

Harmonised classification of waste to accelerate the transition to a Circular Economy

Fields marked with * are mandatory.

Introduction

EU legislation regulates the shipment of waste, both within the EU and between the EU and third countries. The aim is to ensure that such shipments do not cause environmental harm, but also to facilitate shipments of waste for high quality recycling.

The basis for this legislation is the Waste Shipment Regulation (WSR)[1], which was one of the key deliverables under the European Green Deal.

One of its main objectives is to support the transition to a Circular Economy in the EU by strengthening the single market for waste, in line with the objectives of the Clean Industrial Deal[2] and the future Circular Economy Act.

Consultation objectives

The aim of this public consultation is to gather information from stakeholders to prepare measures to facilitate the shipments of waste for recycling within the EU.

The legal framework ensures that waste is shipped to the proper destination and is managed in an environmentally sound manner. A mix of measures should both ascertain strong controls on the movement of waste, while incentivizing shipments for recycling in support of the circular economy.

The WSR provides two basic procedures for shipments of waste:

- The “notification procedure” that is required for shipments of hazardous and other waste requiring special attention, such as unsorted or mixed plastic waste. This procedure also applies to waste that is not explicitly listed in one of the Annexes to the Waste Shipment Regulation (so-called “unlisted” waste). Under this procedure, economic operators need to submit a set of information to the authorities of countries of dispatch, transit and destination. Each of these authorities need to provide a consent prior to the planned shipment of waste, that may be valid for a year. Operators also need to provide financial guarantees;
- The “green-list” procedure for shipments of most non-hazardous waste destined for recovery, where operators have to make sure that their shipments are accompanied with information on the types of waste shipped, its destination and quantity. No consent is needed from public authorities for such shipments.

Around 50 million tonnes of green-listed waste are shipped between EU Member States annually. The most traded are metal waste (ferrous and non-ferrous), paper and cardboard and mineral waste. The quantity of waste shipped between EU Member States under the notification procedure has increased by 65% since

2013, reaching 21 million tonnes in 2022. Approx. 1/3 of this waste constitutes hazardous waste and 2/3 other notified waste.

It is important to avoid unnecessary obstacles to the development of a single EU market for waste and secondary materials, which is essential to make the EU the world leader on circular economy by 2030, as called for by the Clean Industrial Deal. The differences of interpretation by Member States on the classification of some waste streams, or the application of the “notification procedure” to “unlisted waste” can delay or even prevent the shipments of waste for high quality recycling between EU Member States.

In this respect, the new Waste Shipment Regulation provides for the possibility for the Commission to identify, via delegated acts, specific waste streams which should be subject to the “green-list” procedure for the purpose of shipments for recovery between Member States. It is important to note here that hazardous waste cannot be green-listed.

As an integral part of the preparation of such delegated acts, the Commission is launching a public consultation to gather views from all interested stakeholders. The questionnaire consists of five parts:

- Part 1 collects some information about you.
- Part 2 contains an invitation for stakeholders to provide general input about how – in the framework of the existing legislation – the market for recycling in the EU can be further boosted.
- Part 3 is on specific waste streams that could meet the requirements under the Waste Shipment Regulation to be subject to the green-list procedure for shipments within the EU (via their inclusion in Annex IIIA or IIIB of the Waste Shipment Regulation).
- Part 4 is about the establishment of criteria, such as contamination thresholds, for certain (mixtures of) waste, based on which they could be green-listed.
- Part 5 invites input specifically on electrical and electronic waste (“e-waste”): on the one hand, with regard to criteria to distinguish such waste from other types of waste, and, on the other hand, with regard to the regime applying to the shipments of non-hazardous e-waste in the EU.

Your feedback will feed into the analysis with evidence based on views and opinions, supported by facts and figures, and will allow for preparation of the draft delegated act(s).

You can save your replies as a draft and finish later. Please be concise in those questions with a free text box for additional comments. If you wish, at the end of each part of the questionnaire, you can also upload a document with further comments and views.

[1] Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006 (OJ L, 2024/1157, 30.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1157/oj>).

[2] Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions: The Clean Industrial Deal: A joint roadmap for competitiveness and decarbonisation, 26.2.2025, COM(2025) 85.

About you

* Language of my contribution

- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch
- ☐ English
- ☐ Estonian
- ☐ Finnish
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* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Company/business
- ☐ Consumer organisation
- ☐ EU citizen
- ☐ Environmental organisation

- ☐ Non-EU citizen
- ☐ Non-governmental organisation (NGO)
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- ☐ Trade union
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* First name

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* Scope

- ☐ International
- ☐ Local
- ☐ National
- ☐ Regional

* Level of governance

- ☐ Local Authority
- ☐ Local Agency

* Level of governance

- ☐ Parliament
- ☐ Authority
- ☐ Agency

* Organisation name

255 character(s) maximum

* Organisation size

- ☐ Micro (1 to 9 employees)
- ☐ Small (10 to 49 employees)
- ☐ Medium (50 to 249 employees)
- ☐ Large (250 or more)

Transparency register number

Check if your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making.

