

RREUSE's answer to the 2nd Public Consultation of the Waste Framework Directive: Toward a more effective & inclusive European Waste Policy

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As the European network representing social enterprises in the circular economy, RREUSE welcomes the current revision of the Waste Framework Directive as a key opportunity to ensure consistent application of the waste hierarchy throughout the EU, while also unlocking important synergies between the social and circular economy objectives by supporting social enterprises active in the fields of reuse and preparation for re-use.

EXECUTIVE SUMMARY

- **Reduce waste generation by focusing on prevention aspects through ambitious eco-design measures to encourage the development of more durable, repairable and reusable products that can stay longer in the economy and thus reduce the quantity of generated waste.**
- **Develop clear guidelines for national end-of-waste criteria, allowing operators from approved centres to determine the end-of-waste status of items that have undergone a preparing for re-use process.**
- **Make repair more affordable and convenient by ensuring access to the necessary information and spare parts for independent repairers and reuse centres, promoting an ambitious right to repair to preserve resources and prevent waste, while also benefitting consumers.**
- **Set quantitative reuse and preparation for re-use targets separate from recycling to meet the ambition set in the Waste Framework Directive, building on existing initiatives at the national and local levels to increase job creation and environmental protection.**
- **Improve separate collection systems to prevent used products from being damaged, thus safeguarding the reusability of products and providing information to consumers on where and how to discard unwanted products with a high reuse potential**
- **Ensure that EPR schemes enforce the waste hierarchy by setting quantitative targets for waste prevention and preparation for re-use, granting access to the waste stream to preparing for re-use operators and eco-modulation of EPR fees, while also involving social enterprises as key stakeholders in the development, governance and functioning of these schemes.**
- **Provide further visibility and explicit support mechanisms within the WFD for social enterprises, for example through the use of market reserves for waste collection contracts and other fiscal measures to unlock strong synergies in the environmental, social and economic domains.**

1. Reduce waste generation through ambitious eco-design requirements for durability, reparability and reusability.

The market saturation of cheap low-quality products is a major obstacle to achieving a truly circular economy and a primary driver of increasing waste generation in Europe¹.

For instance, the proliferation of fast-fashion garments caused the fraction of reusable clothes collected by social enterprises to diminish over the years in spite of increasing volumes, leading to capacity issues for reuse centres and an increase of textile waste that is almost exclusively destined for landfill or incineration². This issue will become even more crucial after the entry into force of the obligation of separate collection for textiles in 2025 as set by Art. 11.1 of the WFD.

Therefore, it is imperative that more attention is given to waste prevention by linking waste and product policies together in line with Art. 8.2 of the WFD, reducing waste generation by developing ambitious eco-design requirements to encourage the development of more durable, repairable and reusable products that stay longer in the economy.

2. Develop clear guidelines for end-of-waste criteria that do not prevent the correct application of the waste hierarchy

In some Member States, waste legislation prevents the reuse of products once they become waste as only products that have undergone a recycling process can reach end-of-waste status, effectively preventing waste items that are prepared for re-use to be sold in the second-hand market even if preparing for re-use occupies a higher position than recycling in the waste hierarchy and has a higher job creation potential (70 to 140 jobs per tonne collected, depending on the nature of the product³).

Therefore, approved reuse centres should determine the end-of-waste status of waste items following a preparing for re-use process. This process involves the sorting and examination of products classified as waste, which may also be tested, repaired and cleaned by reuse operators if required, who then ascertain that the item in question is fit for purpose and can be reused safely.

The guidelines for the development of end-of-waste criteria contained in Art. 6 of the WFD should place greater emphasis on preparing for re-use and social enterprises active in the field should be consulted extensively due to their long-lasting experience in developing detailed reuse and repair protocols, which also resulted in some organisations contributing first-hand to the creation of national standards on the matter, with the Austrian end-of-waste criteria⁴ being a case in point.

¹ Eurostat (2022) [Municipal waste generation up to 505 kg per person](#).

² Ellen MacArthur Foundation (2017) [A New Textiles Economy – Full Report](#), p. 91

³ RREUSE (2021) [Job creation in the re-use sector: data insights from social enterprises](#)

⁴ Pulswersk, Die Umwelt Beratung & RepaNet (2019) [Guide to determining the end-of-waste status in the preparation for reuse](#).

3. Make repair more affordable and convenient to promote the reuse of products and save precious resources.

A 2020 Eurobarometer survey showed that almost 8 in 10 EU citizens agree with requiring manufacturers to increase the reparability of digital devices, with almost two thirds of respondents also stating that they would like being able to keep using their current devices for at least 5 years⁵. However, the low durability of products and the high cost of repair often leads to consumers favouring replacement, leading to inefficient resource management and increased waste generation. This is particularly important for WEEE, where repairing can guarantee a more efficient use of critical raw materials and prevent risks related to the release of hazardous substances through recycling, landfilling or incineration.

