

## EPREU PROJECT (Extended Producer Responsibility in European Union)

### INTERREG EUROPE-

The [Directive 2008/98/CE](#), of the European Parliament and of the Council of 19 November 2008 on waste introduces the so-called “**Extended Producer Responsibility**” (EPR) to support the design and production of goods that take into full account and facilitate the efficient use of resources during their whole life-cycle. According to this Directive, 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.

The Extended Producer Responsibility is based on the “polluter pays” principle, whereby product producers are involved in the prevention and management of waste from the products they put on the market. In this way, its responsibility goes beyond the moment of sale of the product and reaches its entire life cycle.

Starting with Directive 2008/98/EC on waste, extended producer responsibility has been developed for various waste streams, under other Union legislation, Directives [2000/53/CE](#), on end-of-life vehicles, [2006/66/CE](#), on waste batteries and accumulators, and [2012/19/UE](#), on waste electrical and electronic equipment, of the European Parliament and the Council.

The [Directive \(UE\) 2018/851](#), of May 30, of the European Parliament and of the Council, which modifies Directive 2008/98/EC, of November 19, takes into account that producer responsibility schemes form an essential part of efficient waste management, however, it recognizes that their effectiveness and performance differ significantly between Member States. The Directive introduces, therefore, a definition of **extended producer responsibility scheme** (it means *a set of measures taken by Member States requiring producers of products to bear financial or financial and organizational responsibility for the management of the waste stage of a product's life cycle including separate collection, sorting and treatment operations*) and **sets the minimum operating requirements** for such extended producer responsibility schemes.

The aim of these general minimum requirements is to reduce costs and boost performance, as well as ensure a level playing field, including for small and medium-sized enterprises and e-commerce enterprises, and avoid obstacles to the smooth functioning of the internal market. They should also contribute to the incorporation of end-of-life costs into product prices and provide incentives for producers when designing their products (recyclability, reusability, reparability, and the presence of hazardous substances). Those requirements should improve the governance and transparency of extended producer responsibility schemes and reduce the possibility of conflicts of interest (between organizations implementing extended producer responsibility obligations on behalf of producers of products and waste operators that those organizations contract).

Producers of products can fulfill the obligations of the extended producer responsibility scheme **individually or collectively, through organizations implementing extended producer responsibility obligations on their behalf.**

In addition to the waste streams mentioned above (end-of-life vehicles, batteries and accumulators, and electrical and electronic equipment), the recent Directives [2018/852](#), on packaging and packaging waste, and [2019/904](#), on single use plastic, also include the obligation to establish EPR schemes for the waste of these products. This last Directive affects different kind of containers, tobacco filters, wet wipes, and balloons.

Due to differences in national legislations, however, **the scope and performance of EPR schemes remains extremely heterogeneous** and vastly differs amongst European countries and EU Member States, as acknowledged by the European Union itself. As a result, some EPR schemes consistently perform above average, meeting the increasingly ambitious targets set out at EU level (e.g. in terms of collection rates), and others continue to underperform. Also, governance and transparency in organizations implementing EPR obligations differ widely.

The objectives of the Interreg project Europe would be the following:

- **Study the *state of the art* of the EPR** for different waste streams in the EU territories.
- **Identify and characterize the success stories** of the tools/instruments that have been implemented to establish the EPR, identifying the conditions that have allowed its development and efficiency in terms of meeting objectives, system organization, design, operation, financing, control, monitoring, etc.
- **Identify EPR schemes or other measures related to the EPR implementation** that have been developed and implemented **voluntarily or even in advance of the legal obligation** in the EU territories for waste streams not yet regulated by law, and study their operation and efficiency.
- **Identify good practices related to monitoring and control** (monitor and verify compliance with obligations) **that the competent authorities** of the different EU territories carry out on the instruments developed to comply with the obligations derived from the *EPR* in the different waste streams.
  - As an example, in Spain, there are instruments such as prior administrative intervention (authorizations, prior communications) to ensure compliance with commitments regarding organization, financing, and design, or the signing of agreements with public authorities to carry out financial and organizational monitoring and control. To assess compliance with the objectives, there are tools such as annual reports, the register of producers, operators' reports, or characterizations.
- **Identify and study** good practices related to **citizen participation** in the implementation and proper functioning of the EPR.
- **Transfer and adapt the identified good practices**, both those related to the organization and start-up of the EPR as well as those of monitoring and control by the competent authorities, **to other EU territories**, so that progress is made in the commitments in circular economy, in the field of waste management and prevention.