POLICY HUB circularity for apparel and footwear

Policy Hub – Circularity for Apparel and Footwear

Feedback on the draft Delegated Act establishing a list of non-OECD countries authorised to import non-hazardous waste from the EU

Policy Hub – Circularity for Apparel & Footwear welcomes the publication of the draft Delegated Act establishing the **first list of non-OECD countries authorised to import certain non-hazardous waste** from the EU under Article 41 of Regulation (EU) 2024/1157 on shipments of waste.

The new framework is important for implementing the Waste Shipment Regulation (WSR), under which exports of non-hazardous waste to non-OECD countries will only be possible where both the country and the relevant waste stream are included in the Commission's list, as of 21 May 2027. For the textile and footwear sector, this will have important **practical implications for access to recycling capacity, treatment costs and the operation of future textile EPR schemes**, particularly as larger volumes of separately collected textile waste enter organised waste-management systems. Therefore, a close alignment with other elements of the Waste Shipment Regulation and the Waste Framework Directive is needed.

Policy Hub therefore considers that the Article 41 list should be implemented in a way that provides legal certainty for operators, supports consistent classification of textile waste, ensures transparency over how authorised countries and waste streams are assessed and monitored, and allows appropriate recycling capacity to remain accessible where environmentally sound management can be demonstrated.

Several of these issues are also relevant to the Commission's parallel work on green-listing waste. In particular, the Commission has proposed adding to Annex IIIA of the WSR a new entry for mixtures of B3030 textile waste with footwear, hats, belts and other accessories, allowing such mixtures to move for recycling within the EU under the Article 18 general information requirements rather than the prior notification and consent procedure. Policy Hub supports this proposal, but the relationship between this new waste category and authorisations under Article 41 remains unclear.

Against this background, Policy Hub recommends that the Commission address the following points:

1. Clarify how the new Annex IIIA textile and footwear mixture will be treated

The proposed non-OECD list authorises countries to receive specific existing waste entries, including B3030 textile waste. However, the new Annex IIIA entry for mixtures of B3030 textile waste with footwear, hats, belts and other accessories did not exist when non-OECD countries submitted their requests.

This creates uncertainty over whether a country authorised to receive B3030 textile waste would also be permitted to receive the new mixture once the Annex IIIA amendment is adopted. **We therefore recommend that the Commission clarify expressly whether**:

- An authorisation for B3030 also covers the new textile and footwear mixture; or
- The mixture must be requested and authorised separately.

If a separate authorisation is required, there should be a mechanism allowing countries already authorised for B3030 to request the additional waste stream without having to wait for the next general review of the Article 41 list.

2. Ensure a consistent understanding of which shipments fall within B3030 authorisations

The non-OECD list authorises individual non-OECD countries to receive specific waste streams, including B3030 textile waste. For these authorisations to operate consistently, however, there also needs to be a common understanding of which individual textile waste shipments fall within B3030.

This is relevant where the scope of B3030 requires interpretation in practice, including in relation to the requirement that textile waste is "prepared to a specification", the presence of non-target materials and the treatment of intrinsic product components such as zippers and buttons.

In its feedback on the separate Delegated Act on green-listed waste, Policy Hub recommended that the Commission use Article 29(6) of the WSR to **establish harmonised classification criteria for B3030 textile waste**, including, where appropriate, rules on permitted constituents, contamination thresholds and assessment methods, as operators and competent authorities need legal certainty as to which consignments can use that authorisation. Differences in classification between Member States (and third countries) could otherwise result in the same type of textile waste being eligible for export from one country but not another.

Policy Hub therefore recommends that the Commission ensure that the harmonised classification work under Article 29(6) also provides the basis for determining whether individual shipments fall within B3030 authorisations under Article 41.

3. Clarify the relationship between WFD Article 22d sorting, B3030 and End-of-Waste

Under Article 22d of the Waste Framework Directive, separately collected used textiles are professionally sorted to determine whether they are suitable for reuse or should remain in the waste stream for further treatment.

Where sorted textiles remain waste and are intended for recycling, they may still qualify as B3030 and be exported to a non-OECD country authorised to receive B3030 waste. However, B3030 requires textile waste to be "prepared to a specification", and the Waste Shipment Regulation does not clarify how this requirement relates to professional sorting under Article 22d.

Policy Hub therefore recommends that the Commission clarify that professional sorting can result in textile recycling feedstock that **remains legally classified as waste and can qualify as B3030 where the relevant conditions are met**. In particular, "prepared to a specification" should be understood as a condition for B3030 classification and should not be equated with End-of-Waste. Professional sorting does not automatically require or constitute End-of-Waste.

4. Ensure transparency on authorised countries and waste streams and monitor impacts

The non-OECD list is based on the Commission's assessment of whether individual non-OECD countries have demonstrated that specific waste streams can be managed in an environmentally sound manner. Policy Hub supports this approach and **recommends maintaining a high level of transparency as the list is implemented and reviewed**. In particular, the Commission should provide clear information on:

- The basis on which specific waste streams are authorised or rejected for each country.
- Any conditions attached to an authorisation.
- How continued compliance will be monitored after a country is included in the list.
- The circumstances in which an authorisation may be suspended or removed.

The Commission should also **monitor the broader impact of the new export regime on the textile sector**. From May 2027, some existing export destinations will no longer be available, while the implementation of textile EPR under the revised Waste Framework Directive is expected to bring larger volumes of textile waste into organised collection and treatment systems.

Policy Hub therefore recommends that the Commission assess how the reduced number of available export destinations affects:

- Access to textile sorting and recycling capacity.
- Development and utilisation of recycling infrastructure, and
- Treatment costs and the future financing of textile EPR schemes.

Where possible, monitoring should also provide visibility on the actual treatment of exported textile waste, including whether it is recycled, otherwise recovered or ultimately disposed of. This would help assess whether authorised export routes are delivering the intended environmentally sound management outcomes in practice.

The Policy Hub – Circularity for Apparel & Footwear brings together representatives from across the global textile value chain to foster technical dialogue and promote ambitious and implementable policy instruments. By uniting diverse perspectives from industry stakeholders, we aim to accelerate the transition to sustainability and circularity in the apparel and footwear sectors and position EU policy as a lever for transformative change.