

# Feedback on the Green-listing of Waste

**Response from the Rethink Plastic Alliance to the public consultation on the Commission's proposal for a Delegated Act on the green-listing of certain waste under the Waste Shipment Regulation.**

*September 2026*

## About Rethink Plastic

The Rethink Plastic Alliance is a coalition of leading European NGOs advocating for ambitious EU policies to tackle the growing crisis of plastic pollution. It brings together the Center for International Environmental Law (CIEL), ClientEarth, the Environmental Investigation Agency (EIA), the European Environment Bureau (EEB), the European Environmental Citizen's Organisation for Standardisation (ECOS), Greenpeace, Seas At Risk, Surfrider Foundation Europe, and Zero Waste Europe. Together, these organisations represent thousands of active groups, supporters and citizens in every EU member State working towards a future free from plastic pollution.

## Summary

The Rethink Plastic Alliance (RPA) is deeply concerned by the proposed expansion of green-listing waste streams with these draft Delegated Acts. RPA supports clear and harmonised rules that enable environmentally sound management (ESM) of waste and high-quality recycling. However the proposed changes risk fragmenting policy coherence and creating regulatory loopholes that would undermine the current European recycling sector and could be exploited by waste criminals, resulting in the exact opposite of what the Delegated Acts intend to achieve. By way of example, the Commission proposes to green-list textile and electronic waste while parallel EU processes under the Ecodesign for Sustainable Products Regulation (ESPR) and the Waste Electrical and Electronic Equipment (WEEE) Directive are still addressing fundamental shortcomings in recyclability, traceability, collection, treatment and enforcement, which are the basis for an overall improved waste management system. Furthermore, the proposed 10% contamination threshold for B2020 glass will result in lower-quality waste streams despite established separate collection practices and much stricter EU standards for glass cullet.

**RPA therefore urges the Commission to reassess the draft Delegated Acts before adoption, ensuring that reduced shipment controls are introduced only where environmentally sound waste management can be demonstrated across the Union and where they enable EU circular economy objectives rather than undermining them.**

## Overall position on further green-listing

### Environmental protection and circularity

As outlined in our response to this consultation in October 2025, the RPA wants to recall that the main objective of the Waste Shipment Regulation (WSR) is the protection of the environment and human health, climate neutrality and achieving a circular economy and zero pollution. Therefore, ensuring the environmentally sound management of waste and the protection of environmental and human health is and should remain at the core of waste trade policies.

The WSR should be implemented in a way that supports genuine circularity and ensures non-toxic streams and loops. It should also be implemented in a way that diverts waste and waste exports from incineration and landfill, while supporting waste reduction, reuse and the improvement of separate collection and mechanical recycling infrastructures.

The Alliance considers that no waste type containing plastic should be green-listed, in view of the well evidenced impacts of plastic waste trade on the environment, human health and domestic recycling capacity.

### No justification for further green-listing

The Alliance wants to highlight that 70% of waste is already green listed for trade within the EU. In addition, the centralised system DIWASS has simplified notification procedures, reducing the administrative process for non-green-listed waste compared to green-listed waste. Therefore, it seems unjustified to green-list additional categories of waste and, as such, we are very concerned about the proposed Delegated Act drafts.

### Prioritising upstream measures

It is our view that to genuinely boost the internal market for recycling while safeguarding environmentally sound management, implementation should prioritise product and system redesign for non-toxicity and recyclability as well as separate collection and sorting improvement. Incentives should favour higher quality, non-toxic secondary materials, which means alignment of WSR implementation with upstream measures on chemicals and design so that waste quality reflects design and sorting performance rather than relying on cross-border movements to remedy poor quality.

#### Recommendation:

- Do not proceed with further expansion of the green-list.
- Prioritise measures that improve waste prevention, product design, non-toxicity, separate collection, sorting and high-quality recycling.

