

# PROPOSAL FOR AMENDMENTS OF THE WASTE FRAMEWORK DIRECTIVE ON TEXTILES

PARIS/MAINZ, MAY 2024

## Article 3 – Definitions

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
/	<p><b>8b (new). ‘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;</b></p>	<p><b>(Parliament Position slightly amended)</b></p> <p>8b (new). ‘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 <del>commercial</del> activity. Social enterprises can be set up in a variety of <b>non-for-profit distribution</b> legal forms;</p>	<p><i>We recognize the presence of ‘social enterprises’ in the textile waste management system and their importance with regard to in helping and being close to less-favoured members of our society. Having said that, we still need to ensure a level playing field among actors in the collection and treatment of textiles. The European textile industry will be required to invest in and build up an infrastructure that will allow the collection, sorting, and recycling of all textile waste. Such a requirement is not foreseen for social enterprises in the articles of this revision. Consequently, if social enterprises have a broad scope of action and flexible legal requirements to establish, we foresee that these enterprises will have an unfair advantage over private companies, which themselves have to comply with strict financial, legal, and auditing requirements.</i></p> <p><i>As a consequence, <b>we advocate for a more precise definition of ‘social enterprise’ requiring them to be non-profit distributing organizations like provident societies, associations, voluntary organizations, charities, or foundations whose core purpose is a social objective.</b></i></p>

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### Article 22a – Extended producer responsibility scheme for textiles

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
/	<p>1b (new). 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.</p>	<p><b>(Parliament Position slightly amended)</b></p> <p>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, <b>through specific extended producer responsibility schemes for these items. Member States may decide to establish a separate extended producer responsibility scheme specifically for those items.</b></p>	<p><i>We welcome the introduction of EPR for carpets and mattresses. However, <b>we suggest a clarification that these items require specific EPR schemes.</b></i></p> <p><i>Carpets and mattresses are distinct waste streams that require specialized collection, sorting, and recycling processes compared to other textile products like clothing.</i></p> <p><i>The unique characteristics of carpets and mattresses, the need to incentivize eco-design, and the growing number of regional EPR initiatives make a separate EPR scheme for these products a useful policy tool to improve their environmental sustainability.</i></p>
<p>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.</p>	<p>3. Member States shall define in a clear, <b>inclusive and balanced way, in accordance with Article 8a (1), point (a)</b>, 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. <b>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:</b></p> <p><b>(a) producers placing products on the market of the Member State;</b></p>	<p><b>(Commission Proposal)</b></p> <p>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.</p>	<p><i>The requirement that “Member States shall ensure that all relevant stakeholders are fully involved in the decision-making process and governance of the extended producer responsibility scheme” will not work in practice as long as EPR scheme is typically understood as producer responsibility organisation (PRO).</i></p> <p><i>We are very sceptical about how a proper governance of a company by so many different stakeholders can be ensured in practice. Such a requirement goes far beyond the producer governance obligations we face in some countries, and even these less onerous obligations do not work.</i></p> <p><i>Moreover, and in terms of producers, the best governance is through competition</i></p>

