

Question for written answer E-002945/2024

to the Commission

Rule 144

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Subject: Clarifications by the Commission on the management of grass clippings and prunings under Directive 2008/98/EC

With reference to the opinion of the European Commission's Directorate-General for the Environment of 26 April 2024, which includes grass clippings and prunings as waste under Article 2 of Directive 2008/98/EC and denies their status as by-products under Article 5(1) of the same Directive, we would point out that the opinion merely excludes such residues from the rules on by-products, despite the fact that EU case-law has confirmed multiple times that the definition of 'production process' may include service activities such as maintaining vegetation¹²³.

This position seems inconsistent with the legislation and with the recent interpretation of the Court of Justice of the European Union, which emphasises the importance of a case-by-case assessment based on the intention of the holder to discard the material.

In addition, the Italian Ministry of the Environment has already acknowledged that grass clippings and prunings may be classed as by-products or non-waste materials, if intended for specific uses, promoting minimum environmental criteria in public procurement in accordance with the principles of the circular economy.

In light of the above, can the Commission clarify whether it intends to ensure a harmonised and consistent application of EU provisions, taking into account the interpretations of case-law and national legislation, in order to encourage viewing grass clippings and prunings as valuable commodities, including in the biogas and composting sectors, and to promote the reduction of administrative burdens for economic operators?

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¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62021CJ0238&qid=1733763103913>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62001CJ0114&qid=1733763234301>

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62002CO0235&qid=1733763281908>