



**Overview of the national end-of-waste (EoW) criteria
&
the procedures on how to prove conformity with EoW legislation**

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Countries with missing information are marked in orange

Table 1: Overview of specific EoW crteria

Countries (and their competent region)	Name of competent authority (and link to website)	Bio	Chemicals, rubbers & plastics	Building materials	Metals	Fuel	Other
EU		Fertilising products	Plastics (technical proposal by JRC)	Glass cullet Inert construction&demolition waste (in preparation by JRC)	Steel and aluminium scrap ; Copper scrap		Textiles (in preparation by JRC)
Albania	National Environment Agency under the Ministry of Tourism and Environment	/	/	/	/	/	/
Austria	Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology (Department V/3)	Recycled wood products ; Compost	/	refractory waste ; recycled building materials	/	Waste fuel products	
Belgium (Flanders)	OVAM	Use as fertiliser or soil improvers ;	Recyclates from single-use diapers .	Materials for use as building materials	Materials produced by metallurgical production processes	Blend components for marine fuel ; Planned: byproducts from chemical production processes used as fuel	/
Belgium (Brussels)	Bruxelles Environnement (Brussels Environment)	Compost	/	Inert granulates (development done, to be ratified) ; excavated soil (development done, to be ratified)	/	/	/
Belgium (Wallonia)	SPW Wallonie	/	/	/	/	/	/
Bulgaria							
Croatia	Ministry of Environmental Protection and Green Transition	Compost (in preparation)	Ground plastic and plastic granulate ; Rubber granulate and rubber threads	Recycled aggregates and backfilling materials	/	Fuel from waste oil ; Solid biofuel	/
Cyprus							
Czech Republic	Ministry of the Environment	Biodegradable waste (Title IV, Chapter 5, §53 and Annex 32);	/	Bituminous mixtures and recovered macadam	/	Solid waste fuels ; Biogas leaving a biodegradable waste management facility (see Biodegradable waste (Title IV, Chapter 5, §53) and see Decree 415/2012)	/
Denmark	Danish Environmental Protection Agency	/	/	/	/	/	/
Estonia		Biodegradable waste; Digestate	Rubber from tyres	Construction and demolition waste		Wood chips for fuel; hydrocarbon rich waste for fuel	
Finland			Mechanically recycled plastic raw materials	crushed concrete			
France	Ministère de la Transition Ecologique et solidaire	Paper and cardboard ; Packaging wood ; Used edible oils ;	Plastics (Pyrolysis oil) ; Waste oil distillation residues	Excavated soil	/	/	Substances, mixtures and articles prepared for re-use ; Substances, mixtures and articles resulting from regeneration Wiping cloths made from textile waste
Germany	Umweltbundesamt	Compost (non-governmental regulation)	/	Substitute building materials from demolition waste Mineral substitute building materials (in preparation)	/	/	/
Greece			Elastomers (rubber like materials)				
Hungary		Compost					
Iceland	Umhverfisstofnun (the Environment Agency of Iceland)	/	/	/	/	/	/
Ireland	Environmental Protection Agency	Compost and digestate (Research done, legislation pending)	/	Recycled aggregates (also consult this explanatory note)	/	/	/
Italy		Paper & cardboard	Rubber from tyres; absorbent Hygiene products ; Standard on plastic waste for pyrolysis (to be verified)	Bituminous concrete; Inert construction and demolition waste and other waste aggregates of mineral origin (old version)			Street-sweeping waste ; Textile waste (under development)
Kosovo	Inspectorate of MESPI	/	/	/	/	/	/
Latvia		Ash waste from wood incineration; biodegradable waste	Rubber from tyres				
Lithuania	Ministry of Environment of the Republic of Lithuania	Biodegradable waste (fertilizing products and soil enrichment)	Rubber from tyres	Construction and demolition waste used as aggregates in construction products (will be expanded to inert materials that are not used as construction products)	/	Recycled Wood used as solid biofuel	Wood fuel ashes (planned to be set in 2025)
Luxembourg	Environment Agency Luxembourg (Administration de l'environnement)	/	/	/	/	/	/
Malta	Environment and Resources Authority	/	/	/	/	/	/
The Netherlands	Omgevingsdiensten - DG Omgevingsdienst NL	/	/	Recycled aggregates	/	/	/
Poland	Ministry of Climate and Environment	waste from the combustion of fuels	/	Bitumen waste ; waste from the combustion of fuels	/	/	/
Portugal	National: Agencia portuguesa de ambiente (apa) ; Azores: Regional Directorate for the Environment and Climate Action	Compost (in preparation) ; Transformation by composting or anaerobic digestion of livestock effluents (PE) and other by-products of animal origin (SPA) and derived products (PD) (in preparation)	Rubber from tyres ; Recovered plastics	/	/	/	/
Romania	Ministry of Environment Water and Forests	/	/	Construction waste (no EoW but rather technical approvals by which construction materials containing construction waste are approved)	/	/	/
Slovakia						Combustible waste	
Slovenia	Ministry of Environment and Spatial Planning	compost or digestate	/	/	/	/	/
Spain	Ministry for Ecological Transition and Demographic Challenge - DG Environmental Quality and Impact assessment /SG for Waste	Paper and cardboard ; Waste from agri-food industry for animal feed as by-product ; Fatty pomace from oil mills as by-product for extraction of crude olive pomace oil	Thermoplastic waste ; Rubber from tyres ; Polyurethane foam trimmings as by-product ; Waste from production of polymeric material used in the production of agricultural film for silage as by-product	/	Electric arc furnace smelting slag for use as aggregate in bound and unbound applications, and as raw material in the manufacture of construction products, cement and clinker (in development)	Waste oil as marine fuel ; Waste oil as fuel	/
Sweden	Swedish Environmental Protection Agency	/	/	/	/	/	/