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	<p>(b) organisations implementing extended producer responsibility obligations on their behalf;</p> <p>(c) private or public waste operators;</p> <p>(d) local authorities;</p> <p>(e) re-use and preparing for re-use operators;</p> <p>(f) social enterprises, including local social enterprises;</p>		<p>enabling them to choose the best compliance service for their financial contribution. Producer governance should not only be open to parties who can afford the resources (e.g. SMEs usually do not get a voice as producer governance usually means owning the PRO or sitting on its board). There are numerous, probably thousands, of obligated SMEs in the textile business, which would likely be excluded.</p> <p><b>Instead, the requirement should not refer to the governance of an EPR scheme, but to national policy setting authorization criteria for a level playing field. Indeed, all these actors shall have a say in the policy making via a stakeholder process.</b></p>
<p>4. Member States shall ensure that the producers of textile, textile-related and footwear products listed in Annex IVc cover the costs of the following:</p> <p>(a) collection of used and waste textile, textile-related and footwear products listed in Annex IVc and subsequent waste management that entails the following:</p> <p style="padding-left: 40px;">(1) the collection of <b>those</b> used products for re-use and the separate collection of waste products for <b>preparation</b> for re-use and recycling in accordance with Articles 22c and 22d,</p>	<p>4. Member States shall ensure that the producers of textile, textile-related and footwear products listed in Annex IVc cover the costs of the following:</p> <p>(a) collection of used and waste textile, textile-related and footwear products listed in Annex IVc and subsequent waste management that entails the following:</p> <p style="padding-left: 40px;">(1) the collection of used <b>textile</b> products for re-use and the separate collection of waste <b>textile</b> products for <b>preparing</b> for re-use and recycling in accordance with Articles 22c and 22d</p> <p style="padding-left: 40px;">(2) transport of collected loads referred to in point (1) for subsequent sorting for re-use, for</p>	<p><b>(Parliament position slightly amended)</b></p> <p>4. Member States shall ensure that the producers of textile, textile-related and footwear products listed in Annex IVc cover the costs of the following:</p> <p>(a) collection of used and waste textile, textile-related and footwear products listed in Annex IVc and subsequent waste management that entails the following:</p> <p style="padding-left: 40px;">(1) the <b>separate</b> collection of used textile products for re-use and <del>the separate collection of</del> waste textile products for preparing for re-use and recycling in accordance with Articles 22c and 22d</p>	<p>On (a): While we appreciate the underlying idea, we have strong concerns about requiring two separate streams (one for “used textile products for re-use” and one for “waste products for preparation for re-use and recycling”) expecting consumers to properly pre-sort. We believe that the concept of textiles waste it is a subjective one and quite complicated for an average consumer to distinguish under which circumstances an item falls into the category of waste and when it does not. Two streams would only increase the logistics costs (probably twice as the infrastructure is doubled and charged to the consumer) while very likely having the same type of textiles in both containers. <b>It is better just to oblige for</b></p>

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<p>(2) transport of collected loads referred to in point (1) for subsequent sorting for re-use, for <b>preparation</b> for re-use and for recycling operations in accordance with Article 22d,</p> <p>(3) sorting, <b>preparation</b> for re-use, recycling and other recovery operations and disposal of collected loads referred to in point (1),</p> <p>(4) collection, transport and treatment referred to in points (1) and (2) of waste generated by social enterprises and other <b>non-waste</b> operators that are part of the collection system referred to in Article 22c, paragraphs 5 and 11;</p> <p>(b) carrying out compositional survey of collected mixed municipal waste in accordance with Article 22d(6);</p> <p>(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);</p> <p>(d) data gathering and reporting to the competent authorities in accordance with Article 37;</p>	<p><b>preparing</b> for re-use and recycling operations in accordance with Article 22d,</p> <p>(3) sorting, <b>preparing</b> for re-use, recycling and other recovery operations and disposal of collected loads referred to in point (1),</p> <p>(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;</p> <p>(b) carrying out compositional survey of collected mixed municipal waste in accordance with Article 22d(6);</p> <p>(c) providing information, <b>including via appropriate information campaigns and communication work</b>, 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);</p> <p>(d) data gathering and reporting to the competent authorities in accordance with Article 37;</p> <p>(e) support to research and development to improve the sorting and recycling processes <b>in line with the waste hierarchy referred to in Article 4</b>, in particular, in view of scaling up</p>	<p>(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,</p> <p>(3) sorting, preparing for re-use, recycling and other recovery operations and disposal of collected loads referred to in point (1),</p> <p>(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;</p> <p><b>(b) carrying out compositional survey of collected mixed municipal waste in accordance with Article 22d(6);</b></p> <p>(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);</p> <p>(d) data gathering and reporting to the competent authorities in accordance with Article 37;</p> <p>(e) support to research and development to improve the sorting and recycling processes</p>	<p><b>just one entry point/bin which is then sorted by PROs.</b></p> <p><i>On (b): Households' mixed waste is in the ownership of municipalities. PROs do not and should not have access to this waste stream. Consequently, <b>the implementation of the mixed waste composition survey as required should not be made a producer' responsibility but should fall into the responsibility of municipalities, if required at all.</b></i></p> <p><i>On (e): Furthermore, we agree on the requirement to invest into R&amp;D improving the sorting and recycling processes. However, <b>it shall be defined what this means in financial terms, what activities are funded, who owns the funds, and who does the distribution.</b> Further <b>these requirements need to apply to all actors</b> collecting and treating textiles to ensure a level playing field.</i></p>

