

UNICE

THE VOICE OF BUSINESS IN EUROPE

Mr Romano Prodi
President of the
European Commission
rue de la Loi, 200
B-1049 Bruxelles

23 January 2002

THE PRESIDENT

Dear President,

UNICE-proposal for reform of European waste legislation

We are pleased to send you UNICE's proposal for reform of the European waste framework directive.

The need for reform has long been recognised on all sides. In several resolutions dating from 1997 and 1998 the Council of the European Union and the European Parliament emphasised the need to for clear specification of the concept of waste, the distinction between waste and product, and the crossover point from waste to product. More recently, the two institutions have called for a revision of European waste legislation in the context of the 6th Environmental Action Programme. In particular, work is needed on the waste/non-waste distinction and on the difference between waste disposal and waste recovery.

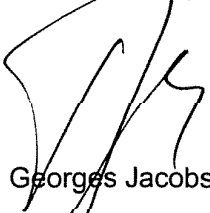
As long ago as 1995 the European Commission ascertained in a report that the waste framework directive poses implementation problems due to its lack of clarity, a situation which causes uncertainty for administrations and economic operators alike, and gives rise to misunderstandings. The European Commission expressly acknowledged the need for a better definition of what constitutes waste and what constitutes a product, and expressed its intention of taking remedial action. In addition, in a 1997 communication, the European Commission stressed that implementation of the waste framework directive is unsatisfactory, notably with respect to the definition of waste. The conclusions recognised that the use of different terminology creates problems for economic operators and administrations.

In 1998 the European Commission pointed out in another communication that the Community definitions of the waste concept also presents major difficulties for companies in the recycling sector. As a result, implementation discrepancies lead to trade barriers and distortions of competition, especially for recyclable materials. The European Commission draws the conclusion that a transparent and stable legislative framework in general alongside clear and workable definitions in particular are of essential importance. According to the European Commission, what are needed are coordinated concepts and definitions which will make it possible to achieve a higher level of harmonisation in the implementation of Community provisions.

European industry, too, has already on several occasions drawn attention to the need for a review, most recently at the Recycling Forum 1999-2000 organised by the European Commission. However, to date, the European Commission has made no effort to initiate this revision in a legislative process. We regard our proposal as a constructive contribution by industry, which can be used as the basis for development of the corresponding revision. The proposal has been adopted unanimously within UNICE. In other words, it has proved possible to unite the whole of European Industry behind this proposal.

We would therefore be very pleased if you would take up this initiative. Please do not hesitate to contact us if you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Georges Jacobs', written over a large, light-colored scribble or stamp.

Encl.