UK	Environment Agency	Anaerobic Digestate Quality Protocol (will be published as a Resource Framework); Compost Quality Protocol (will be published as a Resource Framework); Poultry Litter Ash Quality Protocol (due to be withdrawn)	Tyre-derived Rubber Materials Quality Protocol (revision in progress); Non-Packaging Plastics Quality Protocol (scheduled for review); Tyre pyrolysis Oil Resource Framework (under development); Lubricating Base Oils (LBO) Resource Framework (under development)	Aggregates from Inert Waste Quality Protocol (revision in progress); Recycled Gypsum from Waste Plasterboard Quality Protocol (review required); Flat Glass Quality Protocol	Aggregate from Waste Steel Slag Quality Protocol (review required)	Biomethane from Waste Quality Protocol (will be published as a Resource Framework); Processed Fuel Oil Quality Protocol (Revision in progress); Biodiesel Quality Protocol (scheduled for review)	Pulverised Fuel Ash (PFA) and Furnace Bottom Ash (FBA)
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Table 2: How to prove conformity with the specific and the general EoW criteria.

Countries (and their competent region)	Explanation on how to prove conformity with specific national EoW and the general EoW criteria
EU	The Commission adopted Component Material Criteria (CMC) for waste materials that can cease to be waste pursuant Article 19 of the Fertilising Products Regulation (EU) 2019/1009 (https://eur-lex.europa.eu/eli/reg/2019/1009/oj) They include the criteria for CMC 3 (Compost) and CMC 5 (Digestate other than fresh crop digestate) under that Regulation as well as criteria for CMC 12 (Precipitated phosphate salts and derivatives; COMMISSION DELEGATED REGULATION (EU) 2021/2086: https://eur-lex.europa.eu/eli/reg_del/2021/2086/oj), CMC 13 (Thermal oxidation materials and derivatives; COMMISSION DELEGATED REGULATION (EU) 2021/2087: https://eur-lex.europa.eu/eli/reg_del/2021/2087/oj), CMC 14 (Pyrolysis and gasification materials; COMMISSION DELEGATED REGULATION (EU) 2021/2088: https://eur-lex.europa.eu/eli/reg_del/2021/2088/oj) and CMC 15 (Recovered high purity materials; COMMISSION DELEGATED REGULATION (EU) 2022/1171: https://eur-lex.europa.eu/eli/reg_del/2022/1171).
Albania	/
Austria	Manual for EoW status for reuse of products Registration for EU EoW iron, steel and aluminium scrap Registration for EU EoW glass cullet ; Registration for EU for copper scrap
Belgium (Flanders)	In case it concerns a material subject to EU EoW criteria: Procedure for EU EoW criteria Otherwise, in general, there are two ways to obtain EoW status in Flanders: 1. Request a raw material declaration ('grondstofverklaring') from the OVAM General information. The procedure is started by opening a case on the website. 2. Do a self-assessment using the manual for self-assessments Read the manual for self-assessments. A template for creating a self-assessment is provided in Dutch. This template is not obligatory but it is encouraged. A self-assessment is not possible for materials coming from diaper recycling and for materials which will be used as fuel. For these materials a raw material declaration is necessary. ! In some cases, a raw material declaration or self-assessment is not necessary. This is only if the waste material is listed in VLAREMA annex 2.2.
Belgium (Brussels)	Decision tree waste/non-waste (FR) Procedure end-of-waste
Belgium (Wallonia)	Procedure end-of-waste and byproducts, also individual case decisions
Bulgaria	
Croatia	Ordinance on the end-of-waste status (OG 55/23) , chapter 6, gives details on how to prove conformity with EoW in case the specific EoW rules do not apply. Ordinance on waste management (OG 106/22) , amended by 138/24 , gives details on how to prove conformity with general by-product criteria
Cyprus*	
Czech Republic	General waste law (541/2020) Law on specific waste streams (273/2021)
Denmark	Guidance on the classification of substances, including soil, as waste or non-waste (by-products): The Danish EPA does not normally comment on specific and/or pending cases, but can nevertheless give guidance on questions of principle. The Danish Environmental Protection Agency's statements are indicative and have no legal effect. The Danish EPA is generally positive towards companies' transition from a linear to a circular economy, when environmental and health considerations are taken care of at the same level and where it contributes to reducing the amount of industrial waste. In this connection, the Danish EPA draws attention to the fact that there may currently be materials that are classified as waste that, under the right conditions, could be classified as by-products with a view to secondary use in other supply chains. The municipal council of the municipality where the substance or object is produced decides whether a substance or object is covered by the waste definition, cf. section 4 of the Waste Order. Section 2(2) states that residues that meet certain conditions are not considered waste. If a municipal council has decided that a substance or object is not covered by the waste definition, the handling of substances or objects must no longer follow the waste regulation The legal text is found here .