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<p>(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.</p>	<p>fibre-to-fibre recycling, without prejudice to Union state aid rules.</p> <p><b>(ea) reuse and repair operations, including research and development for their improvement.</b></p>	<p>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.</p> <p>(ea) reuse and repair operations, including research and development for their improvement.</p>	
<p>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.</p>	<p>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 <b>eighteen</b> months after the entry into force of this amending Directive] in accordance with Articles 8, 8a, 22a to 22d.</p>	<p><b>(Parliament Position)</b></p> <p>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.</p>	<p><i>As separate collection shall already be in place from 1 January 2025 as being required by the Waste Framework Directive and needs a secure funding in the Member States ideally just from the beginning with an EPR based financial model, <b>we strongly suggest to have the requirement on establishing EPR schemes enter into force as early as possible.</b> Later adjustments always mean additional efforts and cost for Member States. We are also aware that already multiple Member States have implemented or started to implement national policies introducing EPR for textiles. Thus, as earlier the European framework is set, the better facilitating harmonization and providing planning security for Member States and producers.</i></p>

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### Article 22b & Article 22ba – Textile, textile-related and footwear producer register

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
/	<p>9a. (new) 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.</p>	<p><b>(Parliament Position slightly amended)</b></p> <p>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.</p>	<p><i>We welcome the intention to assess a Union-wide register to reduce administrative burden.</i></p>
/	<p><b>Article 22ba (new)</b></p> <p><b>Reporting guidelines for companies</b></p> <p>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:</p> <p>(a) clear instructions regarding reporting schedules to encourage timely data submission and analysis;</p> <p>(b) specifications for the structure and format of data reporting to ensure uniformity, consistency, and ease of data consolidation for producer responsibility organisations.</p>	<p><b>(Parliament Position)</b></p> <p>Article 22ba (new)</p> <p>Reporting guidelines for companies</p> <p>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:</p> <p>(a) clear instructions regarding reporting schedules to encourage timely data submission and analysis;</p> <p>(b) specifications for the structure and format of data reporting to ensure uniformity, consistency, and ease of data consolidation for producer responsibility organisations.</p>	<p><i>We welcome the idea of developing reporting guidelines for companies with the purpose of harmonizing the reporting.</i></p> <p><i>Also, it is important to ensure that the freedom for Member States to set individual requirements is limited to properly justified cases.</i></p> <p><i>The Commission has developed similar guidelines for WEEE in the past, but Member States were given the freedom to define the reporting frequency and to require reporting on sub-categories (products), which undermined the intent of harmonisation.</i></p>



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### Article 22c – Producer responsibility organisations for textiles

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
/	/	<p><b>(New proposal)</b></p> <p><b>1a (new). Member States should allow authorising multiple and competing producer responsibility organisations in a coordinated manner ensuring a level playing field and cooperation on common tasks. Alternatively, Member States shall demonstrate to the Commission how they ensure that producer responsibility organisations charge only necessary cost to producers and ultimately consumers in accordance to Article 8a.</b></p>	<p><i>In Recital 18 of the Text proposed by the Commission, Member States are encouraged to consider authorising multiple producer responsibility organisations as competition among those may lead to greater consumer benefits, increase innovation, lower costs, improve collection rates, and increase choices for producers seeking to contract with such organisations. As a consequence, this encouragement shall be reflected in the relevant Article and also be connected to Article 8a.</i></p> <p><i>In a competitive setup PROs shall be required to coordinate their activities such as the clearing of under- and overcollection (for a level playing field) and jointly organizing national awareness raising campaigns (for a nation-wide impact). Because this is not necessarily a task of an “independent body” required by Article 8a, this may need an additional organization among PROs, like a coordination centre, assuming this role.</i></p>
<p>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.</p>	<p>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. <b>The authorisation process shall include:</b></p> <p><b>(a) clear criteria for the qualifications and competencies of producer responsibility</b></p>	<p><b>(Parliament Position)</b></p> <p>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:</p>	<p><i>We welcome the introduction of criteria specifying what the authorisation process shall include.</i></p> <p><i>In particular, we support the introduction of “procedures for the resolution of disputes ... between PROs and producers” facilitating a level playing field.</i></p>

