waste status conditions***. The sorting should be carried out in accordance with the harmonised sorting requirements that deliver high quality re-usable fraction that meet the needs of the receiving second hand textile markets in the EU and globally and by establishing criteria to distinguish between used goods and waste. Shipments of used textiles, textile-related and footwear products should be accompanied by information demonstrating that those items are the output of a sorting or a preparing for re-use operation and that the items are suitable for re-use ***and comply with the national rules of the destination country. At the same time, it should be acknowledged that not all reusable second-hand clothes that are exported are reused in recipient countries and might be discarded without use, overwhelming the recipient countries' waste management systems. Additional measures to reduce exports of second-hand textiles by maximising local re-use should be prioritised.***

⁸⁴ OJ to insert the reference number once adopted.

⁸⁴ OJ to insert the reference number once adopted.

Amendment 26
Proposal for a directive
Recital 33

Text proposed by the Commission

Amendment

(33) In order for Member States to achieve the targets set out in this Directive, Member States should revise their food waste prevention programmes to include new measures, involving multiple partners from the public and private sectors, with coordinated actions tailored to address specific hotspots as well as attitudes and behaviours that lead to food waste. In the preparation of these programmes, Member States could draw inspiration from the recommendations produced by the Citizens' Panel on Food Waste.

(33) In order for Member States to achieve the targets set out in this Directive, Member States should revise their food waste prevention programmes to include new measures, involving multiple partners from the public and private sectors ***including producers, distributors, suppliers, retails and food service providers, as well as social economy actors and environmental and consumer organisations***, with coordinated actions tailored to address specific hotspots as well as attitudes and behaviours that lead to food waste. In the preparation of these programmes, Member States could draw inspiration from the recommendations produced by the Citizens' Panel on Food Waste.

Amendment 27
Proposal for a directive
Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) It is crucial that the Commission and Member States continue to develop, support and expand existing information and education campaigns regarding waste prevention and management and introduce new ones. Whilst general awareness across all sectors regarding the importance of waste prevention and proper waste management is improving, additional progress is still necessary.

Amendment 28
Proposal for a directive
Recital 36 a (new)

Text proposed by the Commission

Amendment

(36a) In order to facilitate the consistent interpretation of food waste data and reporting requirements by national authorities, while avoiding unnecessary administrative burden for operators in the food supply chain, the Commission should adopt guidance for the

interpretation of delegated acts, following the example of the Guidance for the compilation and reporting of data on municipal waste^{1a} or the Guidance for the compilation and reporting of data on packaging and packaging waste^{1b};

^{1a} European Commission, Eurostat, Guidance for the compilation and reporting of data on municipal waste according to Commission Implementing Decisions 2019/1004/EC and 2019/1885/EC, and the Joint Questionnaire of Eurostat and OECD (version 2023) (version 2023) <https://ec.europa.eu/eurostat/documents/342366/351811/Guidance+on+municipal+waste+data+collection/>

^{1b} European Commission, Eurostat, Guidance for the compilation and reporting of data on packaging and packaging waste according to Decision 2005/270/EC (version 2023) <https://ec.europa.eu/eurostat/documents/342366/351811/PPW+-+Guidance+for+the+compilation+and+reporting+of+data+on+packaging+and+packaging+waste.pdf/297d0cda-e5ff-41e5-855b-5d0abe425673?t=1621978014507>

Amendment 29
Proposal for a directive
Recital 39 a (new)

Text proposed by the Commission

Amendment

(39a) It is important that Member States' implementation of Council Directive 1999/31/EC is substantially and rapidly improved, as environmental harm in the Union, including cross-border issues, is caused by the prevalence and emergence of illegal dumping sites and landfills across different Member States, like landfills which do not meet the standards and requirements laid out in that Directive. As such, it is appropriate for the Commission to evaluate, review and,*

where appropriate, present a legislative proposal to amend Council Directive 1999/31/EC. It is important that the evaluation assess ways to strengthen implementation provisions.

* *Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.7.1999, p. 1).*

Amendment 30
Proposal for a directive
Recital 40 a (new)

Text proposed by the Commission

Amendment

(40a) It is important to emphasise the need for the Commission to continue its efforts with bringing waste management in line with the principles of circular economy and to consider a targeted revision aimed at healthcare waste, especially pharmaceutical waste from private households. Furthermore, it is important to reduce, reuse and recycle health care waste materials to minimise their environmental impact and resource depletion while safeguarding public health. This would help underscore the Union's dedication to responsible waste management and make healthcare facilities and industry a crucial partner in the Commission's broader efforts to reduce waste and promote sustainability.

Amendment 31
Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 2008/98/EC

Article 3 – paragraph 8 b (new)

Text proposed by the Commission

Amendment

8b. *‘social enterprise’ means a private law entity that provides goods and services*

for the market in an entrepreneurial way and in accordance with the principles and features of the social economy, having social or environmental objectives as the reason for its commercial activity; social enterprises can be set up in a variety of legal forms;

Amendment 32

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall take appropriate measures to prevent generation of food waste in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households. Those measures shall include the following:

Amendment

Member States shall take appropriate measures to prevent generation of food waste ***along the entire food supply chain***, in primary production, in processing and manufacturing, in retail and other distribution of food, in restaurants and food services as well as in households. Those measures shall include, ***but not be limited to***, the following:

Amendment 33

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) developing and supporting behavioural change interventions to reduce food waste, and information campaigns to raise awareness about food waste prevention;

Amendment

(a) developing and supporting behavioural change interventions to reduce food waste, and information campaigns to raise awareness about food waste prevention ***as well as food production***;

Amendment 34

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Text proposed by the Commission

(b) identifying and addressing inefficiencies in the functioning of the food supply chain and support cooperation amongst all actors, while ensuring a fair distribution of costs and benefits of prevention measures;

Amendment

(b) identifying and addressing inefficiencies in the functioning of the food supply chain and support cooperation amongst all actors, while ensuring a fair distribution of costs and benefits of prevention measures, ***which may include: - the promotion of fruits and vegetables with external defects that are not compliant with EU or UNECE marketing standards, but still suitable and safe for local or direct consumption, as set out in Commission Delegated Regulation (EU) 2023/2429* ("ugly" fruits and vegetables); and tackling market practices that cause food waste, including those set out in Directive (EU) 2019/633** of the European Parliament and of the Council;***

* ***Commission Delegated Regulation (EU) 2023/2429 of 17 August 2023 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for the fruit and vegetables sector, certain processed fruit and vegetable products and the bananas sector, and repealing Commission Regulation (EC) No 1666/1999 and Commission Implementing Regulations (EU) No 543/2011 and (EU) No 1333/2011 (OJ L, 2023/2429, 03.11.2023, ELI: http://data.europa.eu/eli/reg_del/2023/2429/oj).***

** ***Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain (OJ L 111, 25.4.2019, p. 59).***

Amendment 35
Proposal for a directive
Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

(c) encouraging food donation and **other** redistribution for human consumption, prioritising human use over animal feed and the reprocessing into non-food products;

Amendment

(c) encouraging, food donation and **ensuring** redistribution for human consumption, prioritising human use over animal feed and the reprocessing into non-food products;

Amendment 36

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 1 – point d

Text proposed by the Commission

(d) supporting training and skills development as well as facilitating access to funding opportunities, in particular for small and medium sized enterprises and social economy actors.