Estonia	
Finland	
France	General rules on EoW (ppt, website) ; Legal text containing the rules on using the quality procedure to prove end-of-waste status; Legal text on the EoW rules for products and chemical substances who are prepared for reuse
Germany	/
Greece	
Hungary	
Iceland	In order to market recycled waste as a product, an advisory opinion from the Environment Agency of Iceland must be available. Applications for advisory opinions shall be submitted through the Environment Agency's service portal .
Ireland	Procedure for specific EoW criteria EPA webpage on EoW ; EPA webpage on byproducts EPA draft EoW guidance Part 1 Many single case decisions with detailed assessments and procedures
Italy	
Kosovo	/
Latvia	
Lithuania	The procedure to prove conformity with the national EoW criteria is detailed in the regulation of the national EoW criteria in table 1. The procedure to prove conformity with the general EoW criteria can be found in Atlieky tvarkymo taisyklės , chapter XV ¹ and annex 7. An example table to deliver data can be found in annex 3, 2.4.
Luxembourg	Operators are obliged to obtain a formal decision from the competent authority (Environment agency / Administration de l'environnement) if they use, handle, or market substances or objects as “products” that were originally classified as waste or could be considered as waste. It is important to note that there is no national legal basis permitting operators to perform a self-assessment to determine the waste status of such substances or objects. Therefore, a decision by the competent authority is mandatory in these cases. In situations where an operator seeks a case-by-case decision from the competent authority, the procedure is defined in Article 7 of the national Law on waste (Loi modifiée du 21 mars 2012 relative aux déchets). According to Article 7, paragraph 4, a formal dossier must be prepared and submitted for evaluation. This dossier must comply with the prescribed specific criteria and requirements outlined in Article 7. While a simple email does not generally suffice (but often used for preliminary questions and clarification), it is acceptable to send the complete and compliant dossier via email to the competent authority.
Malta	Companies interested in achieving end-of-waste would need to apply for a permit with the authority through the electronic portal. EoW criteria are then established based in the information submitted by the applicant and included in the authorisation issued by the Authority.
The Netherlands	Website of competent authority Many single case decisions with detailed assessments and procedures Manual waste/end-of-waste
Poland	
Portugal	Procedure for specific EoW criteria Explanation on waste declassification on the national website and also consult the presentation on the Waste declassification Mechanisms
Romania	/
Slovakia	
Slovenia	
Spain	Law: Article 5 of Law 7/2022 , of April 8, 2002, on waste and contaminated soils for a circular economy. Procedure: The competent authorities of the Autonomous Communities shall assess and authorise as a by-product, where appropriate, substances or articles originating in a production facility located in their territory provided that they are intended for a specific industrial activity or process in the territory of the Autonomous Community itself or, where it is intended for an activity or process in the territory of another Autonomous Community, following a favourable report from the same, which will be understood to have been issued if there is no express pronouncement to the contrary, adequately justified, within a period of one month. These authorisations will be valid only for the authorised use of the by-product in the destination industrial activity or process. Therefore, the submission of an evaluation request by applicants to the Ministry is no longer the means by which the process of evaluating materials as by-products begins. Questions or queries about by-products and end of waste status can be directed to the following email: bzn-sgr-subproductos@miteco.es
Sweden	In Sweden, the operator is responsible for the assessment of whether a substance or object shall be considered a by-product and whether waste has ceased to be waste, in accordance with the criteria set out in Article 5 and 6 of the Waste Framework Directive. The operator is responsible for ensuring that all requirements in relevant waste, product and chemicals legislation are fulfilled. To ensure that this is done in a correct way and the decisions taken by the operator are in compliance with the relevant criteria, the enforcement authority may review and inspect the process performed by the operator. When the enforcement authority is inspecting the self-assessment done by the operator and disagrees with the conclusion that waste has ceased to be waste, they may require that the operator handles the material as waste.

