

European Commission

Naturvernforbundets response to the public consultation on the Circular Economy Act

Naturvernforbundet, Friends of the Earth Norway, is Norway's oldest environmental and nature protection organisation. We are a democratic, membership-based organisation with over 43 800 members and more than 100 local groups working across the country. We are thankful for the opportunity to comment on the upcoming Circular Economy Act (CEA).

We strongly support EU's ambition to accelerate the transition towards a circular economy. Circularity must be established as a horizontal principle in the Clean Industrial Deal, and the waste hierarchy must be promoted as a binding core principle across all relevant EU legislation, including the upcoming Circular Economy Act.

1. EU-wide material footprint reduction target

One of the key components to enhance a circular economy within the EU is to reinforce the single market for waste and secondary raw materials. However, we would like to emphasise that the first step in the waste hierarchy is the reduction of overall material demand, for instance through product longevity, reuse, reparability, sharing services and material efficiency. Therefore, an ambitious binding EU-wide material footprint reduction target, defined on a per capita basis, should be introduced. Several member states, including Germany, Austria and the Netherlands, have already adopted national material footprint reduction targets and the Environment Council has explicitly urged the European Commission in June 2024 to develop an EU framework for sustainable resource use. Establishing a binding EU-wide material footprint reduction target thus aligns with existing political momentum and provides a clear direction for Member States to develop national caps and sectoral roadmaps in key areas such as food, mobility, housing and energy.

To ensure a holistic approach that also prioritises the absolute reduction of overall resource use in the EU, the Circular Economy Act should be based on a dual legal basis, drawing on both article 114 on the internal market and article 192 TFEU on environmental protection.

2. Harmonized definitions and legislation

Fragmentation of the internal market is one of the biggest obstacles to circularity. Divergent national interpretations of waste rules, end-of-waste criteria, and reporting obligations create uncertainty and additional costs for businesses. We therefore advise the following:

- Establish EU-wide harmonized definitions of waste, by-products, end-of-waste and

secondary raw materials, which are directly applicable in all Member States. This would remove uncertainty and fragmentation, as there are currently large differences between Member States both in their progress towards a circular economy and in how definitions are interpreted.

- Create uniform end-of-waste criteria across the EU to ensure that secondary raw materials are safe, traceable and used in a closed loop. It should set a single standard for the quality of secondary raw materials and guarantee alignment with product and chemical legislation, as well as prevent the circumvention of waste-trade controls.

3. Secondary raw materials

The price of secondary raw materials is often higher than primary materials, while the quality is often lower. This undermines competitiveness and slows uptake. We therefore advise the following:

- Introduce minimum recycled content requirements for all products and at least high-impact products such as packaging, electronics, textiles, batteries and construction products. These requirements must go beyond plastics and include all recyclable materials.
- Ensure transparency through the digital product passport. It should disclose recycled content, composition, reusability and reparability, safety and sustainability.
- Set design-for-recycling requirements: limit incompatible and the use of different materials, ban hazardous substances and ensure easy disassembly. This will make recycling easier, ensure a high quality of eventual secondary raw materials, and guarantee their safety.
- Introduce closed loop recycling requirements, at least for high-impact sectors, to ensure that secondary raw materials are for the same or equivalent products, thereby reducing downcycling and safeguarding material quality.
- Promote safe material cycles and clean manufacturing. Strong links with the EU Chemicals Strategy are essential to ensure that secondary raw materials are safe, non-toxic, and compatible with a circular economy. In addition to chemicals harmful to human health and the environment, poorly recyclable and harmful polymers should be phased out to enhance recycling and reuse potential.
- Promote the use of mono-materials to facilitate mechanical recycling. On the contrary, chemical recycling should not be identified or promoted as a recycling technology but rather as chemical recovery due to its inefficiency and use of high polluting technologies.
- Introduce an EU-wide certification and traceability system for secondary raw materials.
- Link the above to economic incentives: modulated extended producer responsibility (EPR) fees, reduced VAT on reuse, repair and remanufacturing. Products and materials that are not reusable, repairable or recyclable should be made less attractive, for instance through higher taxes.