## B3030 — Mixtures of textile waste + footwear, hats, belts and accessories

### Environmental, health and enforcement concerns

The Alliance is deeply concerned that, only months after adopting the revised WSR with strong provisions recognising the environmental and human health risks of plastic waste trade and committing to 'strict governance' of such waste, the Commission is proposing to green-list synthetic-based mixtures of clothing and footwear.

To reiterate the evidence outlined in our consultation response submitted in October 2025: Synthetic polymers now account for the majority of global fibre production, textile-to-textile circularity for synthetic fibres is still at its infancy<sup>1</sup>, the Basel Annex IX listing for textile waste is outdated and does not reflect the modern fibre composition, certain clothing and footwear contain PVC, separate collection for textiles remains limited and uneven across the EU<sup>2</sup>, and synthetic textiles are a significant source of microplastic pollution. Textile and footwear waste can also contain complex blends of polymers and chemical additives. As such, these materials cannot simply be assumed to be non-hazardous, environmentally sound management cannot be demonstrated across the Union, and the risks of contamination and misdeclaration remain high. Synthetic textile and footwear waste should therefore remain subject to the prior informed consent procedure.

### ESPR requirements for textiles and Digital Product Passport

Crucially, this proposed green-listing is particularly premature given that the EU is simultaneously developing textile-specific requirements under the Ecodesign for Sustainable Products Regulation (ESPR), with the relevant Delegated Act not expected until Q4 2027. The ongoing JRC preparatory work is examining the upstream characteristics that determine whether textile waste can be safely and effectively recycled, including recyclability, recycled content, substances of concern, durability and material recovery.

This work is considering whether textiles can be effectively collected, sorted and prepared for recycling, whether their fibre content can provide suitable feedstock for textile-to-textile recycling,

<sup>1</sup> Systemiq, [The Textile Recycling Breakthrough](#), 2025

<sup>2</sup> ZWE, [Measuring up – first edition of ZWE's municipal manual for circular textile systems](#), 2025

and whether substances or other elements impede sorting, recycling or the use of resulting recycled fibres. These issues are especially relevant to mixtures containing footwear and accessories, given their potentially complex combination of fibres, polymers, coatings, adhesives, dyes and other chemical additives. The associated Digital Product Passport (DPP) is also intended to improve traceability across textile value chains, including information relevant to composition and end-of-life management.

Yet neither these textile-specific information requirements nor the wider ESPR requirements are currently operational. Green-listing these waste streams now would therefore reduce shipment controls before the EU has established the upstream product-design and information framework intended to improve their quality, traceability and recyclability.

This raises a fundamental issue of policy sequencing and coherence. Rather than facilitating the movement of complex waste streams before these upstream interventions are in place, the EU should first establish the conditions necessary to generate high-quality, non-toxic and genuinely recyclable textile waste and assess whether they deliver the intended improvements.

#### Recommendation:

- Do not green-list mixtures of textile waste, footwear and accessories. At minimum, any reconsideration of their shipment controls should follow the establishment and implementation of the forthcoming textile ESPR requirements and Digital Product Passport.

## BEU09 / EU49 — Electrical and electronic waste

### Uneven treatment and environmentally sound management concerns

E-waste treatment standards differ substantially across EU Member States. This is evident from the low share of recycling facilities implementing high-quality treatment standards as well as documented problems involving illegal treatment and discrepancies between reported import quantities and treatment capacities in several Member States. In light of these persistent problems, Eastern European members of the European Environmental Bureau (EEB) have particularly warned against overly lenient shipment rules for e-waste. The Rethink Plastic Alliance therefore does not consider that the conditions under Article 79(3) or (4) of the Waste Shipment Regulation for green-listing these wastes are met, including that they are managed in an environmentally sound manner throughout the Union.

To illustrate these concerns, our October 2025 consultation response provided evidence from Romania of ongoing illegal shipments and inadequate treatment practices involving e-waste and other waste streams. This included evidence of the continued burning of e-waste in Sintești to recover metals such as copper, aluminium and steel, causing environmental and human health impacts and the loss of valuable resources through substandard and illegal treatment practices.

