Brussels, February 2026

An Internal Market Legal Basis to drive waste management step-change in the New Circular Economy Act

The undersigned industry associations express their strong support for the European Union's ambitions for circularity. To achieve a true circular economy and a functioning European market for secondary raw materials, the upcoming New Circular Economy Act (CEA) must be grounded in an internal market legal basis (Article 114 TFEU).

Ambitious circular economy goals can only be met through harmonised rules driving a step-change in waste management across all of the EU. Today's waste management landscape across the EU remains extremely fragmented, marked by uneven performance and divergent national regulatory frameworks. Nearly half of all EU countries still landfill more than 30% of their municipal waste, with four touching peaks between 60% and 80%[1]. When it comes to recycling, only nine Member States are expected to meet the 2025 recycling target[2].

The recent targeted revision of the Waste Framework Directive (WFD) ultimately fell short in resolving the deep-rooted structural shortcomings that continue to hinder the efficiency of European waste management systems. The New CEA represents a unique opportunity to address these structural deficiencies by putting forward common rules to ensure that all Member States, rather than only a few front-runners, deliver against their respective circular economy goals. The lack of harmonised rules on waste management is not only undermining Europe's ability to meet these goals collectively, but it is equally preventing it to create a Single Market for secondary raw materials. As acknowledged by the European Commission in the Single Market Horizontal Strategy[3], divergent waste rules are among the most reported Single Market barriers, so-called 'Terrible Ten'. The implications of these barriers are thus environmental, economic and also geopolitical, because the result is increased external dependencies.

We strongly believe that the Commission must stand firm in the drafting of CEA and push-back on any attempts to weaken its ambition disguised as flexibility, under the pretext of defending national specificities. The end goal should be to ensure that the laggards catch-up with the front-runners and that, ultimately, all Member States do their parts in achieving the circular economy goals. Any calls for the introduction of Article 192 TFEU (environmental protection) as a legal basis should be rejected as this will further exacerbate the current situation, create legal uncertainty about the residual responsibilities of Member States and adversely impact efforts to support the EU's transition to a circular and climate-neutral economy.

With broad stakeholder support across Europe, we urge the EU Commission and co-legislators to uphold in its entirety the internal market legal basis, which is best suited to serve the objectives of the future CEA.

[1] Municipal waste landfill rates in Europe by country (2010 and 2023) | Diversion of waste from landfill in Europe | European Environment Agency (EEA)

[2] A 2025 report from the EU Court of Auditors on municipal waste management found that only 9 out of 27 Member States are likely to meet their 2025 recycling target of municipal waste, with many Member States facing challenges to progress towards circularity, mainly due to financial constraints and weaknesses in planning and implementation. It added that, despite having strengthened targets and other legal requirements, the Commission was late in initiating infringement proceedings regarding missed waste targets. See here

[3] The Single Market: our European home market in an uncertain world. A Strategy for making the Single Market simple, seamless and strong" here; Section 6 Fragmented rules on packaging, labelling and waste.

Signatories

AESGP - The Association of the European Self-Care Industry

AGMPM - Association of Greek Manufacturers of Packaging & Materials

AIM - European Brands Association

A.I.S.E - International Association for Soaps, Detergents and Maintenance Products

Aluminium Closures Group

AMAPLAST - Italian Plastics, and Rubber Processing Machinery and Molds Manufacturers Association

AmCham EU - American Chamber of Commerce to the European Union

ARAM - The Association for Packaging and the Environment in Romania



AVU - Allianz Verpackung und Umwelt



The Brewers of Europe



BusinessEurope



CCIA Europe - Computer & Communications Industry Association



CEC - European Footwear Confederation



CEEV - Comité Européen des Entreprises Vins



CEPE - European Council of the Paint, Printing Ink and Artists' Colours Industry



Cepi



CICPEN - Czech Industrial Coalition for Packaging and the Environment

CITPA - The International Confederation of Paper and Board Converters in Europe

Conseil National de l'Emballage

Cosmetics Europe - The personal care association

EAFA - European Aluminium Foil Association

ECMA - The European Carton Makers Association

EDANA - The Voice of the Nonwovens Industry

EDRA - European DIY Retail Association

EFCC - European Federation for Construction Chemicals

EFIC - European Furniture Industries Confederation

EFPIA - European Federation of Pharmaceutical Industries and Associations

EKO-PAK - Packaging Industry Union of Employers

ELIPSO - Les entreprises de l'emballage plastique et souple

EPLF - European Producers of Laminate Flooring Association

EPPA - European Paper Packaging Alliance

EUMEPS - European Manufacturers of Expanded Polystyrene



EuPC - European Plastics Converters



EuroCommerce



European Aluminium



EUROPEN - The European Organisation for Packaging and the Environment



EVA - European Vending & Coffee Service Association



EXPRA - Extended Producer Responsibility Alliance



FBCA - The Food & Beverage Carton Alliance



FDE - FoodDrinkEurope

FEC - Federation of the European Cookware, Cutlery and Houseware Industries

FEFCO - The European Federation of Corrugated Board Manufacturers

FEPE - Federation of European Producers of Envelopes and Light Packaging

FESI - Federation of the European Sporting Goods Industry

FEVE - The European Container Glass Federation

FINAT - The Association for the European Label Industry

FPE - Flexible Packaging Europe

Freshfel - European Fresh Produce Association

IK - Industrievereinigung Kunststoffverpackungen

INCPEN - The Industry Council for Packaging & the Environment

Independent Retail Europe

Istituto Italiano Imballaggio

IVSH - Association of the German Cutlery and Housewares Industries

MedTech Europe - The European trade association for the medical technology industry

MMFA - Multilayer Modular Flooring Association

MPE - Metal Packaging Europe

NATRUE - The International Natural and Organic Cosmetic Association

NMWE - Natural Mineral Waters Europe

PAKKAUS - The Finnish Packaging Association

PET EUROPE - Producers' Association

PETCORE EUROPE

Plastics Europe

Pro Carton - European Association of Carton and Cartonboard manufacturers

PROsPA - Producer Responsibility Organisations Packaging Alliance

SfPE - Steel for Packaging Europe

spiritsEUROPE

SZZV - Slovak Association for Branded Products

VinylPlus