



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2022/0357/E (Spain)

Draft Ministerial Order establishing the criteria for determining when plastic waste undergoing mechanical treatment and destined for the manufacture of plastic products ceases to be waste pursuant to Law 7/2022 of 8 April on contaminated waste and soils for a circular economy.

Date received : 20/05/2022

End of Standstill : 22/08/2022 (closed)

Message

Message 002

Communication from the Commission - TRIS/(2022) 01840

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2022/0357/E

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késéket - Ma' jiftaħx il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 202201840.EN)

1. MSG 002 IND 2022 0357 E EN 20-05-2022 E NOTIF

2. E

3A. Subdirección General de Asuntos Industriales, Energéticos, de Transportes y Comunicaciones, y de Medio Ambiente
Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias
Secretaría de Estado para la Unión Europea
Ministerio de Asuntos Exteriores, Unión Europea y Cooperación

3B. Dirección General de Calidad y Evaluación Ambiental
Secretaría de Estado de Medio Ambiente
Ministerio para la Transición Ecológica y el Reto Demográfico
Pza. San Juan de la Cruz s/n
28071 Madrid

4. 2022/0357/E - S20E

5. Draft Ministerial Order establishing the criteria for determining when plastic waste undergoing mechanical treatment and destined for the manufacture of plastic products ceases to be waste pursuant to Law 7/2022 of 8 April on contaminated waste and soils for a circular economy.

6. Certain plastic waste (specifically thermoplastic waste) which is mechanically treated and which, once meeting the



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end-of-waste criteria defined in the order, will no longer be considered as waste.

7. - Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services.

8. This Ministerial Order, which is valid throughout the territory of the State, lays down the requirements to be met by thermoplastic waste eligible for mechanical treatment, the requirements to be met by such recovery treatments, the quality criteria to be met by the resulting material after the recovery operation in line with the applicable product standards, as well as the procedure for verifying compliance with end-of-waste criteria through management systems. All this for the purpose of mechanically treated thermoplastic waste is no longer considered waste.

9. This is a flow that currently does not have a single regulatory framework at European Union level.

The European Commission commissioned the Joint Research Centre-Joint Research Centre to study the proposed end-of-waste criteria for certain plastic waste, including all the basic information required to ensure compliance with the terms of Article 6 of Directive 2008/98/EC of 19 November. This study was published in 2014, however, to date, no legislative initiative has yet taken place by the European Commission with the aim of establishing these end-of-waste criteria.

Given the importance of this waste stream and the absence of regulation at EU level, the development of these criteria for plastic waste at national level, as foreseen in Article 6 of Directive 2008/98/EC of 19 November, has been considered necessary.

10. There are no basic texts

11. No

12. -

13. No

14. No

15. -

16. TBT aspect

NO - The draft will have no discernible effect on international trade.

SPS aspect

NO - The draft will have no discernible effect on international trade.

European Commission

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