Amendment

(d) supporting training and skills development, **including in local authorities**, as well as facilitating access to funding opportunities, in particular for small and medium sized enterprises and social economy actors;

Amendment 37

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) encouraging and promoting innovation and technological solutions which contribute to the prevention of food waste, such as intelligent packaging intended to extend the shelf-life or to maintain or improve the condition of packaged food in accordance with Commission Regulation (EC) No 450/2009*, especially during

transportation and storage, and clearer date labelling on food products and user-friendly tools to reduce confusion and facilitate the use of date markings, in accordance with Regulation (EU) 1169/2011, contributing to the prevention of unnecessary discarding of food items which are still safe for consumption.

* *Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food (OJ L 135, 30.5.2009, p. 3).*

Amendment 38
Proposal for a directive
Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 1 – subparagraph 2

Text proposed by the Commission

Member States shall ensure that all relevant actors in the supply chain are involved proportionately to their capacity and role in preventing the generation of food waste along the food supply chain, with a specific focus on preventing disproportionate impact on small and medium sized enterprises.

Amendment

Member States shall ensure that all relevant actors in the supply chain are involved proportionately to their capacity and role ***in generating food waste and*** in preventing the generation of food waste along the food supply chain, with a specific focus on preventing disproportionate impact on small and medium sized enterprises. ***Member States shall take appropriate measures to ensure that economic operators make available for donation unsold food that is safe for human consumption.***

Amendment 39
Proposal for a directive
Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 2

Text proposed by the Commission

2. Member States shall monitor and assess the implementation of their food waste prevention measures, including compliance with the food reduction targets referred to in paragraph 4, by measuring the levels of food waste on the basis of the methodology established in accordance with paragraph 3.

Amendment

2. Member States shall monitor and assess the implementation of their food waste prevention measures, including compliance with the food **waste** reduction targets referred to in paragraph 4, by measuring the levels of food waste on the basis of the methodology established in accordance with paragraph 3.

Amendment 40

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 3

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 38a to supplement this Directive as regards laying down a common methodology and minimum quality requirements for the uniform measurement of food waste levels.

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 38a to **amend Commission Delegated Decision (EU) 2019/1597 and** supplement this Directive as regards laying down a common methodology and minimum quality requirements for the uniform measurement of food waste levels.

Amendment 41

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The methodology, measurement methods and data used to measure the levels of food waste referred to in paragraph 3 shall be made publicly available.

Amendment 42

Proposal for a directive

Article 1 – paragraph 1 – point 4

Article 9a – paragraph 4 – point a

Text proposed by the Commission

(a) reduce the generation of food waste in processing and manufacturing by **10 %** in comparison to the amount generated in **2020**;

Amendment

(a) reduce the generation of food waste in processing and manufacturing by **at least 20 %** in comparison to the amount generated **as an annual average between 2020 and 2022**.

Amendment 43

Proposal for a directive

Article 1 – paragraph 1 – point 4

Article 9a – paragraph 4 – point b

Text proposed by the Commission

(b) reduce the generation of food waste per capita, jointly in retail and other distribution of food, in restaurants and food services and in households, by **30 %** in comparison to the amount generated in **2020**.

Amendment

(b) reduce the generation of food waste per capita, jointly in retail and other distribution of food, in restaurants and food services and in households, by **at least 40 %** in comparison to the amount generated **as an annual average between 2020 and 2022**.

Amendment 44

Proposal for a directive

Article 1 – paragraph 1 – point 4

Article 9a – paragraph 5

Text proposed by the Commission

5. Where a Member State can provide data for a reference year prior to 2020, which have been collected using methods comparable to the methodology and minimum quality requirements for the uniform measurement of levels of food

Amendment

5. Where a Member State can provide data for a reference year prior to 2020, which have been collected using methods comparable to the methodology and minimum quality requirements for the uniform measurement of levels of food

waste as set out in the Commission Delegated Decision (EU) 2019/1597, an earlier reference year may be used. The Member State shall notify the Commission and the other Member States of its intention to use an earlier reference year within 18 months of the entry into force of this Directive and shall provide the Commission with the data and measurement methods used to collect them.

waste as set out in the Commission Delegated Decision (EU) 2019/1597, an earlier reference year may be used. ***That earlier reference year shall apply to both of the targets referred to in paragraph 4, points (a) and (b).*** The Member State shall notify the Commission and the other Member States of its intention to use an earlier reference year within 18 months of the entry into force of this Directive and shall provide the Commission with the data and measurement methods used to collect them ***and make them publicly available.***

Amendment 45

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Member States are encouraged to coordinate their actions to prevent food waste and share best practices.

Amendment 46

Proposal for a directive

Article 1 – paragraph 1 – point 4

Directive 2008/98/EC

Article 9a – paragraph 7 b (new)

Text proposed by the Commission

Amendment

7b. By 31 December 2025, the Commission shall conduct an assessment on the appropriate levels for the setting of targets for the reduction of all primary production food waste, including mature food left unharvested or used on farms. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, if appropriate, by a legislative proposal.

