



Fecc
EUROPEAN ASSOCIATION OF
CHEMICAL DISTRIBUTORS

Green-listing certain waste for shipments to recovery between MS

European Association of Chemical Distributors (Fecc)
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The European Association of Chemical Distributors (Fecc) welcomes the opportunity to provide feedback on the Commission's initiative on green-listing certain waste for the purposes of shipments to recovery between Member States.

Fecc supports the objective of facilitating the movement of waste destined for recovery within the EU. A well-functioning internal market for waste is essential for enabling circular value chains, improving access to secondary raw materials and ensuring that waste can be directed to the facilities best equipped to recover its value.

At the same time, the practical implementation of the Waste Shipment Regulation must remain proportionate and workable for companies, particularly SMEs. Fecc therefore supports an **evidence-based and risk-proportionate approach to green-listing**, which maintains a high level of environmental protection while avoiding unnecessary administrative procedures for waste streams that can be safely recovered.

1. Establish a risk-based methodology for green-listing

Fecc supports expanding the scope of green-listed waste. However, the effectiveness of the initiative should not be measured simply by the number of additional waste codes added to the green list.

The Commission should establish **clear and harmonised criteria for determining when a waste stream can be considered suitable for green-list treatment**. These criteria should assess the actual risk associated with the waste, taking into account:

- its hazardous properties and composition;
- the nature and level of contamination;
- the consistency of the material;
- the intended recovery operation; and
- the technical capabilities of the receiving recovery facility.

This would provide a more predictable framework than relying primarily on individual waste codes and would allow the regulatory system to reflect the realities of modern circular value chains.

Fecc recommends that the Commission develop a common EU methodology for assessing green-list eligibility, based on risk and the intended recovery route rather than solely on the waste code.

2. Make contamination thresholds proportionate and technically justified

Fecc recognises the value of harmonised contamination thresholds in providing legal certainty. However, rigid numerical thresholds should not automatically result in a waste shipment being subject to the prior notification and consent procedure where the relevant contamination does not create a meaningful environmental or health risk.

Industrial and post-consumer recovery streams can contain minor variations or residual substances without becoming hazardous or unsuitable for recovery. Furthermore, the significance of a contaminant can depend on the recovery technology used by the receiving facility.

Fecc therefore supports thresholds that are **evidence-based, technically justified and regularly reviewed**. Where appropriate, the framework should allow the safety and environmental performance of the intended recovery process to be taken into account.

Fecc recommends that contamination thresholds should function as risk-management criteria rather than automatic cut-off points, where environmentally sound recovery can otherwise be demonstrated.

3. Provide an EU decision tree and practical guidance

A major practical challenge for operators is determining which waste shipment procedure applies. This is particularly relevant for SMEs, which may not have dedicated regulatory specialists to assess complex classification requirements.

Fecc therefore recommends that the Commission accompany the new green-listing provisions with a **simple EU-wide decision tree** enabling companies and competent authorities to determine consistently:

1. whether the material is hazardous;
2. whether an existing green-list entry applies;
3. whether a newly established green-list entry applies;
4. which composition or contamination criteria must be met; and
5. whether the intended recovery operation allows the shipment to be managed in an environmentally sound manner.

The guidance should include practical examples and frequently asked questions and should be designed for use by companies without specialist legal expertise.

Fecc recommends a standardised EU decision tree, supported by practical examples and FAQs, to make the green-listing rules directly usable by SMEs.

4. Consider the recovery operation and receiving facility

The environmental risk of a shipment cannot always be assessed solely by looking at the material at the point of dispatch.

The same waste stream may be suitable for different levels of control depending on the recovery technology and the capabilities of the receiving facility. Modern sorting, purification, separation and recycling technologies can allow materials containing minor impurities to be recovered safely and efficiently.

The regulatory framework should therefore recognise the role of **authorised and technically capable recovery facilities** when assessing whether a shipment can be managed in an environmentally sound manner.

This approach would also support investment in specialised European recovery capacity and ensure that waste can move to the facility best equipped to recover its value, rather than being unnecessarily restricted to national markets.

Fecc recommends that the assessment of green-list eligibility take account of the intended recovery operation and the technical capabilities of the receiving facility, where relevant.

5. Make the framework future-proof and innovation-friendly

The waste streams and recovery technologies relevant to the circular economy are evolving rapidly. A static list risks becoming outdated as new sorting, recycling, purification and recovery technologies become commercially available.

Fecc therefore recommends establishing a **transparent mechanism for periodically reviewing and expanding the green list**. Companies and industry associations should be able to submit technical evidence supporting the inclusion of additional waste streams through a predictable process.

The Commission should also periodically review existing entries and thresholds in light of technological developments and practical experience.

This would allow the regulatory framework to evolve alongside the circular economy while maintaining appropriate environmental safeguards.

Fecc recommends a structured review mechanism that allows new waste streams and recovery technologies to be assessed efficiently as the market develops.

6. Ensure implementation is simple, digital and consistent

Finally, green-listing will only deliver its intended benefits if the rules can be applied consistently across Member States.

Fecc supports the digitalisation of waste shipment procedures and encourages the Commission to use the new digital framework to reduce, rather than reproduce, administrative burdens. For recurring shipments, companies should be able to reuse relevant information, rely on standardised data fields and avoid unnecessary duplicate submissions.

The Commission should also work with Member States to ensure consistent interpretation and enforcement of the green-listing criteria.

This is particularly important for SMEs, for which uncertainty or differing national interpretations can make cross-border recovery operations disproportionately costly and complex.

Fecc recommends that the Commission combine green-listing with standardised digital information requirements, reusable data for recurring shipments and common implementation guidance for competent authorities.

Fecc Recommendations

Fecc encourages the Commission to use the current initiative to establish a **predictable, risk-based and future-proof framework for green-listing**, rather than simply expanding the existing list.

In particular, Fecc recommends that the Commission:

1. **Develop a common EU risk-based methodology** for determining green-list eligibility, considering the waste, its properties and its intended recovery route.
2. **Apply contamination thresholds proportionately**, ensuring that minor contamination does not automatically trigger more burdensome procedures where environmentally sound recovery remains possible.
3. **Introduce a practical EU decision tree and guidance**, enabling companies and competent authorities, particularly SMEs, to determine the applicable procedure consistently.
4. **Take account of the recovery operation and receiving facility**, where their technical capabilities are relevant to the safe and environmentally sound management of the waste.
5. **Establish a dynamic review mechanism** allowing the green list to evolve with new waste streams, technologies and recovery solutions.
6. **Use digitalisation to simplify compliance** and promote consistent implementation across Member States.

Fecc supports the Commission's objective of facilitating cross-border shipments of waste destined for recovery. Green-listing can play an important role in strengthening European circular value chains, but its success will depend on whether the framework is sufficiently **predictable, proportionate and practical for operators**.

A risk-based approach would allow the EU to maintain a high level of environmental protection while avoiding unnecessary administrative barriers for low-risk waste streams. Combined with clear EU guidance, consideration of the actual recovery process, and a mechanism to accommodate technological developments, this would create a more flexible framework capable of supporting both established and emerging circular business models.

Fecc therefore encourages the Commission to focus not only on **what waste is green-listed**, but also on establishing **a clear and workable system for determining what should be green-listed in the future**.

To access the Fecc's response on EU Commission's website, please click [here](#).

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