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	<p><b>organisations, including ensuring that they have the necessary expertise in waste management, sustainability and environmental impact assessment;</b></p> <p><b>(b) detailed procedures for the resolution of disputes or issues that may arise between producer responsibility organizations and producers, including mechanisms for appealing decisions.</b></p>	<p>(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;</p> <p>(b) detailed procedures for the resolution of disputes or issues that may arise between producer responsibility organizations and producers, including mechanisms for appealing decisions.</p>	
<p>3. (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 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;</p>	<p>(a) are based on the weight <b>and quantity</b> 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 textile <b>waste</b> 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;</p>	<p><b>(Commission Proposal)</b></p> <p>3. (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 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;</p>	<p><b><i>We disagree to the addition of “and quantity”.</i></b></p> <p><i>In practice, it is sometimes difficult to determine the number of items and whether it is a single item or more than one (e.g. a pair of socks). Existing EPR policies (WEEE, batteries, packaging) refer to weights. Also, the waste industry is used to this metrics.</i></p>
<p>4. Where necessary to avoid distortion of the internal market and ensure consistency with</p>	<p>4. Where necessary to avoid distortion of the internal market and ensure consistency with</p>	<p><b>(Parliament Position)</b></p>	<p><b><i>We welcome the Parliament's amendment from “may” to “shall” when it comes to the</i></b></p>



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<p>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.</p>	<p>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 <b>shall</b> 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.</p>	<p>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.</p>	<p><b>Commission adopting implementing acts setting out the criteria for fee modulation.</b> <i>This will ensure a true impact in the European market through harmonisation and consequently a level playing field for all players.</i></p> <p><i>Ideally, the implementing act will also include guidance on how to implement modulation in a competitive PRO environment, e.g. via a fund solution (i.e. with a “malus fee” in addition to the fee required to cover the PRO necessary cost (“base fee”) feeding a dedicated fund which is used to finance common tasks promoting a circular economy).</i></p>
<p>5 (c). ensure the collection, free of charge, of waste generated by social enterprises and other <i>non-waste</i> operators from such textile, textile-related and footwear products collected through the connected collection points.</p>	<p>5 (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 <b>as well as promote the full coordination between social enterprises and producer responsibility organisations.</b></p>	<p><b>(Parliament Position slightly amended)</b> 5 (c). <b>if handed over to producer responsibility organisations for treatment,</b> 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 separate collection points as well as promote the full coordination between social enterprises and producer responsibility organisation.</p>	<p><i>While social enterprises can act as collection points for PROs and can be compensated for by the PRO under individual agreements reimbursing their cost, <b>we believe that social enterprises, rather than PROs, should bear the costs of collecting and treating of all textile waste they collect, treat and market under their own control.</b> If PROs shall compensate cost, the collected textile waste must be handed over to PROs without cherry picking. If PROs don't have access to this waste and have no influence on how it is being treated, they shouldn't pay for it.</i></p>
<p>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</p>	<p>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</p>	<p><b>(Parliament Position amended)</b> 8. The separate collection rate referred to in paragraph 6, point (c) for waste textile, textile-related and footwear products listed</p>	<p><i>We suggest, to give the Commission a mandate to develop a methodology based on waste available for collection.</i></p>