Therefore, EU policy should enable Member States to support re-use and repair networks, in line with Art. 9.1 and 11.1 of the WFD. To this end, the reparability of products can be increased by ensuring that independent repairers and reuse centres have access to the necessary information (such as service manuals and diagnostic software) and spare parts in a cost-effective manner and over a prolonged period of time. This can be achieved by introducing specific reparability and durability criteria in eco-design requirements, building on the successful examples of eco-design legislation on large household appliances such as fridges, washing machines and dishwashers⁶.

The upcoming Right to Repair initiative and the current revision of the Consumer Rights Directive also present valuable opportunities to promote repair through EU legislation, ensuring that preparing for re-use operators and independent repairers are not penalized vis-à-vis certified repair shops. Direct financial support to lower the cost of repair with initiatives such as the national repair voucher in Austria which was successful in preventing hazardous e-waste by increasing the lifetime of electric and electronic products⁷.

4. Improve the logistics of waste collection systems to safeguard the reusability of products.

Improvements in separate collection are essential to promote the reusability of goods, thus preventing the generation of waste. Therefore, the separate collection requirements in Art. 10 of the WFD should be strengthened to ensure that every waste collection model is designed to collect reusable waste and ensuring that the separate collection of goods happens at the earliest stage possible to prevent any damage to used products. Providing more information to citizens on where and how to correctly discard and donate products and simplifying collection procedures can both be instrumental to achieve this aim.

Moreover, collection systems should safeguard the potential reuse of products in their entire logistic chain, improving infrastructures and practices related to collection, handling, transport and storage. Improvements in collection guarantee the reuse of waste items that risk losing their value if mixed with other types of waste, which is particularly important for waste streams regulated under EPR schemes

⁵ Eurobarometer (2020) [Attitude towards the Impact of Digitalisation on Daily Lives](#)

⁶ RREUSE (2019) [EU leap toward the Right to Repair needs an extra push](#)

⁷ Österreichischer Rundfunk (2022) [Reparaturbonus wurde bisher in erster Linie für Handys genutzt](#)

that have a high reuse potential. A recent study estimates that “between 13% and 16% of WEEE, used furniture, and used leisure goods in the German state of Bavaria could immediately be prepared for re-use, depending on the type of waste” and that a “further potential of 13%–29% could be unlocked through changes to the mode of collection, storage and the overall treatment of waste⁸”. The long-lasting expertise of preparing for re-use centres can also be leveraged by allowing operators to access collection facilities and train collection operators to sort out reusable items, thus minimizing the amount of bulky or hard to recycle waste such as furniture, WEEE or textiles.

Several successful experiences from member organisations in the RREUSE network can shed a light on what separate collection systems designed to enhance reuse would look like. One example is the “Re-Use Box” developed in cooperation with social enterprises that piloted in the Austrian region of Styria and its capital Graz, whose implementation led to the collection of 500 tons of reusable goods in its introductory phase alone before being replicated by other local authorities in Austria, Germany and Italy⁹. Another example is provided by the “Het Goed” stores ran by the Dutch social enterprise network BKN that collected 31.787 tonnes of different items in 2020 and successfully reused 87 % of them¹⁰.

5. Design EPR schemes that implement a socially inclusive waste hierarchy

When implementing existing EPR schemes or extending new ones to other waste streams, it is fundamental that the minimum requirements set out in art. 8a of the WFD are strengthened and strongly implemented to guarantee the involvement of relevant social enterprises in the development, governance and functioning of these schemes¹¹.

While each EPR scheme should be tailored to the specificities of different waste streams, it is paramount to ensure that practical implementation of EPR does not undermine the waste hierarchy by providing the appropriate incentives for its application, granting priority access to the waste stream to preparing for re-use operators and enhancing eco-modulation of EPR fees by strong eco-design measures.

The practice of combining preparation for re-use and recycling targets often leads to the creation of monopolies by PROs who tend to set up their own collection models, increasing the possibility of recycling reusable goods leading to a wasteful use of resources. Having a separate target for preparation for re-use can provide the necessary incentives for a thorough implementation of the waste hierarchy, provided that social enterprises are involved in the development and design of these targets to ensure that their application stimulates collaboration among different stakeholders. It is also crucial that approved reuse centres are guaranteed priority access to the waste stream for identifying potentially reusable items to be sorted, thus ensuring the correct application of the waste hierarchy.

⁸ L. Messmann, S. Boldoczki, A. Thorenz, A. Tuma (2019) [Potentials of preparation for reuse: A case study at collection points in the German state of Bavaria](#)

⁹ Interreg Europe (2020) [Collection Systems for Reusable Goods: Concept of Resource Parks, Reuse Corners, and Reuse Box](#)

¹⁰ Het Goed (2020) [Jaaroverzicht 2020](#)

¹¹ RREUSE (2020) [Implementing a socially inclusive waste hierarchy](#)

Under EPR schemes, producers should also be held responsible for the whole lifecycle of products, including waste prevention activities¹² and avoiding the diversion of resources to fund the lower stages of the waste hierarchy, especially incineration and landfilling. Ensuring eco-modulation of the EPR fee according to the reusability, reparability and durability of a product can be a useful tool to increase circularity in product designs and thus directly contribute to waste prevention in addition to ambitious mandatory eco-design requirements.