* Country of origin

Please add your country of origin, or that of your organisation.

This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.

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- ☐ Saint Kitts and
Nevis
- ☐ Zimbabwe
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The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, ‘business association’, ‘consumer association’, ‘EU citizen’) country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

* Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

☐ Anonymous

The type of respondent that you responded to this consultation as, your country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself.

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The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

☐ Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

☒ **Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

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Part 2 Boosting the internal market for waste

The Waste Shipment Regulation introduces measures to modernize the legal framework on waste shipments, by digitalizing procedures, streamlining the shipment procedures to “pre-consented facilities” and allowing for clarifying which waste is green-listed.

Stakeholders are invited to provide views and input on how the Waste Shipment Regulation can be implemented with a view to boosting the internal market for waste in the EU, notably to incentivize that waste is diverted from disposal, such as landfilling, and is destined to recycling with the aim to ensuring that valuable materials and resources are re-introduced in the circular economy. These views and inputs should be underpinned by data and rationale.

Please provide your views:

Please upload your file(s)

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Please indicate to what extent do you agree with the following statements:

	Strongly disagree	Slightly disagree	Neutral	Slightly agree	Strongly agree	Don't know
There is a need to extend the scope of green-listed waste so that they are shipped more easily between EU Member States.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

It is important to consider more types of non-hazardous e-waste as green-listed waste, to ensure we recycle such waste more efficiently in the EU.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It is important to consider more types of non-hazardous textile waste as green-listed waste to ensure we recycle such waste more efficiently in the EU.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
It is important to establish contamination thresholds for metal waste, so that the “clean metal waste” can be considered as green-listed.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Part 3 Green-listing specific waste streams or mixture of waste

The Commission can adopt delegated acts[3] to green-list certain non-hazardous waste or mixtures of non-hazardous waste provided that it is demonstrated that such waste or mixtures of waste will be managed in an environmentally sound manner within the EU.

The Commission should in particular assess whether to add entries on:

- mixtures of waste footwear, waste clothing and other textile waste;
- mineral wool and mattresses[4].

[3] These empowerments are contained in Articles 79(3) and (4) of the Waste Shipment Regulation.

[4] This obligation is expressed in recital 20 of the Waste Shipment Regulation.

In view of the above, stakeholders are invited to provide detailed views and input on whether specific waste types, which are currently subject to the prior informed consent procedure, should be subjected to the green-listing procedure for shipments within the EU. These views and inputs should be underpinned by data and rationale.

1. Please indicate the specific waste type that in your view should be green-listed.
If possible, please indicate the waste code(s) typically used to classify such waste.

2. Please indicate the rationale for green-listing this waste type, especially how the conditions set out in Article 79(3) or (4) of the Waste Shipment Regulation are complied with, supported by evidence.

3. Please provide, if possible, data on quantities of waste shipped within the EU, as well as between the EU and third countries, that are concerned by your contribution.

4. Please provide, if possible, an estimation of costs saved as a result of the green-listing of waste concerned by your contribution, as well as an estimation of the environmental benefits.

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Part 4 Criteria for harmonised classification of green-listed waste

Article 29(6) of the Waste Shipment Regulation empowers the Commission to adopt delegated acts establishing criteria, such as contamination thresholds, on the basis of which certain waste should be classified as hazardous or non-hazardous, or green-listed or not.

Such harmonisation ensures that there is no difference in the classification of waste and in the procedures applied between EU Member States, avoiding disagreements between Member States which generate delays and costs for economic operators wishing to ship waste across the EU. As an example of this approach, contamination thresholds were introduced in the Waste Shipment Regulation for the classification of plastic waste as green-listed waste: the contamination, other types of waste or plastics, cannot exceed 2 % for waste exported outside the EU and 6 % for waste shipped between Member States.

In view of the above, stakeholders are invited to provide detailed views and input regarding criteria, such as contamination levels, to classify certain specific wastes as green-listed waste, and not as mixtures or hazardous waste, as well as the underpinning data and rationale for such criteria.

1. Please specify the type(s) of waste for which you see a need to establish criteria on the basis of which this waste should be considered green-listed (eg. contamination threshold). Please indicate the waste code(s) typically used to classify such waste under the Waste Shipment Regulation.

2. Please propose possible criteria (such as a contamination threshold) and provide the rationale for establishing such criteria, supported by evidence.

