



28.11.2024

NOTICE TO MEMBERS

Subject: Petition No 0677/2024 by Josef Kitzbichler (German) on the allegedly negative impact of Directive 2014/31/EU on waste disposal practices and climate change

1. Summary of petition

According to the petitioner, there is allegedly an issue with the implementation of Directive 2014/31/EU, which pertains to the weighing of bulky waste. The petitioner states that this directive, as it is currently applied by waste disposal companies, has several negative consequences. The petitioner asserts that the current regulations or their implementation by disposal companies, particularly regarding the weighing of bulky and old wood waste, are problematic. Allegedly, the inclusion of the minimum load requirement of the scales used, typically set at 100 kg, leads to irrational consumer behaviour and increased operational efforts for waste disposal companies. This, in turn, results in higher CO₂ emissions, thereby exacerbating climate change unnecessarily. Furthermore, the petitioner mentions that feedback from the relevant metrology offices indicates that they are simply enforcing EU Directive 2014/31/EU. However, the petitioner believes that the practical effects of this enforcement are counterproductive, leading to greater environmental harm instead of mitigating it. The petitioner demands that the mentioned directive be amended in the interest of consumers and climate protection, and that all remaining and future EU directives be reviewed for their impact on climate change.

2. Admissibility

Declared admissible on 14 October 2024. Information requested from Commission under Rule 233(5).

3. Commission reply, received on 28 November 2024

The Commission's observations

Directive 2014/31/EU¹ lays down uniform, EU-wide rules on the sale and putting into service of non-automatic weighing instruments such as weighbridges, retail and industrial scales. The instruments compliant with the essential requirements set out in Annex I to that Directive can circulate freely within the EU.

Member States are responsible for the market surveillance and metrological control of the non-automatic weighing instruments. The Commission is not aware of any flaws in the transposition by Germany of Directive 2014/31/EU.

The types of instruments used by businesses operating in the bulky waste management and the pricing strategies of such businesses are out of scope of Directive 2014/31/EU.

Since the issues mentioned by the petitioner fall under national law, the petitioner is therefore invited to bring the case to the competent German authority or court.

Conclusions

The issues raised by the petitioner are out of scope of Directive 2014/31/EU. Germany has correctly transposed into national law the Directive 2014/31/EU referred to in the petition. The petitioner is invited to bring the case to the competent German authority or court.

¹ Directive 2014/31/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments (recast), *OJL 96, 29.3.2014, p. 107–148, ELI: <http://data.europa.eu/eli/dir/2014/31/oj>*