Amendment 47
Proposal for a directive
Article 1 – paragraph 1 – point 4
Directive 2008/98/EC

Article 9a – paragraphs 7 c (new)

Text proposed by the Commission

Amendment

7c. *By 31 December 2027, the Commission shall carry out an evaluation of the possibility to introduce a binding target of at least 30% with respect to Article 9a(4), point (a), and at least 50% with respect to Article 9a(4), point (b), to be reached by 2035 and submit a report to the European Parliament and the Council which may be accompanied by appropriate legislative proposal to implement such target.*

Amendment 48
Proposal for a directive
Article 1 – paragraph 1 – point 4 a (new)
Directive 2008/98/EC

Article 10 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(4a) *In Article 10, the following paragraph is inserted:*

2a. *Member States are encouraged, where appropriate, to introduce prior sorting of municipal mixed waste to prevent waste, which can be recovered for preparing for re-use, or recycling, from being sent to waste incineration or disposed in landfills.*

(<https://eur-lex.europa.eu/eli/dir/2008/98/oj/eng>)

Amendment 49
Proposal for a directive
Article 1 – paragraph 1 – point 4 b (new)

Article 10 – paragraph 4

Present text

4. Member States shall take measures to ensure that waste that has been separately collected for preparing for re-use and recycling pursuant to Article 11(1) and Article 22 is not incinerated, with the exception of waste resulting from subsequent treatment operations of the separately collected waste for which incineration delivers the best environmental outcome in accordance with Article 4.

Amendment

(4b) In Article 10, paragraph 4 is replaced by the following:

"4. Member States shall take measures to ensure that waste that has been separately collected for preparing for re-use and recycling pursuant to Article 11(1) and Article 22 is not incinerated ***or landfilled***, with the exception of waste resulting from subsequent treatment operations of the separately collected waste for which incineration delivers the best environmental outcome in accordance with Article 4."

(<https://eur-lex.europa.eu/eli/dir/2008/98/oj/eng>)

Amendment 50

Proposal for a directive

Article 1 – paragraph 1 – point 5

Article 11 – paragraph 1 – subparagraph 3

Text proposed by the Commission

5) in Article 11, paragraph 1, the third ***sentence*** is replaced by the following:
Subject to Article 10(2) and (3), Member States shall set up separate collection at least for paper, metal, plastic and glass.

Amendment

5) in Article 11, paragraph 1, the third ***subparagraph*** is replaced by the following:
Subject to Article 10(2) and (3), Member States shall set up separate collection at least for paper, metal, plastic and glass, ***and, by 1 January 2025, for textiles, and shall be encouraged to set up separate collection for wood.***

(<https://eur-lex.europa.eu/eli/dir/2008/98/oj/eng>)

Amendment 51

Proposal for a directive

Article 1 – paragraph 1 – point 5 a (new)

Article 11 – paragraph 1 – subparagraph 3 a (new)

Present text

Amendment

5a) In Article 11, the following subparagraph is inserted after the third subparagraph:

Member States shall undertake necessary measures to ensure sufficient infrastructure is in place for separate collection of waste and is made easily accessible, for all kinds of waste, and where appropriate, shall increase the number of points of separated waste collection. Where municipal waste collection systems are necessary for improvement, Member States shall do so without undue delay."

(<https://eur-lex.europa.eu/eli/dir/2008/98/oj/eng>)

Amendment 52

Proposal for a directive

Article 1 – paragraph 1 – point 7

Article 22a – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that producers have extended producer responsibility for **household** textile products, articles of apparel, clothing accessories and footwear, apparel and clothing accessories listed in Annex IVc (“textile, textile-related and footwear products”) that they make available on the market for the first time within the territory of a Member State, in accordance with Articles 8 and 8a.

1. Member States shall ensure that producers have extended producer responsibility for textile products articles of apparel, clothing accessories and footwear, apparel and clothing accessories listed in Annex IVc (“textile, textile-related and footwear products”) that they make available on the market for the first time within the territory of a Member State, in accordance with Articles 8 and 8a.

Amendment 53

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By 31 December 2024, the Commission shall adopt a delegated act in accordance with Article 38a to supplement this Directive as regards laying down further rules on the establishment of extended producer responsibility for personal protection equipment as referred to in Regulation (EU) 2016/425 of the European Parliament and of the Council*.

**** Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC (OJ L 81, 31.3.2016, p. 51).***

Amendment 54

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. By 31 December 2027, Member States shall ensure that producers of carpets and mattresses as referred to in Part 2a (new) of Annex IVc, whose main composition is textile, that make available those carpets and mattresses on the market for the first time within the territory of a Member State, shall have extended producer responsibility in accordance with Articles 8 and 8a. Member States may decide to establish a separate extended producer responsibility

scheme specifically for those items.

Amendment 55
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22a – paragraph 2

Text proposed by the Commission

2. The Commission is empowered to adopt delegated acts in accordance with Article 38a to amend Annex IVc to this Directive in order to bring the Combined Nomenclature codes listed in Annex IVc to this Directive in line with the codes listed in Annex 1 to Council Regulation (EEC) No 2658/87*.

Amendment

2. The Commission is empowered to adopt delegated acts in accordance with Article 38a ***to expand the scope of Annex IVc and*** to amend Annex IVc to this Directive in order to bring the Combined Nomenclature codes listed in Annex IVc to this Directive in line with the codes listed in Annex 1 to Council Regulation (EEC) No 2658/87*.

Amendment 56
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22a – paragraph 3

Text proposed by the Commission

3. Member States shall define in a clear ***way*** the roles and responsibilities of relevant actors involved in the implementation, monitoring and verification of the extended producer responsibility scheme referred to in paragraph 1.

Amendment

3. Member States shall define in a clear, ***inclusive and balanced way, in accordance with Article 8a (1), point (a),*** the roles and responsibilities of relevant actors involved in the implementation, monitoring and verification of the extended producer responsibility scheme referred to in paragraph 1. ***Member States shall ensure that all relevant actors are fully involved in the decision-making process of the extended producer responsibility scheme. Those relevant actors shall include:***

(a) producers placing products on the market of the Member State;

- (b) *organisations implementing extended producer responsibility obligations on their behalf;*
- (c) *private or public waste operators;*
- (d) *local authorities;*
- (e) *re-use and preparing for re-use operators;*
- (f) *social enterprises, including local social enterprises;*

Amendment 57

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point a – point 1

Text proposed by the Commission

(1) the collection of *those* used products for re-use and the separate collection of waste products for *preparation* for re-use and recycling in accordance with Articles 22c and 22d,

Amendment

(1) the collection of used *textile* products for re-use and the separate collection of waste *textile* products for *preparing* for re-use and recycling in accordance with Articles 22c and 22d

Amendment 58

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point a – point 2

Text proposed by the Commission

(2) transport of collected loads referred to in point (1) for subsequent sorting for re-use, for *preparation* for re-use and *for* recycling operations in accordance with Article 22d,