Social economy actors should also be consulted during the development and governance of EPR schemes, carefully assessing the impact of these schemes on the reuse and preparing for re-use sector, with a view of fostering cooperation among the different actors involved rather than competition. An example is Article L541-10 of the French Environment Code¹³, mandating that EPR schemes must guarantee that reuse networks - including those from social enterprises - are regularly consulted and supported.

A portion of the EPR fee can also be used to improve collection and directly support the activities of relevant social enterprises as well as covering the costs of residual waste disposal following a preparation for re-use process, as is the case in France where 5 % of fees collected via EPR schemes covering re-usable waste streams are devoted to support social enterprises¹⁴.

6. Set quantitative reuse and preparation for re-use targets separate from recycling to avoid premature recycling of reusable goods.

Having quantitative targets for re-use and preparation for re-use is a prerequisite for the correct implementation of the waste hierarchy as the current practice of combining preparing for re-use and recycling targets favours the lower stages of the waste hierarchy leading to increased waste generation, inefficient resource management and lower job creation. Without targets for preparation for re-use in particular, there will not be sufficient legal drivers and investments to support better re-use oriented collection systems and the enforcement of the waste hierarchy in EPR schemes.

The EEA warned in a report that meeting current targets set in the WFD for 2030 would require Member States to promote waste prevention aspects such as reuse¹⁵, while a previous early warning assessment by the European Commission regarding the targets for 2020 also suggested to consider setting up separate targets for preparation for re-use¹⁶. Similar targets already exist in France and Spain, as well as in the Belgian regions of Wallonia and Flanders¹⁷.

Indeed, having separate quantitative targets would stimulate the cooperation of all stakeholders in waste management systems, which is necessary to prevent the early recycling of re-usable items whilst creating job opportunities for vulnerable individuals. When assessing the feasibility of reuse targets in

¹² ECOS, EEB, Recycling Network Benelux, RREUSE & Zero Waste Europe (2022) [Why we need waste prevention targets now](#)

¹³ Code de l'environnement (2020) [Art. L541-10](#)

¹⁴ RREUSE (2020) [France to create a solidarity re-use fund](#)

¹⁵ EEA (2022) [Reaching 2030's residual municipal waste target — why recycling is not enough](#)

¹⁶ European Commission (2018) [Report on the implementation of EU waste legislation \(2018/656\)](#)

¹⁷ RREUSE (2022) [Re-use targets: why they matter and what initiatives already exist in the EU](#)

accordance with Art. 11a.1 of the WFD, social enterprises operating in the field of reuse should thus be consulted as their long-standing experience can be invaluable to ensure that these targets are designed in such a way that is conducive to the achievement of both social and environmental objectives

7. Support social enterprises to unlock strong synergies in the economic, social and environmental spheres

Social enterprises operating in the field of reuse do not only provide environmental benefits due to improved waste management and increased waste prevention, but also numerous socio-economic benefits related to the re-integration of disadvantaged people in the job market and the provision of affordable goods and services to lower-income groups.

In the Social Economy Action Plan, the Commission recognizes the importance of social enterprises in moving towards a more circular economy, quoting a report co-authored with the OECD to state that “the contribution of the social economy is particularly remarkable for the development of a circular economy¹⁸”. Therefore, it is crucial that the role of social enterprises already recognized in recital 29 of the WFD is strengthened in further reviews to realize the objective of unlocking stronger synergies between the circular and social economic policies, reflecting the ambition set in the SEAP¹⁹.

One of the most effective measures to realize this objective is to insert social clauses or market reserves in all public procurement procedures, merging circular and business models to create local jobs by favouring the reinsertion of disadvantaged groups in the labour market, while also advancing the transition towards a circular economy. The use of social clauses in waste management legislation is thus of key importance in this regard, which can take the form of reserving public tenders to actors from the social economy as is the case in Spain, where a recently approved law on waste mandates 50 % of public tenders related to the collection, transport, and treatment of second-hand products to social enterprises²⁰. The possibility of supporting the role of social enterprises in enabling the transition to a circular economy by introducing similar clauses in the WFD should thus be further investigated.

Fiscal tools can also be helpful to increase the attractiveness of reuse to consumers, which can take the form of VAT exemptions for repair services and second-hand products, but also tax reductions to encourage the donation of used goods to social enterprises.

Conclusion

RREUSE calls on national and European policymakers to set a high level of ambition in the revision of the Waste Framework Directive and its subsequent implementation. This means adopting concrete and effective measures favouring re-use and preparation for re-use over the lower stages of the waste hierarchy, all the while supporting and promoting social enterprises in the circular economy to ensure

¹⁸ OECD/European Commission (2022) [Policy brief on making the most of the social economy's contribution to the circular economy](#)

¹⁹ RREUSE (2022) [A plan for a fair and inclusive circular transition led by social enterprises](#)

²⁰ RREUSE (2022) [New Spanish law mandates 50% of tenders to social and circular enterprises](#)

that EU waste policy can be conducive to the achievement of environmental, economic and social objectives.

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