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<p>collected in accordance with paragraph 5 in a given calendar year in a Member State by the weight of such waste textile, textile-related and footwear products that is generated and collected as mixed municipal waste.</p>	<p>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 <b>made available on the market in a given calendar year in a Member State.</b></p>	<p>in Annex IVc collected in accordance with paragraph 5 in a given calendar year in a Member State <b>by the weight of such waste textile, textile related, and footwear products that is available for collection.</b></p>	<p><i>Other waste streams show that collection targets based on put on market (POM) volumes do not work in practice. The underlying assumption that items can be collected volume wise 1:1 within one year, has proven wrong, among others since consumers tend to hoard products even if they do not use them anymore. So, we are generally not in favour of a POM based target.</i></p> <p><i>Moreover, a one-year base is far too short and wrongly assumes that the majority of textiles POM are fast-fashion and are immediately (1:1) disposed when a new textile item is bought.</i></p> <p><b>A better way would be to keep the formula open and to extend the mandate to the Commission in point 9 to a task developing the right performance KPI incl. the formula.</b></p> <p><i>For batteries, the Commission recently received the task to develop a methodology based on waste available for collection.</i></p>
<p>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).</p>	<p>9. <b><u>By ... [12 months after the entry into force of this amending Directive]</u></b> the Commission shall adopt <b>delegated acts</b> 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 <b>delegated act</b> shall be adopted in accordance with the procedure referred to in <b>Article 38a.</b></p>	<p><b>(Parliament Position slightly amended)</b></p> <p>9. <b><u>By ... [12 months after the entry into force of this amending Directive]</u></b> the Commission shall adopt delegated acts laying down the methodology for the calculation and verification of the separate collection rate referred to in paragraphs 6, point (c) <b>and 8</b> of this Article. That delegated act shall be adopted in accordance with the procedure referred to in Article 38a.</p>	<p><i>We welcome the Parliaments amendment setting a clear timeline for the delegated acts, but suggest to also refer to paragraph 8 where the methodology is sketched (also considering our comment to paragraph 8).</i></p>
<p>11. Without prejudice to paragraph 5, points (a) and (b), and paragraph 6, point (a),</p>	<p>11. Without prejudice to paragraph 5, points (a) and (b), and paragraph 6, point (a),</p>	<p><b>(Parliament Position slightly amended)</b></p>	<p><i>We agree that social enterprises can operate their own collection points, but the meaning</i></p>

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Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
<p>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.</p>	<p>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 <b>local authorities</b>, 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 products to the producer responsibility organisation.</p>	<p>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 <del>and that they are given equal or preferential treatment in the location of the separate collection points</del>. 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 products to the producer responsibility organisation. <b>Member States shall develop a mechanism on how local authorities, social enterprises and social economy entities social enterprises report their collected volumes and how these parallel flows will be considered in the targets given to producers/PROs.</b></p>	<p><i>of “equal or preferential treatment in the location of the separate collection points” is unclear. Moreover, a preferential treatment hampers the level playing field and shall not be granted.</i></p> <p><i>Also, Member States need to develop a mechanism on how local authorities, social enterprises and social economy entities will report their collected volumes and how these will be considered in the overall targets given to producers/PROs, if they are not required to hand over collected used and waste textiles to PROs. Without such a mechanism, significant volumes, collected in parallel to the producer/PRO collection, may remain unreported and PROs might not be able to meet their targets (see also our comments to 22c 5c).</i></p>
<p>13. Member States shall ensure that, in addition to the information referred to in Article 8a(2), producer responsibility organisations make available to end-users, in particular consumers, the following information regarding the sustainable consumption, re-use and end-of-life management of textile and footwear with respect to the textile, textile-related and footwear products listed in Annex IVc that the producers make available on the territory of a Member State:</p>	<p>13. Member States shall ensure that, in addition to the information referred to in Article 8a(2), producer responsibility organisations make available to end-users, in particular consumers, the following information regarding the sustainable consumption, re-use and end-of-life management of textile and footwear with respect to the textile, textile-related and footwear products listed in Annex IVc that the producers make available on the territory of a Member State:</p>	<p><b>(Commission Proposal / Parliament Position slightly amended)</b></p> <p>13. Member States shall ensure that, in addition to the information referred to in Article 8a(2), <b>producers, retailers and</b> producer responsibility organisations make <b>in a coordinated manner</b> available to end-users, in particular consumers, the following information regarding the sustainable consumption, re-use and end-of-life management of textile and footwear with respect to the textile, textile-related and</p>	<p><i>We welcome the initiative to inform end-users and in particular consumers since they have an important role. We also think that PROs can provide and develop related information.</i></p> <p><i>However, PROs don’t have direct contact to consumers at point of sales, being an effective place for several items listed. Thus, the efforts shall be shared among producers and PROs in a coordinated manner.</i></p>