Amendment

(2) transport of collected loads referred to in point (1) for subsequent sorting for re-use, for *preparing* for re-use and recycling operations in accordance with Article 22d,

Amendment 59

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point a – point 3

Text proposed by the Commission

(3) sorting, **preparation** for re-use, recycling and other recovery operations and disposal of collected loads referred to in point (1),

Amendment

(3) sorting, **preparing** for re-use, recycling and other recovery operations and disposal of collected loads referred to in point (1),

Amendment 60

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point a – point 4

Text proposed by the Commission

(4) collection, transport and treatment referred to in points (1) and (2) of waste generated by social enterprises and other **non-waste** operators that are part of the collection system referred to in Article 22c, paragraphs 5 and 11;

Amendment

(4) collection, transport and treatment referred to in points (1) and (2) of waste generated by social enterprises and other operators that are part of the collection system referred to in Article 22c, paragraphs 5 and 11;

Amendment 61

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point c

Text proposed by the Commission

(c) providing information on sustainable consumption, waste prevention, re-use, preparing for re-use, recycling, other recovery and disposal of textiles and footwear products in accordance with Article 22c(13)(14) and (17);

Amendment

(c) providing information, **including via appropriate information campaigns and communication work**, on sustainable consumption, waste prevention, re-use, preparing for re-use, recycling, other recovery and disposal of textiles and footwear products in accordance with Article 22c(13), (14) and (17);

Amendment 62

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point e

Text proposed by the Commission

(e) support to research and development to improve the sorting and recycling processes, in particular, in view of scaling up fibre-to-fibre recycling, without prejudice to Union state aid rules.

Amendment

(e) support to research and development to improve the sorting and recycling processes ***in line with the waste hierarchy referred to in Article 4***, in particular, in view of scaling up fibre-to-fibre recycling, without prejudice to Union state aid rules.

Amendment 63

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 4 – point e a (new)

Text proposed by the Commission

Amendment

(ea) reuse and repair operations, including research and development for their improvement.

Amendment 64

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall ensure that producers of textiles, textile-related and footwear products listed in Annex IVc cover the costs referred to in paragraph 4 of this Article in relation to the used and waste textiles, textile-related and footwear products listed in Annex IVc deposited at the collection points set up in accordance with Article 22c, points 5 and 11, where such products were made available on the market for the first time within the territory

5. Member States shall ensure that producers of textiles, textile-related and footwear products listed in Annex IVc cover the costs referred to in paragraph 4 of this Article in relation to the used and waste textiles, textile-related and footwear products listed in Annex IVc deposited at the collection points set up in accordance with Article 22c, points 5 and 11, where such products were made available on the market for the first time within the territory

of a Member State after [P.O. insert date of entry into force of this amending Directive].

of a Member State after [P.O. insert date of entry into force of this amending Directive], *including any used and waste textiles that may be collected through private take-back schemes and later aggregated with textiles collected pursuant to Article 22c(5).*

Amendment 65

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22a – paragraph 6

Text proposed by the Commission

6. The costs to be covered referred to in paragraph 4 shall not exceed the costs that are necessary to provide the services referred to in that paragraph in a cost-efficient way and shall be established in a transparent way between the actors concerned.

Amendment

6. The costs to be covered referred to in paragraph 4 shall not exceed the costs that are necessary to provide the services referred to in that paragraph in a cost-efficient way *consistent with the waste hierarchy* and shall be established in a transparent way between the actors concerned.

Amendment 66

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98EC

Article 22a – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Providers of online platforms allowing consumers to conclude distance contracts with traders shall ensure that producers of textile, textile-related and footwear products listed in Annex IVc shall be registered in the register of the producers referred to in Article 22b in the Member State where the consumer is located, before placing products from those producers onto their platforms.

Amendment 67
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22a – paragraph 8

Text proposed by the Commission

8. Member States shall ensure that the extended producer responsibility schemes laid down in paragraph 1 of this Article are established by [P.O insert date **thirty** months after the entry into force of this amending Directive] in accordance with Articles 8, 8a, 22a to 22d.

Amendment

8. Member States shall ensure that the extended producer responsibility schemes laid down in paragraph 1 of this Article are established by [P.O insert date **eighteen** months after the entry into force of this amending Directive] in accordance with Articles 8, 8a, 22a to 22d.

Amendment 68
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22b – paragraph 1 – subparagraph 2

Text proposed by the Commission

Member States shall ensure that the register provides links to other national registers to facilitate the registration of producers in all Member States.

Amendment

Member States shall ensure that the register provides links to other national registers to facilitate the registration of producers in all Member States. ***The register shall be easily accessible and free of charge to the public online.***

Amendment 69
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22b – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall inform the other Member States about the link to the national register within 30 days of the

launch of that register.

Amendment 70

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22b – paragraph 6 – point a

Text proposed by the Commission

(a) receives applications for the registration of producers referred to in paragraph 2 via an electronic data-processing system the details of which shall be made available on the competent authorities' website;

Amendment

(a) receives applications for the registration of producers referred to in paragraph 2 via an electronic data-processing system the details of which shall be ***prominently*** made available on the competent authorities' website;

Amendment 71

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22b – paragraph 9

Text proposed by the Commission

9. ***Where*** the information in the register of producers ***is not*** publicly accessible, Member States shall ensure that providers of online platforms allowing consumers to conclude distance contracts with producers are granted access, free of charge, to the register.

Amendment

9. The information in the register of producers ***shall be*** publicly accessible, ***machine readable, sortable and searchable, respecting open standards for third party use.*** Member States shall ensure that providers of online platforms allowing consumers to conclude distance contracts with producers are granted access, free of charge, to the register.

Amendment 72

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22b – paragraph 9 a (new)

9a. No later than 31 December 2026, the Commission shall assess the feasibility of establishing a Union-wide register for producers of textile, textile-related, and footwear products listed in Annex IVc. That assessment shall encompass the potential benefits, challenges and administrative capacity required for the implementation of such Union-wide register.

Amendment 73
Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2008/98/EC

Article 22b a (new)

Article 22ba

Reporting guidelines for companies

The Commission shall develop comprehensive guidelines for producers of textile, textile-related and footwear products to report electronically back to the producer responsibility organisations the necessary information referred to in Article 22c(13) and Article 22c(17). Those guidelines shall include at least:

(a) clear instructions regarding reporting schedules to encourage timely data submission and analysis;

(b) specifications for the structure and format of data reporting to ensure uniformity, consistency, and ease of data consolidation for producer responsibility organisations.