	The Swedish EPA provides guidance to the regional local enforcement authorities (the County Administrative Board or the municipality). The guidance is at a more general level and does not specify in detail how to prove compliance with each criterion. This guidance is not legally binding, it is the enforcement authorities that have the authority to decide if the operator complies with relevant legislation.
UK	There are three ways to prove conformity with EoW criteria: 1. Use a Quality Protocol Using a quality protocol (QP) where a relevant QP exists – the full list of these are available at Quality protocols: converting waste into non-waste products - GOV.UK. Most QP’s apply only to England and Wales, and so if wished to be use for export, the operator should contact the destination Competent authority to understand if they will accept the evidence. 2. Self-assessment Assessing the material against each of the end of waste criteria in Article 6(1) of the WFD, which is fully explained in Check if your material is waste - GOV.UK (www.gov.uk), and ensuring the material is fully compliant with all its requirements. Again, checks with the destination Competent authority are necessary. 3. Get an opinion Alternatively, operators can get the opinion of the Environment Agency Definition of Waste service (DoWs) as to whether the WFD end of waste test is met for the specific materials in a given case. However, this only applies where a QP is not available. If an operator is considering a submission to the DoW Service, DoWs also offers an initial advice service This initial advice is charged at the same rate as the DoW Service and is available so that DoWs can complete an initial review of an operator’s proposal and assess whether the information in the submission is suitable for a full assessment.

