



Notification Number : 2023/0493/EE (Estonia)

## Waste Act Amendment Act

Date received : 08/08/2023  
End of Standstill : 09/11/2023

### Message

Message 001

Communication from the Commission - TRIS/(2023) 2367

Directive (EU) 2015/1535

Notification: 2023/0493/EE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznamenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20232367.EN

1. MSG 001 IND 2023 0493 EE EN 08-08-2023 EE NOTIF

2. Estonia

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3B. Kliimaministeerium

4. 2023/0493/EE - S20E - Waste

5. Waste Act Amendment Act

6. Tyres, agricultural plastic, motor vehicles, motor vehicle parts.

7.



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
Single Market Enforcement  
Notification of Regulatory Barriers

8. Under Article 8 of the European Union (EU) waste law (Waste Framework Directive 2008/98/EU, etc.), in order to strengthen the re-use and the prevention, recycling and other recovery of waste, Member States may take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility. Directive 2018/851, amending Directive 2008/98/EC, highlights that extended producer responsibility schemes are an essential element of efficient waste management.

At this point, the European Union has introduced extended producer responsibility for batteries, packaging, motor vehicles and parts thereof, electrical and electronic equipment, and certain single-use plastic products.

The Waste Act establishes producer responsibility for products of concern. A product of concern means a product the waste resulting from which causes or may cause health or environmental hazards, environmental nuisances or excessive pollution of the environment. In Estonia, products of concern include motor vehicles and parts thereof, electrical and electronic equipment and parts thereof, batteries and accumulators, tyres, agricultural plastic, tobacco products with filters, fishing equipment containing plastic, wet wipes, and balloons. Any natural or legal person who, in the course of his business or profession, develops, manufactures, processes, sells, or imports products of concern has extended producer responsibility. Under the principle of extended producer responsibility, the producer is responsible for fulfilling the waste management obligations of the products of concern placed on the market. Extended producer responsibility schemes ensure more efficient collection and proper treatment of end-of-life products of concern in accordance with the EU waste legislation and international agreements. The purpose of the extended producer responsibility requirements is to encourage the re-use, preparation for re-use, and recycling of products of concern. Furthermore, the extended producer responsibility scheme promotes the placing on the market of durable, reusable, and recyclable products.

The term 'tyre manufacturer' which has been used so far only defined as a tyre manufacturer a person who places tyres on the market in Estonia as an independent product 'tyre'. Broadening the definition of a tyre manufacturer is necessary to ensure more efficient collection and proper treatment. By creating a single producer responsibility system, costs will be significantly reduced through economies of scale and businesses and consumers will be able to take end-of-life tyres free of charge to the collection point of waste tyres. The extension of the term tyre manufacturer affects all persons placing tyres on the Estonian market with a trailer as defined in Section 2 (9) of the Traffic Act, an off-road vehicle as defined in clause 36, a power-driven vehicle as defined in clause 40, a towed equipment as defined in clause 58, or an interchangeable towed device as defined in clause 91.

Agricultural plastic has been highlighted as regards to the producer responsibility in the field of packaging. Agricultural plastic has been included in the Waste Act as a separate product of concern to ensure more efficient collection and processing. The establishment of producer responsibility for agricultural plastics in the Waste Act is necessary to reduce the number of producers who circumvent producer responsibility and to prevent a situation in which these other distribution channels have to bear the costs of producer responsibility for the products of concern in the case of which the equipment was sold through remote or electronic sales. The establishment of producer responsibility for agricultural plastics affects all persons who place on the Estonian market silage wrap film, silage covering film, tunnel film, net wrap, or plastic twine used in agriculture.

Since placing on the market also involves making goods available by means of distance communication, the provision concerning the authorised representative is amended and it is specified that, in the future, a manufacturer of a motor vehicle, motor vehicle part, tyre or agricultural plastic, who places its products on the market of another European Union Member State in which it has no seat, must appoint an authorised representative, whether a natural or a legal person, who has a place of resident or seat in the respective Member State, to fulfil the obligations imposed on the manufacturer on its behalf. The authorised representative will enable smooth functioning of the internal market and reduce the administrative burden. The authorised representative will be responsible for fulfilling the obligations of the manufacturer. The appointment of an authorised representative will make it easier to register the manufacturer and submit reports.

9. Article 8 (1) of the Waste Framework Directive (2008/98/EU) allows a Member State, in order to strengthen the re-use



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and the prevention, recycling and other recovery of waste, to take legislative or non-legislative measures to ensure that any natural or legal person who professionally develops, manufactures, processes, treats, sells or imports products (producer of the product) has extended producer responsibility.

The obligation to designate an authorised representative of a tyre manufacturer or an agricultural plastic producer will allow for more efficient waste collection and proper waste treatment. The purpose of the extended producer responsibility requirements is to encourage the re-use, preparation for re-use, and recycling of products of concern. Furthermore, the extended producer responsibility scheme promotes the placing on the market of durable, reusable, and recyclable products.

The obligation to appoint an authorised representative will enable to reduce the number of producers who circumvent producer responsibility and to prevent a situation in which these other distribution channels have to bear the costs of producer responsibility for the products of concern in the case of which the equipment was sold through remote or electronic sales.

10. References to related legislation:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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European Commission

Contact point Directive (EU) 2015/1535

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