Amendment 74
Proposal for a directive
Article 1 – paragraph 1 – point 7

Article 22c – paragraph 2

Text proposed by the Commission

2. Member States shall require producer responsibility organisations intending to fulfil the extended producer responsibility obligations on behalf of producers in accordance with Articles 8a(3), 22a, 22b, 22d and this Article to obtain an authorisation by a competent authority.

Amendment

2. Member States shall require producer responsibility organisations intending to fulfil the extended producer responsibility obligations on behalf of producers in accordance with Articles 8a(3), 22a, 22b, 22d and this Article to obtain an authorisation by a competent authority.
The authorisation process shall include:

(a) clear criteria for the qualifications and competencies of producer responsibility organisations, including ensuring that they have the necessary expertise in waste management, sustainability and environmental impact assessment;

(b) detailed procedures for the resolution of disputes or issues that may arise between producer responsibility organizations and producers, including mechanisms for appealing decisions.

Amendment 75

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 3 – point a

Text proposed by the Commission

(a) are based on the weight of the products concerned and, for textile products listed in ***Part 1 of*** Annex IVc, are modulated on the basis of the ecodesign requirements adopted pursuant to the Regulation .../... of the European Parliament and of the Council [P.O. insert the serial number for the Ecodesign for Sustainable Products Regulation when adopted]** that are most relevant for the prevention of textile waste and for the

Amendment

(a) are based on the weight ***and quantity*** of the products concerned and, for textile products listed in Annex IVc, are modulated on the basis of the ecodesign requirements adopted pursuant to the Regulation .../... of the European Parliament and of the Council [P.O. insert the serial number for the Ecodesign for Sustainable Products Regulation when adopted]** that are most relevant for the prevention of textile waste and for the

treatment of *textiles* in line with the waste hierarchy and the corresponding measurement methodologies for those criteria adopted pursuant to that Regulation or on the basis of other Union law establishing harmonised sustainability criteria and measurement methods for textile products, and that ensure the improvement of environmental sustainability and circularity of textiles;

treatment of *textile waste* in line with the waste hierarchy and the corresponding measurement methodologies for those criteria adopted pursuant to that Regulation or on the basis of other Union law establishing harmonised sustainability criteria and measurement methods for textile products, and that ensure the improvement of environmental sustainability and circularity of textiles;

Amendment 76

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 4

Text proposed by the Commission

4. Where necessary to avoid distortion of the internal market and ensure consistency with the ecodesign requirements adopted pursuant to Article 4 read in conjunction with Article 5 of Regulation.../... [P.O. insert the serial number for Ecodesign for Sustainable Products Regulation when adopted], the Commission *may* adopt implementing acts laying down the fee modulation criteria for the application of paragraph 3, point (a), of this Article. That implementing act shall not concern the precise determination of the level of the contributions and shall be adopted in accordance with the examination procedure referred to in Article 39(2) of this Directive.

Amendment

4. Where necessary to avoid distortion of the internal market and ensure consistency with the ecodesign requirements adopted pursuant to Article 4 read in conjunction with Article 5 of Regulation.../... [P.O. insert the serial number for Ecodesign for Sustainable Products Regulation when adopted], the Commission *shall* adopt implementing acts laying down the fee modulation criteria for the application of paragraph 3, point (a), of this Article. That implementing act shall not concern the precise determination of the level of the contributions and shall be adopted in accordance with the examination procedure referred to in Article 39(2) of this Directive.

Amendment 77

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 5 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) ensure the collection, free of charge, of such used and waste textile, textile-related and footwear products collected at the connected collection points, with a frequency that is proportionate to the area covered and the volume of such used and waste textile **and footwear** products usually collected through those collection points;

(b) ensure the collection, **with an adaptable schedule that adjusts demand**, free of charge, of such used and waste textile, textile-related and footwear products collected at the connected collection points, with a frequency that is proportionate to the area covered and the volume of such used and waste textile products usually collected through those collection points;

Amendment 78

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

(c) ensure the collection, free of charge, of waste generated by social enterprises and other **non-waste** operators from such textile, textile-related and footwear products collected through the connected collection points.

Amendment

(c) ensure the collection, free of charge, of waste generated by social enterprises and other operators from such textile, textile-related and footwear products collected through the connected collection points **as well as promote the full coordination between social enterprises and producer responsibility organisations.**

Amendment 79

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 8

Text proposed by the Commission

8. The separate collection rate referred to in paragraph 6, point (c) shall be calculated as the percentage obtained by dividing the weight of waste textile, textile-related and footwear products listed in Annex IVc collected in accordance with paragraph 5 in a given calendar year in a Member State by the weight of such **waste**

Amendment

8. The separate collection rate referred to in paragraph 6, point (c) shall be calculated as the percentage obtained by dividing the weight of waste textile, textile-related and footwear products listed in Annex IVc collected in accordance with paragraph 5 in a given calendar year in a Member State by the weight of such

textile, textile-related and footwear products *that is generated and collected as mixed municipal waste*.

textile, textile-related and footwear products *made available on the market in a given calendar year in a Member State*.

Amendment 80

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 9

Text proposed by the Commission

9. The Commission shall adopt ***implementing*** acts laying down the methodology for the calculation and verification of the separate collection rate referred to in paragraph 6, point (c) of this Article. That ***implementing*** act shall be adopted in accordance with the ***examination*** procedure referred to in Article 39(2).

Amendment

9. ***By ... [12 months from the entry into force of this amending Directive]*** the Commission shall adopt ***delegated*** acts laying down the methodology for the calculation and verification of the separate collection rate referred to in paragraph 6, point (c) of this Article. That ***delegated*** act shall be adopted in accordance with the procedure referred to in Article 38a.

Amendment 81

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 10

Text proposed by the Commission

10. Member States shall ensure that producer responsibility organisations are not allowed to refuse the participation of social enterprises and other re-use operators in the separate collection system established pursuant to paragraph 5.

Amendment

10. Member States shall ensure that producer responsibility organisations are not allowed to refuse the participation of ***local public authorities as well as of*** social enterprises and other ***preparing for re-use or*** re-use operators in the separate collection system established pursuant to paragraph 5.

Amendment 82

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Text proposed by the Commission

11. Without prejudice to paragraph 5, points (a) and (b), and paragraph 6, point (a), Member States shall ensure that social enterprises are allowed to maintain and operate their own separate collection points and that they are given equal or preferential treatment in the location of the separate collection points. Member States shall ensure that social enterprises and social economy entities that are part of the connected collection points in accordance with paragraph 6, point (a) are not required to hand over collected used and waste textiles, textile-related and footwear products listed in Annex IVc to the producer responsibility organisation.

