

# Consultation Response – Draft Commission Implementing Regulation on criteria to determine when plastic waste ceases to be waste

Cefic welcomes the opportunity to provide input to the public consultation<sup>1</sup> on the draft Commission Implementing Regulation establishing EU-wide end-of-waste (EoW) criteria for plastics from mechanical and solvent-based recycling<sup>2</sup>. We recognise this as a positive step towards harmonisation, regulatory certainty, and the development of a well-functioning internal market for recycled plastics.

However, monitoring on the implementation of this Regulation, as required by Recital 12, should not guide reflections on EoW criteria for chemical recycling. While mechanical and chemical recycling are complementary, they differ fundamentally in terms of technologies, value chains, and outputs.

In light of these differences, any end-of-waste criteria for chemical recycling should duly take these differences into account and be carefully designed. This will avoid the creation of regulatory barriers that could undermine the role of chemical recycling in contributing to the achievement of the EU's circular economy objectives.

In chemical recycling, the primary recycling operation concludes at an intermediate stage rather than at polymer production, and end-of-waste (EoW) recognition should reflect this reality. Therefore, it is essential that any future framework for chemical recycling recognises secondary raw material intermediates arising from the primary recycling operation as valid EoW outputs.

Once EoW status is achieved for these intermediates, it should be maintained throughout downstream processing, including upgrading, refining, further conversion and/or polymerization, to ensure legal certainty and support investment. Loss of EoW status at later stages would create legal uncertainty,

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<sup>1</sup> [Public consultation, plastic waste EU-wide end-of-waste criteria](#)

<sup>2</sup> COMMISSION IMPLEMENTING REGULATION (EU), laying down rules for the application of Directive 2008/98/EC of the European Parliament and of the Council as regards criteria to determine when plastic waste ceases to be waste, Brussels (2025).

disrupt cross-border value-chain integration, impact economies of scale, and negatively affect investment decisions.

Furthermore, the input and output criteria proposed in the draft Implementing Regulation and in Draft Annex I are not entirely applicable to chemical recycling technologies, which are specifically designed to treat mixed and contaminated plastic waste streams and to convert them into specification-controlled secondary raw material intermediates. Strict polymer-specific purity thresholds and single-polymer criteria are therefore not technically or conceptually necessary for all chemical recycling pathways.

We therefore recommend:

- Limiting the scope of the current regulation strictly to mechanical and solvent-based recycling;
- Explicitly stating that Member State authorities should continue to assess end-of-waste status for chemical recycling of plastic wastes, on a case-by-case basis, in accordance with their current national regulations
- That, in order to avoid any ambiguity and to ensure consistency with the definition of Recycling under Article 3(17) of the Waste Framework Directive, the reference in Recital 4 to input material for chemical production should be removed.
- Explicitly acknowledging, within this Regulation, the distinct nature of chemical recycling relative to mechanical and solvent-based recycling.

We urge the Commission to swiftly develop a dedicated end-of-waste framework for chemical recycling, reflecting its distinct technological and value-chain characteristics. The development of chemical recycling end-of-waste criteria should proceed in parallel with, and not subsequent to, the implementation of the mechanical recycling regulation. Regulatory certainty on end-of-waste status is crucial to enable innovation and unlock investment decisions and should not be delayed.

Cefic remains committed to supporting the Commission in developing a robust, future-proof regulatory framework that enables all recycling technologies to contribute to the EU's circular economy and climate objectives.