# PROPOSAL FOR AMENDMENTS OF THE WASTE FRAMEWORK DIRECTIVE ON TEXTILES

## PARIS/MAINZ, MAY 2024

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
<p>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:</p>	<p>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 <b>at the point of sale and made accessible through, but not limited to, the following means:</b></p>	<p>footwear products listed in Annex IVc that the producers make available on the territory of a Member State:</p> <p><b>(Parliament Position slightly amended)</b></p> <p>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 <del>at the point of sale</del> and made accessible through, but not limited to, the following means:</p>	<p>See above. PROs don't have direct contact to consumers at point of sales</p>
<p>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 of the separate collection system for used and waste textile, textile-related and footwear products listed in Annex IVc. Member States 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.</p>	<p>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 <b>aim of uniform service quality across the territory</b> of the separate collection system for used and waste textile, textile-related and footwear products listed in Annex IVc. Member States, <b>including those where only one producer responsibility organisation is authorised to fulfil extended producer responsibility obligations on behalf of producers</b>, 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.</p>	<p><b>(Parliament Position)</b></p> <p>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 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.</p>	<p><b><i>We very much welcome the requirement for Member States to entrust the competent authority or appoint an independent third party, even in countries with single PROs.</i></b></p> <p><i>This will ensure proper enforcement monitoring compliance of all actors (PROs, social enterprises, etc.) ensuring a level playing field and removing barriers to competition.</i></p>

# PROPOSAL FOR AMENDMENTS OF THE WASTE FRAMEWORK DIRECTIVE ON TEXTILES

## PARIS/MAINZ, MAY 2024

Commission Proposal	Parliament Position	ERP Proposal for Council Position	ERP Justification
<p>17. (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;</p>	<p>17. (a) at least each year, subject to commercial and industrial confidentiality, the information on the amount <b>and weight</b> 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, <b>and quantities of textile waste collected from social enterprises</b>, 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;</p>	<p><b>(Parliament Position slightly amended)</b></p> <p>17. (a) at least each year, subject to commercial and industrial confidentiality, the information on the <del>amount and</del> 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 <b>weight</b> 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;</p>	<p><i>We support the addition of “and weight”, hence we suggest deleting “amount” for reasons of easier implementation.</i></p> <p><i>In practice it is sometimes difficult to determine the number of items and whether it is a single item or more than one (e.g. a pair of socks). Existing EPR policies (WEEE, batteries, packaging) refer to weights. Also, the waste industry is used to this metrics.</i></p>

# PROPOSAL FOR AMENDMENTS OF THE WASTE FRAMEWORK DIRECTIVE ON TEXTILES

## PARIS/MAINZ, MAY 2024

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### About European Recycling Platform

European Recycling Platform (ERP) was founded in 2002 in response to the introduction of the European Union's Waste Electrical and Electronic Equipment (WEEE) Directive. ERP's mission is to ensure high-quality and cost-effective implementation of policies on waste, including batteries, e-waste, packaging and textiles, for the benefit of its customers and the environment.

In June 2014, ERP joined Landbell Group, a global platform for extended producer responsibility. ERP and Landbell Group have collected more than 7 million tonnes of packaging, more than 4 million tonnes of e-waste, and over 120,000 tonnes of portable batteries.

ERP was the first pan-European company running producer responsibility organisations for batteries, e-waste and packaging. Now, as part of Landbell Group, the services are uniquely expanded globally, offering solutions for multiple waste streams in Austria, Brazil, Canada, Denmark, Finland, Germany, India, Ireland, Israel, Italy, the Netherlands, Norway, Poland, Portugal, Slovakia, Spain and the UK.

By passing on the advantages of multinational recycling operations to customers, ERP has proved to a competitive solution for companies in the countries where it operates for WEEE, batteries, packaging and textiles compliance, as well as takeback services.



For more information on ERP, please visit: <https://erp-recycling.org/>