Amendment

11. Without prejudice to paragraph 5, points (a) and (b), and paragraph 6, point (a), Member States shall ensure that social enterprises are allowed to maintain and operate their own separate collection points and that they are given equal or preferential treatment in the location of the separate collection points. Member States shall ensure that **local authorities**, social enterprises and social economy entities that are part of the connected collection points in accordance with paragraph 6, point (a) are not required to hand over collected used and waste textiles, textile-related and footwear products listed in Annex IVc to the producer responsibility organisation.

Amendment 83

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 12

Text proposed by the Commission

12. Member States shall ensure that collection points set up in accordance with paragraphs 5, 6 and 11 are **not** subject to the registration **or** permit requirements of this Directive.

Amendment

12. Member States shall ensure that collection points set up in accordance with paragraphs 5, 6 and 11 are subject to the registration **and** permit requirements of this Directive.

Amendment 84

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 13 – point b

Text proposed by the Commission

(b) re-use and repair arrangements

Amendment

(b) re-use and repair arrangements

available for textile and footwear;

available for textile and footwear,
*including the location of collection points
and how to correctly donate textiles;*

Amendment 85

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 13 – point c

Text proposed by the Commission

(c) the role of consumers in contributing to the separate collection of used and waste textile and footwear;

Amendment

(c) the role of consumers in ***correctly*** contributing to the separate collection of used and waste textile and footwear;

Amendment 86

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 14 – introductory part

Text proposed by the Commission

14. Member States shall ensure that the producer responsibility organisation provide the information referred to in paragraph 13 on a regular basis, that the information is up to date ***and provided by*** means ***of***:

Amendment

14. Member States shall ensure that the producer responsibility organisation provide the information referred to in paragraph 13 on a regular basis, that the information is up to date ***at the point of sale and made accessible through, but not limited to, the following*** means:

Amendment 87

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 14 – point a

Text proposed by the Commission

(a) a website or other means of electronic communication;

Amendment

(a) a ***publicly accessible and user-friendly*** website or other means of

electronic communication;

Amendment 88

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 14 – point b

Text proposed by the Commission

(b) information in public spaces;

Amendment

(b) information in public spaces ***and at the collection point***;

Amendment 89

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 14 – point c

Text proposed by the Commission

(c) education programmes and campaigns;

Amendment

(c) ***community engagement through*** education programmes and campaigns;

Amendment 90

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 15

Text proposed by the Commission

Where, in a Member State, multiple producer responsibility organisations are authorised to fulfil extended producer responsibility obligations on behalf of producers, Member States shall ensure that they cover the whole territory of the Member State of the separate collection system for used and waste textile, textile-related and footwear products listed in Annex IVc. Member States shall entrust

Amendment

15. Where, in a Member State, multiple producer responsibility organisations are authorised to fulfil extended producer responsibility obligations on behalf of producers, Member States shall ensure that they cover the whole territory of the Member State, ***with the aim of uniform service quality across the territory*** of the separate collection system for used and waste textile, textile-related and footwear

the competent authority or appoint an independent third party to oversee that producer responsibility organisations fulfil their obligations in coordinated manner and in accordance with the Union competition rules.

products listed in Annex IVc. Member States, *including those where only one producer responsibility organisation is authorised to fulfil extended producer responsibility obligations on behalf of producers*, shall entrust the competent authority or appoint an independent third party to oversee that producer responsibility organisations fulfil their obligations in coordinated manner and in accordance with the Union competition rules.

Amendment 91

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 16

Text proposed by the Commission

16. Member States shall require that producer responsibility organisations ensure the confidentiality of the data in their possession as regards proprietary information or information directly attributable to individual producers or their authorised representatives.

Amendment

16. Member States shall require that producer responsibility organisations ensure the confidentiality of the data in their possession as regards proprietary information or information directly attributable to individual producers or their authorised representatives. *That confidentiality shall be maintained throughout data handling, storage and reporting processes, with robust security measures and data protection standards in place to prevent unauthorised access or potential data breaches.*

Amendment 92

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 17 – point a

Text proposed by the Commission

(a) at least each year, subject to commercial and industrial confidentiality,

Amendment

(a) at least each year, subject to commercial and industrial confidentiality,

the information on the amount of products placed on the market, the rate of separate collection of used and waste textile, textile-related and footwear products listed in Annex IVc, including such unsold products, on the rates of re-use, preparation for re-use and recycling, specifying separately the rate of fibre-to-fibre recycling, achieved by the producer responsibility organisation, and on the rates of other recovery, disposal and exports;

the information on the amount *and weight* of products placed on the market, the rate of separate collection of used and waste textile, textile-related and footwear products listed in Annex IVc, including such unsold products, *and quantities of textile waste collected from social enterprises*, on the rates of re-use, preparation for re-use and recycling, specifying separately the rate of fibre-to-fibre recycling, achieved by the producer responsibility organisation, and on the rates of other recovery, disposal and exports;

Amendment 93

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 17 – point b a (new)

Text proposed by the Commission

Amendment

(ba) clear and concise data regarding the environmental impact of textile, textile-related and footwear products, including the impact on the environment and human health, particularly with respect to fast-fashion practices and consumption, recycling and other recovery, and disposal; that information shall also address inappropriate discarding of textile and footwear waste, such as littering or discarding in mixed municipal waste and the steps taken to mitigate these impacts.

Amendment 94

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22c – paragraph 18

Text proposed by the Commission

Amendment

18. Member States shall ensure that producer responsibility organisations

18. Member States shall ensure that producer responsibility organisations

provide *for* non-discriminatory selection procedure, based on transparent award criteria, without placing disproportionate burden on small and medium-sized enterprises *to procure waste management services from* waste management operators *referred to in paragraph 6(a) and from* waste management operators *to carry out subsequent waste treatment*.

provide *a transparent and* non-discriminatory selection procedure *for waste management operators*, based on *clear, fair and* transparent award criteria, without placing *any* disproportionate burden on small and medium-sized enterprises (*SMEs*), *taking into consideration the operational realities of* waste management operators *and ensuring equitable access to* waste management services.

Amendment 95

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 1

Text proposed by the Commission

1. Member States shall ensure, by 1 January 2025 and subject to Article 10(2) and (3), the separate collection of textiles for re-use, *preparation* for re-use and recycling.