3. Please provide, if possible, data on quantities of waste shipped within the EU, as well as between the EU and third countries, that are concerned by your contribution.

4. Please provide, if possible, an estimation of costs saved as a result of the green-listing of waste concerned by your contribution, as well as an estimation of the environmental benefits.

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Part 5 Electrical and electronic waste (“e-waste”)

5.1 Green-listing of non-hazardous e-waste.

In 2022, the Parties to the Basel Convention agreed on new entries for non-hazardous electrical and electronic waste or e-waste (Y49) and for hazardous e-waste (A1181). This change entered into force globally on 1 January 2025.

To implement this new classification, the EU has adopted two delegated acts (Commission Delegated Regulations (EU) 2024/3229 and 2024/3230) to amend the EU's Waste Shipments Regulations (Regulation (EC) No 1013/2006 and Regulation (EU) 2024/1157).

As a result, from 1 January 2025:

- The export of all e-waste from the EU to non-OECD countries is prohibited;

- The export of all e-waste from the EU to OECD countries is subject to the “prior informed consent” procedure;
- The import of all e-waste from third countries into the EU is subject to the “prior informed consent” procedure;
- The shipment of e-waste between EU Member States is subject to the “prior informed consent” procedure, except for shipments of non-hazardous e-waste classified, where appropriate, under entries GC010 and GC020, which will remain subject to the general information procedure until the end of 2026.

Pursuant to current EU rules, from 1 January 2027, all electrical and electronic waste shipped within the Union should be classified under an entry for non-hazardous e-waste (Y49) or for hazardous e-waste (A1181) and their shipments should be subject to the “prior informed consent” procedure. By that date, the central system for the submission and exchange of documents and information concerning shipments of waste will be fully operational. This system (DIWASS – Digital Waste Shipment System) will facilitate the process of obtaining consents for shipments of such waste.

Through this consultation, the Commission would like to gather views and information on whether certain, specific non-hazardous e-waste should be green-listed also after 1 January 2027 if shipped between EU Member States.

In view of the above, stakeholders are invited to provide detailed views and input regarding specific types of non-hazardous e-waste that, for shipments within the EU, could be green-listed under the Waste Shipment Regulation after 1 January 2027, and the underpinning data and rationale for it.

1. Please indicate the specific waste type that in your view should continue to be green-listed under the Waste Shipment Regulation after 1 January 2027.

2. Please indicate the rationale for green-listing this waste type, supported by evidence.

3. Please provide, if possible, data on quantities of such waste shipped.

4. Please provide, if possible, an estimation of costs saved as a result of the green-listing of waste concerned by your contribution, as well as an estimation of the environmental benefits.

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5.2 Criteria to distinguish e-waste from other types of waste

As explained in part 4 above, Article 29(6) of the Waste Shipment Regulation empowers the Commission to adopt delegated acts establishing criteria, such as contamination thresholds, on the basis of which certain waste should be classified as hazardous or non-hazardous or green-listed or not.

Such criteria can specifically serve to distinguish between e-waste and other types of waste. Most relevant in this case is the distinction between e-waste and other types of non-hazardous, green-listed types of waste, such as plastic or metal waste.

The new e-waste entries cover equipment and components that are electrical and electronic waste, but also “wastes arising from the processing of waste electrical and electronic equipment or waste components of electrical and electronic equipment (e.g. fractions arising from shredding or dismantling)” as long as such waste are not covered by another specific entry under the Basel Convention.

Wastes arising from the processing of e-waste should no longer be considered “unlisted”. Such waste should now be classified under one of the new Basel entries for e-waste. Within the EU however, some non-hazardous e-waste could be classified under old OECD entries. And some wastes arising from the processing of e-waste can be classified under another entry in the Basel Convention, such as B1010 for clean metal waste fractions. The practical implementation of all these nuances raised questions on how to distinguish between e-waste and metal waste.

In view of the above, stakeholders are invited to provide detailed views and input regarding criteria, such as contamination levels, to classify certain specific wastes as distinct from e-waste, as well as the underpinning data and rationale for such criteria.

1. Please specify the type(s) of waste for which you see a need to establish criteria on the basis of which this waste should be distinct from e-waste and please indicate as well whether it would be considered green-listed (eg. contamination threshold). Please indicate the waste code(s) typically used to classify such waste under the Waste Shipment Regulation.

2. Please propose possible criteria (such as a contamination threshold) and provide the rationale for establishing such criteria, supported by evidence.

3. Please provide, if possible, data on quantities of waste shipped within the EU, as well as between the EU and third countries, that are concerned by your contribution.

4. Please provide, if possible, an estimation of costs saved as a result of the green-listing of waste concerned by your contribution, as well as an estimation of the environmental benefits.

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