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European Plastics Converters (EuPC) and its member associations (ERFMI, EPPA, ESWA, TEPPFA, EUMEPS, IVK Europe, EPSE, CEFEP, and 28 national associations) support a steady transition towards an increasingly greener, harmonised, and more resilient European circular economy and to the extent possible we will help reaching the Green Deal goals set. We welcome the incentives provided by the EU Renovation Wave and underline the need for Member States, taking the most recent developments around energy supply into consideration.

Furthermore, we particularly appreciate the introduction of circularity principles and environmental sustainability objectives in the revision of the Construction Products Regulation (2022/094(COD)). It will ensure climate adaptation in which companies in our sector can play an important role by achieving improved energy performances for buildings and houses.

From our industry sector perspective, the market reality would require a long-term vision in combination with a stable legal framework well before 2045, which we appreciate in the present legal proposals from the European Parliament's Committee on the Internal Market and Consumer Protection.

EuPC welcomes and broadly supports MEP Christian Doleschal's adopted Report for the Committee on the Internal Market and Consumer Protection on the proposal for a Construction Products Regulation (2022/094(COD)) and would like to highlight four specific points that we hope will be considered by the European Parliament and Council:

## 1. Delegated acts

EuPC noted the mentioning of delegated acts over 86 times in the Commission's proposal. This would confer unrestricted authority to the Commission to issue delegated acts. Such articles should be avoided as much as possible. We support all amendments that limit the powers for delegated acts to the minimum necessary. In case of delegated acts for specific product requirements, relevant CEN technical committees (TCs) should be involved in their development as a rule (namely CEN/TC 350 and dedicated product TCs), and Commission regulation the exception.

## 2. Recycling-related targets

With regard to design-for-recycling (DfR) requirements, we would like to underline the specificities of construction products with regard to a) their very long service life (up to 50-100 years) and b) their end-of-life collection as mixed waste. Both of these factors make the drafting and implementation of DfR requirements more challenging since the designers of today have little knowledge or influence of/over state-of-the-art recycling technology in 50 to 100 years from now. Therefore, while we



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welcome the introduction of such principles in general, we request to keep a designated definition and regime for construction products that is independent of requirements in the ESPR.

The specific question of mandatory recycled content raises questions on the availability of volumes and quality of secondary raw materials on the market (requiring collection, sorting and testing capacity), especially regarding plastics used in the building and construction sector. In addition, the volatility of virgin raw material price versus the price of recyclates impairs the economic value of plastic construction waste for recyclers and manufacturers.

If recycled content targets were to come, they shall be established as part of the CPR. We therefore recommend that the Commission addresses recycled content targets through standardisation requests to the relevant product TCs within CEN. The feasibility of any recycled content requirement should be assessed well in advance in cooperation with the industry, and per product group.

Moreover, we would suggest the same procedure to establish threshold levels for any essential characteristic in the CPR in order to maintain a level playing field for the industry, thus the EU single market. In that regard, Member States competence should therefore be precluded.

### 3. Sustainability

The construction sector has developed the environmental product declaration (EPD) as a reference to declare the environmental performance of construction products as per EN 15804+A2. We would therefore suggest that the CPR only refers to EN 15804+A2 for environmental performance objectives and that Member States align with the European standard without including national specific requirements for product groups.

We also recommend a clearer and more consistent alignment of definitions of recycled content with ISO standards.

Furthermore, any calculation methodology related to recycled content should allow a Mass Balance chain-of-custody model to be used. This approach would accelerate the circular economy and uptake of recycled content in plastic construction products.

It is also crucial that recycled content for plastic products should not be limited to recycled construction products, but enables the use of recycled plastic from other applications; for instance, used plastic packaging (and other type of recycled material) as the ever-evolving legislation might hinder the use of recyclates containing legacy substances in the future.



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#### 4. Links to ESPR

In the text of the draft ESPR, objectives of environmental sustainability are mentioned. It seems that requirements could be set through the ESPR if environmental requirements for construction products are not adequately addressed through the CPR. Based on the current ESPR proposal (point 1 page 2) and the list of products drawn up by the JRC in its preliminary analysis, we emphasize that construction products are not supposed to be covered by the ESPR and that they remain only under the CPR. The decision to exclude this sector from the scope of the ESPR, prevents potential conflicts with the relevant product-specific legislation. That legislation, once adopted, would have priority over the provisions contained in the ESPR, according to the principle of the *lex specialis* (specific rules prevail over general rules). Therefore, adding eco-design requirements for those products would only create regulatory confusion, without adding any substantial benefit to the circularity of those goods.

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About [EuPC](#): European Plastics Converters (EuPC) is the leading EU-level trade association, based in Brussels, representing European plastics converting companies. Plastics converters use plastics raw materials and recycled polymers to manufacture new products. EuPC totals about 45 national as well as European plastics converting industry associations and represents more than **50,000 companies**, producing over 50 million tons of plastic products every year. The European plastics industry makes a significant contribution to the welfare in Europe by enabling innovation, creating quality of life to citizens and facilitating resource efficiency and climate protection. More than **1.6 million people** are working in EU converting companies (mainly **SMEs**) to create a turnover in excess of € 260 billion per year.