4. Waste as a resource

Within a circular economy, waste is not an “end product”, but a resource. We therefore advise the following:

- Define the waste hierarchy as a binding core principle, as mentioned above.
- Establish uniform end-of-waste criteria across the EU, as mentioned above.
- Introduce harmonised requirements for separate waste collection and better enforcement thereof.
- Restrict waste export outside the EU to prevent leakage of valuable resources and environmental harm.
- Set binding targets for bio-waste management and quality.
- Facilitate a well-regulated internal EU market for secondary raw materials to enable economies of scale.

5. Simplification, digitalization and extension of extended producer responsibility schemes Extended Producer Responsibility is a cornerstone of circularity, and is already established on different product groups within the EU such as textiles and packaging. We advise the following:

- Require producer responsibility organisations to be non-profit.
- Strengthen and extend EPR to promote reuse and repair in the first place. Current EPR schemes primarily focus on waste management. The focus should be redirected towards establishing and developing reuse systems, repair initiatives and waste prevention.
- Digitalize EPR to make compliance simple and transparent.
- Introduce eco-modulation of fees to reward circular design and penalise problematic products.
- Make online marketplaces jointly responsible for ensuring that sellers comply with EPR rules. Joint responsibility creates a level playing field by closing loopholes, making marketplaces effective enforcers of circular economy principles, and ensuring fair and consistent implementation of EPR across all sellers.

6. Mandatory, targeted, impactful and implementable criteria for public procurement of circular goods, services and works

As public procurement accounts for [14 percent](#) of GDP in the EU, it can create stable demand for circular solutions. We therefore advise the following:

- Introduce mandatory circular procurement criteria for high-impact sectors such as construction, ICT, furniture, textiles and food. The [Green Public Procurement Criteria](#) designed by the European commission in 2023 are voluntary. We suggest mandatory requirements with a primary focus on environmentally produced goods and services, as well as waste avoidance by promoting reuse and repair. Inspiration can be drawn from Norway where public authorities are required to assign [at least 30 percent](#) weight to climate and environmental criteria in procurement processes. This approach should be strengthened and harmonized across all EU Member States.
- Require minimum reuse content in tenders, for example in catering, transport, healthcare, etc.
- Require recycled content, durability, and repairability in tenders.
- Support public bodies with model documents, training and technical assistance.
- Establish monitoring and reporting of circular procurement progress.

7. Funding

Previously, EU funding for the circular economy has largely been directed towards waste

management. However, the potential of the funding was not maximised as it [was mostly used for waste management](#) instead of at the design stage. Research shows that up to [80 percent](#) of a product's environmental impacts and circularity potential are determined at the design phase. To maximise impact, future EU funding must shift upstream in the value chain. Funding should prioritise circular design, material innovation, and waste prevention business models, rather than focusing primarily on end-of-pipe waste management. Furthermore, economic incentives should be created for circular business models.

Furthermore, the fiscal systems that currently reward resource extraction and pollution must be reformed. We therefore advise the following:

- Phase out subsidies for resource-intensive and polluting activities
- Internalise social and environmental costs in the prices of raw materials

8. Critical raw materials

A strong focus must also be placed on ensuring safe and circular use of critical raw materials. Collection, reuse, repair and high-quality recycling of products containing critical raw materials, particularly electronics and batteries, must be prioritized to reduce import dependence and environmental impacts.

9. Inclusive and equitable

The circular economy must be inclusive and equitable. Circular and healthy solutions should be affordable and accessible to all.

Finally, reducing Europe's material footprint offers multiple benefits. It will decrease dependency on imported raw materials from high-risk third countries, enhance Europe's autonomy and lower resource costs. It will boost innovation within and competitiveness of European industries. Furthermore, circular sectors such as reuse, repair, recycling and remanufacturing are labour-intensive, creating local, green jobs.

Naturvernforbundet can contribute further with knowledge and input in the development of European waste and circular economy policies.

With kind regards
Naturvernforbundet

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