



Green-listing intra-EU waste shipments under the Waste Shipments Regulation (WSR)

EPMF statement

The European Precious Metals Federation (EPMF) is an international trade association representing the interests of the precious metals industry in Europe. The main purpose of the EPMF is to promote and support the European precious metals industry, including refining, recycling, trading, and fabrication of precious metals such as gold, silver, platinum, and palladium. The EPMF represents the interests of its members in discussions with regulators, policy makers, and other stakeholders, mainly in sustainability and chemicals management fields. The organization also seeks to provide information and resources to its members in critical areas like EU regulations and new science.

Delegated act green-listing non-hazardous e-waste: A welcome first step

The EPMF supports the Commission's draft delegated act amending Annexes III, IIIA, IIIB and IV of Regulation (EU) 2024/1157 to reclassify certain waste streams for intra-EU waste shipments. Our members are precious metals refiners and recyclers who play a significant role in the revalorisation of wastes like Waste Electrical and Electronic Equipment (WEEE). The current GC010/GC020 transitional regime allowing certain non-hazardous WEEE to be shipped within the EU under Article 18 of the WSR will expire on 31 December 2026. The adoption of this delegated act is therefore timely and essential to provide regulatory certainty and ensure the facilitated movement of e-waste into the circular economy.

We support the introduction of the new BEU09 entry, which will allow qualifying non-hazardous WEEE, components and processing fractions to continue benefiting from the Article 18 procedure from 1 January 2027 onwards. That being said, we call on the Commission to provide EU-level guidance to clarify the distinction between BEU09, EU49 and A1181, including the criteria for determining when WEEE has undergone proper treatment, when components and processing fractions qualify under BEU09. Further guidance on what waste falls under EU49 and BEU09 would also ensure consistency. A harmonised approach will be essential to provide legal certainty for operators and prevent diverging Member State interpretations from creating new barriers to intra-EU shipments.

While this delegated regulation is a welcome first step for non-hazardous e-waste, we urge the Commission to ensure streamlined shipments of all WEEE, including those deemed hazardous, to benefit from this valuable circular source of raw materials already present within the EU. Complex e-waste streams are recycled in Europe according to high environmental and social standards, supported by a robust EU regulatory framework for the shipment and treatment of waste. However, Europe's waste management system remains fragmented, particularly for hazardous e-waste, with recyclers and refiners facing complex notification procedures, differing interpretations and additional national requirements (gold-plating) across Member States. WEEE is a critical source of valuable secondary raw materials, including critical and strategic raw materials and other precious metals like gold and silver. The complexity and hazardous classification of valuable WEEE streams is an unnecessary barrier to circularity. Where



waste is destined for pre-consented facilities capable of safely treating complex material streams and recovering valuable raw materials in an environmentally sound manner, shipment procedures should be streamlined and proportionate. We therefore urge the Commission to build on this delegated act and use the upcoming Circular Economy Act (CEA) to further facilitate intra-EU shipments of all WEEE to pre-consented facilities, supporting a functioning European single market for waste and improving access to precious metals including CRMs.

The paradigm must shift to a risk-based approach. Measures to ensure this change may include:

- Strengthening the pre-consented facility system and harmonising their recognition across the Union
- Establishing simplified procedures for waste destined for pre-consented facilities, and basing facilitated shipments on the destination and environmentally sound management of the waste, rather than solely on its hazardous/non-hazardous classification
- Establishing simplified procedures for waste shipments destined for recycling, refining and recovery of CRMs and precious metals

A well-functioning European market for secondary raw materials will depend not only on the green listing of non-hazardous waste streams, but also on proportionate and efficient procedures for complex waste streams containing valuable materials. This is essential to safeguard EU companies' access to the valuable materials contained in e-waste and directly support the EU's transition towards a circular economy, all while reducing dependence on third countries for critical resources.

We stand ready to collaborate with the Commission and the EU institutions to ensure that intra-EU waste shipments are supported by clear, robust, and harmonised legislation that accelerates the circular economy transition and upholds the green and economic objectives of the European Union.