Amendment

1. Member States shall ensure, by 1 January 2025 and subject to Article 10(2) and (3), the separate collection of textiles for re-use, *preparing* for re-use and recycling.

Amendment 96

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that the collection, loading and unloading, transportation and storage infrastructure and operations *and* other handling of textile waste, including at subsequent sorting and treatment operations, *receives* protection from weather conditions and other sources of contamination to prevent damage and cross-contamination of the collected *textiles*. Separately collected used and waste textiles shall be subject to a

Amendment

2. Member States shall ensure that the collection, loading and unloading, transportation and storage infrastructure and operations *as well as all* other handling *processes* of textile waste, including at subsequent sorting and treatment operations, *receive adequate* protection from weather *adverse* conditions and other *potential* sources of contamination *such as pollutants, chemicals or hazardous materials in order* to prevent damage and

screening at the separate collection point *to* identify and remove non-target items or materials *or* substances that are *a source* of contamination.

cross-contamination of the collected *used textile products and waste textile products*. Separately collected used and waste textiles shall be subject to a *rigorous and professional* screening *process* at the separate collection point. *That screening shall* identify and remove non-target items or materials, *as well as* substances that are *potential sources* of contamination.

Amendment 97

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 3 – subparagraph 2

Text proposed by the Commission

With regard to textiles other than the products listed in Annex IVc, as well as unsold textile, textile-related and footwear products listed in Annex IVc, Member States shall ensure that the different fractions of textiles materials and textiles items are kept separate at the point of waste generation where such separation facilitates subsequent re-use, *preparation* for re-use or recycling, including fibre-to-fibre recycling where technological progress allows.

Amendment

With regard to textiles other than the products listed in Annex IVc, as well as unsold textile, textile-related and footwear products listed in Annex IVc, Member States shall ensure that the different fractions of textiles materials and textiles items are kept separate at the point of waste generation where such separation facilitates subsequent re-use, *preparing* for re-use or recycling. *That separation shall be carried out efficiently to maximise resource recovery and environmental benefits*, including fibre-to-fibre recycling where technological progress allows *and in a cost-effective manner*.

Amendment 98

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 5 – point b

Text proposed by the Commission

(b) sorting for re-use operations sort textile items at an appropriate level of

Unchanged text included in the compromise

(b) sorting for re-use operations sort textile items at an appropriate level of

granularity, separating fractions that are fit for direct re-use from those that are to be subject to further preparation for re-use operations, target a specific re-use market applying up-to-date sorting criteria relevant to the receiving market;

granularity, ***allowing from item to item sorting***, separating fractions that are fit for direct re-use from those that are to be subject to further preparation for re-use operations, target a specific re-use market applying up-to-date sorting criteria relevant to the receiving market;

Amendment 99

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 5 – point c

Text proposed by the Commission

(c) items that are assessed as not suitable for re-use are sorted for recycling and, where technological progress allows, ***specifically for*** fibre-to-fibre recycling.

Amendment

(c) items that are assessed as not suitable for re-use are sorted for recycling and, where technological progress allows, ***in line with the waste hierarchy established in Article 4(1), prioritise upgrading and remaking over*** fibre-to-fibre recycling.

Amendment 100

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 5 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may establish mechanisms for the regular monitoring and auditing of sorting operations to ensure compliance with the requirements laid down in points (a), (b), (c), and (d).

Amendment 101

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 5 a (new)

5a. The sorting operation shall follow the principle of proximity, prioritising local sorting and minimising environmental impacts from transportation.

Amendment 102

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 6

Text proposed by the Commission

6. By 31 December 2025 and every 5 years thereafter, Member States shall carry out a compositional survey of collected mixed municipal waste to determine the share of waste textiles therein. Member States shall ensure that, on the basis of the information obtained, the competent authorities may require the producer responsibility organisations to take corrective action to increase their network of collection points and carry out information campaigns in accordance with Article 22c(13) and (14).

Amendment

6. By 31 December 2025 and every 3 years thereafter, Member States shall carry out a compositional survey of collected mixed municipal waste to determine the share **and composition in accordance with Annex IVc** of waste textiles therein. Member States shall ensure that, on the basis of the information obtained, the competent authorities may require the producer responsibility organisations to take corrective action to increase their network of collection points and carry out information campaigns in accordance with Article 22c(13) and (14). **Member States shall ensure that the results of these surveys are available to the public.**

Amendment 103

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 7

Text proposed by the Commission

7. Member States shall ensure that, in order to distinguish between used and waste **textiles**, shipments of used textiles,

Amendment

7. Member States shall ensure that, in order to distinguish between used and waste **textile** shipments of used textiles,

textile-related and footwear products suspected of being waste **may** be inspected by the competent authorities of Member States for compliance with the minimum requirements set out in paragraphs 8 and 9 for the shipments of used textile, textile related and footwear products listed in Annex IVc and monitored accordingly.

textile-related and footwear products suspected of being waste **shall** be inspected by the competent authorities of Member States for compliance with the minimum requirements set out in paragraphs 8 and 9 for the shipments of used textile, textile related and footwear products listed in Annex IVc and monitored accordingly.

Amendment 104

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 8 – point d

Text proposed by the Commission

(d) appropriate protection against damage during transportation, loading and unloading, in particular, through sufficient packaging and appropriate stacking of the load.

Amendment

(d) appropriate protection against damage during transportation, loading and unloading, in particular, through sufficient packaging and appropriate stacking of the load, ***ensuring that the integrity and quality of the textiles for re-use are maintained throughout the transport process.***

Amendment 105

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 9 – point a

Text proposed by the Commission

(a) the record of the sorting or ***preparation*** for re-use operations shall be fixed securely but not permanently on the packaging;

Amendment

(a) the record of the sorting or ***preparing*** for re-use operations shall be fixed securely but not permanently on the packaging;

Amendment 106

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 9 – point b – point 1

Text proposed by the Commission

(1) a description of the item or items present in the bale reflecting the most detailed sorting granularity that the textile items have undergone during the sorting or **preparation** for re-use operations **such as** type of clothes, size, colour, gender, material composition,

Amendment

(1) a **comprehensive** description of the item or items present in the bale reflecting the most detailed sorting granularity that the textile items have undergone during the sorting or **preparing** for re-use operations. ***That description shall include, but not be limited to,*** type of clothes, size, colour, gender, material composition, ***and any other relevant characteristics that contribute to efficient re-use and recycling,***

Amendment 107

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 9 – point b – point 2

Text proposed by the Commission

(2) the name and address of the company responsible for the final sorting or **preparation** for re-use.

