

EN
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Answer given by Ms Roswall
on behalf of the European Commission
(29.10.2026)

The Commission is empowered to adopt an implementing act to establish detailed criteria on the uniform application of the condition laid down in article 9 (2)(b) of the recast Urban Wastewater Treatment Directive¹ to specific categories of product and their biodegradability or hazardousness. The Commission sees merit in accelerating the preparation of this act and envisages its adoption by mid-2027².

Producers shall be exempted from the extended responsibility if they can demonstrate among others that the substances contained in the products they place on the market are rapidly biodegradable in wastewater or do not generate micropollutants in wastewater at the end of their life³.

The establishment of the detailed criteria is incumbent upon the Commission on the basis of the empowerment of Article 9(5), the definition of ‘micropollutant’ in Article 2(17) of the Directive, and the criteria laid down in the Classification, Labelling and Packaging Regulation⁴ concerning hazardousness. As per recital 22, the Commission should also take into account scientific or other available technical information, including relevant international standards⁵.

To support the act, the Commission will publish a call for evidence on ‘Have your say’⁶, where stakeholders will be able to participate. Preliminary rounds of consultation already took place in the framework of the Expert group on the implementation of the Urban Wastewater Treatment Directive.

¹ Directive (EU) 2024/3019 of the European Parliament and of the Council of 27 November 2024 concerning urban wastewater treatment (recast), OJ L, 2024/3019, 12.12.2024.

² Follow up to the European Parliament non-legislative resolution on the implementation of the Urban Wastewater Treatment Directive and risks to the security of supply of medicines of 18 June 2026.

³ Article 9 (2) b) of Directive (EU) 2024/3019.

⁴ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, OJ L 353, 31.12.2008, pp. 1–1355.

⁵ Recital 22 of Directive (EU) 2024/3019.

⁶ <https://ec.europa.eu/info/law/better-regulation/have-your-say/>.