

## Position Paper:

### **Public Consultation on the EU Product Policy**

**January 2019**

EucoLight is the European Association of lighting WEEE compliance schemes representing the Producer Responsibility Organisations specialised in the collection and recycling of lighting products. Most EucoLight members have more than 10 years of experience in operating WEEE (Waste Electrical and Electronic Equipment) Producer Responsibility Organisations and making the circular economy a reality for lighting products. In total they represent 80% of the lamp waste collected and recycled in the 19 countries where they operate.

EucoLight supports EU policies that enable the sustainable collection and recycling of lighting WEEE for the sake the environment and the economy. It supports realistic yet ambitious policy goals that allow Producers Responsibility Organisations to optimally perform their role as key enablers of the circular economy.

One of EucoLight key priorities is to cooperate with the Lighting producers' association to find a common understanding on the impact of the circular economy on its members including durability, repairability, upgradability, design for disassembly, ease of reuse and recyclability.

Since, LightingEurope, the industry association that represents the lighting industry in Europe is also providing input with high-level messages within the framework of this EU Public consultation on the EU product policy, the present EucoLight statement only focuses on the selected number of points below.

#### **GENERAL REMARK ABOUT THE QUESTIONNAIRE:**

Through this consultation, the Commission aims at understanding whether current policies are fit to reach the circular economy objectives. However, it is essential to emphasise that enforcement of the EU policies in the Member States, through effective national transposition, effective market surveillance and if necessary, sanctions, is equally fundamental. Therefore, we consider that questions on implementation are missing.

#### **KEY POINTS ON 4 SELECTED QUESTIONS:**

*Making producers pay for the waste their products will cause (e.g. Extended Producer Responsibility schemes):*

Extended Producer Responsibility is the way to go for the sustainable financing and efficient management of waste. In the EucoLight sector, this model has shown its efficiency and its potential for the future. On legislative matters, however, there are still several policy gaps that need to be filled, with the objective of:

- Tackling parallel imports;

- Tackling free-riding, in particular the lack of compliance of many producers selling their products through online marketplaces which implies evading their obligation to finance waste management; and causes a lack of level playing field.

*Waste/end of life - Setting requirements and targets for the correct handling of waste (Waste legislation):*

- This question is somehow vague
- WEEE collection and recycling targets at EU level are efficient in that they set a general rule that can be applied for numerous product categories. However, we have doubts that they are realistically reachable. They set a reference point for the whole of the EU, but we suspect that many Member States may find complying with the 65% target challenging.
- EucoLight members aim to employ the best practices in operational requirements e.g. logistics and treatment processes. Is it up to the EU legislation to set the detailed requirements which need to be assessed on a case-by-case basis.
- The concept of end of waste should also be clarified.

*Specifically targeting certain waste streams with high impact (e.g. in the directives on Waste from Electrical and Electronic Equipment (WEEE), and on End-of-Life vehicles (ELV))*

- This question is somehow unclear. Are we referring to specific collection or recovery targets or to the appropriateness of targets as tools to achieve the circular economy?
- EucoLight notes that the WEEE Directive makes a specific case for a collection target for mercury containing lamps but that the Commission/Member States concluded that this was not necessary.
- EucoLight does not support specific targets for specific lighting products subcategories e.g. LED versus Gas Discharge Lamps.

*Electrical and Electronic Equipment - Do you think that there are sufficient EU policy instruments covering the end-of-life/waste handling of these products? (such as the directive on Waste from Electrical and Electronic Equipment):*

Both the revised Waste Framework Directive, that notably sets the minimal mandatory requirements for extended producer responsibility schemes, and the *Waste from Electrical and Electronic Equipment (WEEE)* directive are sufficient EU policy instruments. However, the legislation has some shortcomings:

- The concept of authorised representative has been both ineffective and inconsistently applied by Member States. To address this problem, unambiguous requirements must be specified either in the Directive or in supporting legislation or official guidelines;
- Whereas collection and recycling targets are meaningful in so far that they set ambitious goals, they should be realistic. If legislation sets objectives that are very unlikely to be reached there must be a credibility issue.

- No ambitious objective can be reached without reliable Put On the Market (POM) and waste stream data. In this respect a critical review of the statistics and the tools to generate them is necessary, including the Eurostats statistics and the WEEE Generated data tool. Both are problematic in certain regards.

The collection and recycling of WEEE must be financed. The burden must be applied to both the European producing industry and to importers, through all the channels that make goods available to end-users including goods available online. EU policy instruments should explicitly foresee that online platforms have legal obligations towards waste management and should strengthen existing legislation in that direction.

### **About EucoLight:**

EucoLight is the voice of European WEEE compliance schemes specialised in managing the collection and recycling of WEEE lighting; working to make the circular economy a reality for lighting products. On behalf of its 20 members, EucoLight engages with everything related to the WEEE Directive, legislations and standards affecting the collection and recycling of WEEE lighting. EucoLight members collect and recycle, in aggregate, 79 % of the lamps waste collected in the 19 countries in which they operate.

Founded mid-2015, EucoLight has quickly embarked into constructive dialogue with relevant stakeholders to provide expertise in the field of management and treatment of WEEE lighting and to promote the positive role of Extended Producer Responsibility schemes on the environment and society.

For more information, visit the EucoLight website [www.eucolight.org](http://www.eucolight.org), follow EucoLight on Twitter @EucoLight or contact the Secretary General, Marc Guiraud ([marc.guiraud@eucolight.org](mailto:marc.guiraud@eucolight.org)).