Amendment

(2) the name and address of the company responsible for the final sorting or **preparing** for re-use, ***ensuring transparency in the process and accountability for the quality of the items.***

Amendment 108

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10a. In accordance with Regulation (EC) 1013/2006 of the European Parliament and of the Council*, as amended by Regulation (EU) ... / ... of the European Parliament and of the Council [P.O. :insert reference for Waste Shipments

*Regulation revision when adopted]**, textile waste shall not be mixed with used textile products.*

* *Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).*

** *Regulation of the European Parliament and of the Council on shipments of waste and amending Regulations (EU) No 1257/2013 and (EU) No 2020/1056, COM(2021) 709 final.*

Amendment 109
Proposal for a directive
Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 10 b (new)

Text proposed by the Commission

Amendment

10b. Member States shall ensure that the shipment of used textiles products to third countries is in accordance with national legislation of those third countries relating to environmental protection, public order, public safety or health protection.

Amendment 110
Proposal for a directive
Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d – paragraph 10 c (new)

Text proposed by the Commission

Amendment

10c. By 31 December 2025, the Commission shall develop a study to assess the application of end-of-waste criteria laid down in Article 6 of this Directive to plastic polymers commonly

found in solid marine litter, including polyamide.

Where appropriate, the Commission shall adopt implementing acts to establish detailed measures on the uniform application of Union-wide end-of-waste criteria for marine litter, whilst taking into account best practices already established by Member States.

Justification

The EU lacks adequate solutions for the collection and management of solid marine litter (plastics, fishing nets and gears, etc.). This legal vacuum is preventing plastic waste impairing European marine ecosystems to be appropriately collected, recycled and ultimately given a new life within the emerging EU market for circular materials.

Amendment 111

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 2008/98/EC

Article 22d a (new)

Text proposed by the Commission

Amendment

Article 22da

Textile waste reduction targets

1. By 30 June 2025, the Commission shall conduct an assessment on appropriate levels for the setting of targets for 2032 on textile waste reduction, which shall include levels of collection rates, preparation for re-use, re-use, recycling of textiles and phasing out landfilling of textiles. The assessment shall also include an analysis of the level of exports of used textiles to third countries and of extending the responsibility of producers to those exports. To that end, the Commission shall submit a report to the European Parliament and to the Council, accompanied, where appropriate, by a legislative proposal.

Amendment 112

Proposal for a directive
Article 1 – paragraph 1 – point 11 a (new)
Directive 2008/98/EC

Article 42 a (new)

Text proposed by the Commission

Amendment

(11a) the following Article is inserted:

Article 42a

***Evaluation and review of the Waste
Framework Directive***

***No later than 31 December 2026, the
Commission shall carry out an evaluation
of this Directive. The Commission shall
present a report on its findings to the
European Parliament and to the Council.
Where appropriate, the report shall be
accompanied by a legislative proposal.***

Amendment 113
Proposal for a directive
Article 1 – paragraph 1 – point 11 b (new)
Directive 2008/98/EC

Article 42 b (new)

Text proposed by the Commission

Amendment

(11b) the following Article is inserted:

Article 42b

***Evaluation and review of the Directive
1999/31/EC***

***No later than 31 December 2026, the
Commission shall carry out an evaluation
of Council Directive 1999/31/EC. The
Commission shall present a report on the
findings to the European Parliament and
to the Council. Where appropriate, the
report shall be accompanied by a
legislative proposal.***

Amendment 114
Proposal for a directive

Article 2 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [P.O. insert date ***eighteen*** months after the entry into force of this amending Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [P.O. insert date ***twelve*** months after the entry into force of this amending Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

Amendment 115 Proposal for a directive Annex IVc

Text proposed by the Commission

ANNEX IVc

Products that fall within the scope of the extended producer responsibility for certain textile, textile-related and footwear products

Part I

Household textile products, and textile articles of apparel and clothing accessories that fall within the scope of Article 22a

CN code	Description
61 – all listed codes within the chapter	Articles of apparel and clothing accessories, knitted or crocheted
62 – all listed codes within the chapter	Articles of apparel and clothing accessories, not knitted or crocheted
6301	Blankets and travelling rugs (except 6301 10 00)
6302	Bed linen, table linen, toilet linen and kitchen linen
6303	Curtains (including drapes) and interior blinds; curtain or bed valances
6304	Other furnishing articles, excluding those of heading 9404
6309	Worn clothing and other worn articles
6504	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hairnets of any material, whether or not lined or trimmed

Part 2

Footwear, and articles of apparel and clothing accessories whose main composition is not textile within the scope of Article 22a

CN code	Description
4203	Articles of apparel and clothing accessories, of leather or composition leather (excl. footwear and headgear and parts thereof, and goods of chapter 95, e.g. shin guards, fencing masks)
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402	Other footwear with outer soles and uppers of rubber or plastics
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear

Amendment

ANNEX IVc

Products that fall within the scope of the extended producer responsibility for certain textile products

Part 1

Textile products, and textile articles of apparel and clothing accessories that fall within the scope of Article 22a

CN code	Description
61 – all listed codes within the chapter	Articles of apparel and clothing accessories, knitted or crocheted
62 – all listed codes within the chapter	Articles of apparel and clothing accessories, not knitted or crocheted
6301	Blankets and travelling rugs (except 6301 10 00)
6302	Bed linen, table linen, toilet linen and kitchen linen
6303	Curtains (including drapes) and interior blinds; curtain or bed valances
6304	Other furnishing articles, excluding those of heading 9404
6309	Worn clothing and other worn articles
6504	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hairnets of any material, whether or not lined or trimmed

Part 2

Footwear, and articles of apparel and clothing accessories whose main composition is not textile within the scope of Article 22a

CN code	Description
4203	Articles of apparel and clothing accessories, of leather or composition leather (excl. footwear and headgear and parts thereof, and goods of chapter 95, e.g. shin guards, fencing masks)
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402	Other footwear with outer soles and uppers of rubber or plastics
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear

Amendment 116

Proposal for a directive

Annex IV c – part 2 a (new)

<i>Text proposed by the Commission</i>	
<i>Amendment</i>	
<i>Textile products within the scope of Article 22a</i>	
<i>CN code</i>	<i>Description</i>
<i>9404</i>	<i>Mattresses</i>
<i>5704</i>	<i>Carpets</i>