

Cosmetics Europe disappointed with the Council position on UWWTD recast

Statement

Brussels, 17 October 2023 – At yesterday's Environment Council meeting, the Member States adopted the general approach to the revision of the Urban Wastewater Treatment Directive (UWWTD). Cosmetics Europe (CE) is disappointed with this decision and continues to raise major concerns around the compatibility of the UWWTD proposal with the EU law and the workability of the proposed Extended Producer Responsibility (EPR) system.

The European Commission proposed the revision of the current Directive and introduction of the Extended Producer Responsibility (EPR) principle, while attributing the entire financial burden of upgrading urban wastewater treatment plants to only two sectors, pharmaceuticals and cosmetics. However, the Impact Assessment accompanying the European Commission's proposal does not provide a solid methodology and evidence to substantiate the claim that the cosmetics sector is the second largest polluter and hence shall, together with pharmaceuticals, be the only sectors to finance the upgrade of European wastewater treatment plants ([see CE analysis](#)).

The European cosmetics industry fully supports the objectives of the revision and is ready to take on its fair share of responsibility. However, we believe that the currently proposed sector-based approach infringes the Polluter Pays Principle as defined in the Treaty of the Functioning of the EU (Article 191(2)). We strongly recommend a substance-focused approach based on a defined and harmonized list of micropollutants, which would allow for a proper distribution of the burden of costs among all polluters, regardless of sectors, as well as for incentivization of all polluters to reformulate their products making use of more sustainable substances. An EU harmonized list of micropollutants would also help counteract fragmentation of the EU market resulting from diverging implementation by Member States of the basic scope of the Directive and ensure legal clarity and certainty for economic operators.

We also urge the policymakers to re-consider the definition of micropollutants, which still remains very broad allowing for the inclusion in its scope of substances that do not pose a problem in the current urban wastewater treatment systems since they are effectively removed through the three stages of treatment (e.g. biodegradable substances).

Cosmetics Europe also believes that EPR contribution should be based on the volume of micropollutants contained in the products placed on the market rather than on the amount of the product, therefore, we appreciate positive developments in the Council text in this regard.

Additional concerns arise from the proposed system of identification and reporting of products for which producers will have to pay the EPR contribution. Unlike the pharmaceutical sector where aggregated market information is available at the level of the national license holders, in case of cosmetics, obtaining required information will be extremely complex, given that the economic operators concerned include all shops and retailers of cosmetic products in a Member State.

Cosmetics Europe urges the European policymakers to re-consider the above-mentioned issues during the upcoming trilogue discussions. We will further collaborate with the European legislators to ensure that our sector's concerns are addressed through the secondary legislation and workable implementation of the Directive in the Member States.

Read more:

[Cosmetics Europe concerned about European Parliament's position on UWWTD revision](#)

[Cosmetics Europe reacts to EP ENVI Committee's vote on the UWWTD recast](#)

[Cosmetics Europe Position Paper on the EC's Proposal for the Revision of the Urban Wastewater Treatment Directive \(UWWTD\)](#)

Cosmetics Europe is the European trade association for the cosmetics and personal care industry. Our members include cosmetics and personal care manufacturers as well as associations representing our industry at national level, right across Europe.

Media questions

Media representatives should address their questions to media@cosmeticseurope.eu.