While the Commission has introduced some safeguards through BEU09 (requiring relevant materials to be non-hazardous and for equipment to have undergone proper treatment under the WEEE Directive) and through EU49 (which retains PIC for WEEE not covered by A1181 or BEU09) these conditions do not resolve the wider concerns regarding whether environmentally sound management can currently be demonstrated throughout the Union.

## Shortcomings in the evaluation of the WEEE Directive

The Commission's 2025 evaluation of the WEEE Directive concluded that the Directive has not fully achieved its intended outcomes. Nearly half of WEEE generated is still not collected, most EU Member States do not meet the collection target, and only around 40% of WEEE is recycled in the EU. The evaluation also identified inconsistent treatment requirements as a key shortcoming, with only around 23% of EU recycling facilities implementing high-quality treatment standards.

These shortcomings are now subject to an ongoing policy and legislative process. The Commission is required to assess the need to revise the WEEE Directive by the end of 2026, including consideration of its full implementation and enforcement, adequate collection targets and prevention of illegal trade. The Commission has also identified mandatory WEEE treatment standards as a potential measure and is considering the findings of the WEEE evaluation in the context of the upcoming Circular Economy Act.

As with textiles, there is a fundamental issue of policy sequencing and coherence in expanding green-listing at precisely the point when the Commission itself has concluded that the underlying EU framework for collection and treatment requires improvement and is considering new measures to address those shortcomings. Compliance with existing WEEE treatment requirements does not in itself address the Commission's finding that those requirements and their implementation remain inconsistent across the Union.

### Recommendation:

- Do not greenlist additional WEEE categories under BEU09. At a minimum, any reconsideration of shipment controls should follow the completion of the ongoing WEEE review and implementation of measures necessary to ensure consistent, high-quality treatment and effective enforcement throughout the Union.

## B2020 — Proposed 10% contamination threshold for glass

### The proposed threshold is excessively high

The Rethink Plastic Alliance supports the establishment of clear and harmonised contamination thresholds to ensure consistent classification and enforcement across Member States. However, we question whether a threshold allowing up to 10% by weight of other wastes in consignments of B2020 glass is compatible with the objectives of promoting high-quality recycling and ensuring

that green-listed waste presents a sufficiently low environmental risk. We have been advocating for a European-wide threshold for contamination of 0.5% (as it is the case in a number of countries, including China before the 2018 National Sword Policy on waste trade, and Hong Kong).

## **It undermines existing EU glass quality and separate collection standards**

Commission Regulation (EU) No. 1179/2012 on end-of-waste criteria for glass cullet permits no more than 2,000 ppm (0.2%) of organic non-glass components, including plastic, paper, rubber, fabrics and wood, alongside even lower limits for metals and certain non-glass inorganic contaminants. While these end-of-waste criteria apply at a different stage of the value chain, they demonstrate the very high material purity required for glass to function as a high-quality secondary raw material.

In addition, plastic and other organic material, metals, ceramics, stones and other non-glass materials present different challenges for glass recycling and the quality of resulting cullet. A single 10% threshold covering contamination with any “other types of wastes” risks treating materially different contamination profiles as equivalent.

Glass collected separately produces higher-quality recyclate, while co-mingled collection with other recyclable waste materials increases contamination, including by plastic. Establishing such a high contamination threshold for green-listed shipments will result in lower-quality collection and sorting rather than the production of clean, high-quality cullet suitable for closed-loop recycling. Mono-material collection of glass packaging is already the predominant method of collection in 21 EU Member States. Allowing green-listed glass waste to contain up to 10% other waste appears inconsistent with established EU collection practices. This opens up a loophole which will be exploited, where unrecyclable waste is placed with glass intentionally for shipments and will not be scrutinised, including plastic.

### **Recommendations:**

- Reconsider the proposed 10% threshold and provide evidence that waste containing this level of contamination can consistently undergo environmentally sound, high-quality recycling across the Union.
- Establish a substantially lower threshold and consider whether differentiated limits are necessary for particular contaminants, including plastics, metals and non-glass inorganic materials, rather than relying solely on a single aggregate contamination threshold.