Table 3: Further comments given by member states

Countries (and their competent region)	Other comments
Albania	Albania has introduced the Circular Economy principles into the Strategy on Integrated Waste Management and Action Plan 2020-2035. The establishment of a new Directorate for Circular Economy and 3R at the Ministry of Tourism and Environment, represents a big step ahead to the transformation of the sector towards circularity and EU ambition. Several projects involving a Roadmap for Circular Economy, new programs for Green Growth and Circular Economy funded by EU and other initiatives supported by various IFIs, enforce the role of the Ministry and the new Directorate in advancing the acquis transposition and advanced implementation if legislation Waste Framework Directive is partially transposed in Albanian legislation. The Ministry of Tourism and Environment (MTE), being a policy-making institution, has progressed in drafting and adopting the legal framework on waste, in accordance with EU Directives and Regulations. There is a long list of adopted legislative acts on waste: - Law No 10463, dated 22.9.2011 “On integrated waste management”, as amended, has transposed the general principles of waste management, environmental protection, precaution and sustainability, waste hierarchy, the polluter-pays principle and principles of self-sufficiency and proximity as set out in the Framework Waste Directive. Amendments made to the Waste Framework Directive from 2018 have not yet been transposed. - DCM No402, dated 30.06.2021 “On the adoption of the waste catalogue”, - DCM No 177, dated 6.3.2012 “On packaging and its waste”, as amended, - DCM No 178, dated 6.3.2012 “On waste incineration”, - DCM No 452, dated 11.7.2012 “On waste landfills”, as amended, - DCM No 705, dated 10.11.2012 “On end-of-line vehicles’ waste management”, - DCM No 765, dated 7.11.2012 “On the adoption of rules of separate collection and treatment of used oils”, - DCM No 866, dated 4.12.2012 “On batteries, accumulators and their waste”, - DCM No 957, dated 19.12.2012 “On waste from electric and electronic devices”, - DCM No117, dated 13.2.2013 “On criteria to define when some types of scrap metal cease to be waste”, as amended - DCM No 967, dated 25.10.2013 “On creating the taskforce for the Integrated Waste Management Committee”, as amended. - DCM No 798, dated 29.9.2010 “On the adoption of the regulation ‘On the administration of healthcare waste’”, - DCM No 229, dated 23.4.2014 “On the adoption of rules regarding transferring non-dangerous waste and information to be included in the transfer document”, as amended. - DCM No 371, dated 11.6.2014 “On the adoption of rules regarding delivery of hazardous waste and their delivery document”, as amended. - DCM No 418, dated 25.6.2014 “On separate source collection of waste”, - DCM No 608, dated 17.9.2014 “On setting measures necessary for collection and treatment of organic waste and criteria and deadlines for their reduction”, - DCM No 641, dated 1.10.2014 “On the adoption of rules regarding non-dangerous waste and inert waste export and transiting”, as amended. - DCM No127, dated 11.2.2015 “On requirements to use sewage sludge in agriculture”, - DCM No 387, dated 06.05.2015 “On rules regarding the controlled disposal of PCBs/PCT/s, decontamination or disposal of equipment containing PCB/PCT and/or disposal of used PCB/PCT waste”, - DCM No 575, dated 24.6.2015 “On the adoption of requirements regarding inert waste management”, - DCM No687, dated 29.7.2015 “On the adoption of rules regarding the production, updating and publication of waste statistics”, as amended. - DCM No 1104, dated 28.12.2015, “On the adoption of requirements for the prevention of discharge of waste and cargo residue by ships to the sea”, - DCM No 652, dated 14.9.2016 “On rules and criteria regarding management of waste from used tires”, - DCM No 319, dated 31.5.2018 “On the adoption of measures for integrated waste management costs”, - DCM No 660, dated 31.9.2018 “On the adoption of requirements regarding metal waste management”.