

(English version)

**Priority question for written answer P-000028/26
to the Commission
Dario Tamburrano (The Left)
(7 January 2026)**

Subject: Biodegradable garden and park waste classed as a by-product in Italy

With regard to the answer to Question P-004292/2025 ⁽¹⁾, in Italy, on the basis of a circular ⁽²⁾ from the National Register of Environmental Managers established by the Ministry of the Environment, companies that have a contract for the maintenance of public green spaces are considered to be the original producers of the waste resulting from their activity (i.e. they are considered to be the initial producers of clippings and prunings) provided that they are listed in Category ca of the Register itself ⁽³⁾. By virtue of this, the waste generated by the maintenance of public green spaces becomes waste from a production activity: it ceases to be municipal waste and becomes a by-product.

A decree ⁽⁴⁾ of the Ministry of the Environment classes ‘branches, prunings and plant residues arising from the maintenance of public and private green spaces’ as by-products that can be used by biomass plants — which the decree itself distinguishes from biogas plants — to produce incentivised renewable electricity. In Rome, for example ⁽⁵⁾, the contract currently in force ⁽⁶⁾ for the maintenance of public green spaces is expressly restricted to companies registered in Category ca of the National Register of Environmental Managers, and hence to companies that can deal with the waste from the maintenance of the public green space as a by-product.

In view of the above, can the Commission confirm whether Italy is correctly implementing Directive 2008/98/EC and any other subsequent legislation regulating this matter? If not, what steps will it take?

Submitted: 7.1.2026

**Answer given by Ms Roswall on behalf of the European Commission
(17 February 2026)**

As stated in its reply to Written Question E-002945/2024, the Commission considers that pruning and other maintenance of vegetation cannot be considered a ‘production process’ as their objective is not the manufacturing of any product.

Consequently, the Commission considers that grass clippings and other residues from pruning and other maintenance of vegetation cannot be considered ‘by-products’ within the meaning of Article 5(1) of the Waste Framework Directive ⁽¹⁾. This does not prevent their use for composting, as biomass or for biogas production ⁽²⁾.

The decree of 19 June 2024 referred to by the Honourable Member considers pruning and other vegetation maintenance operations to be ‘by-products’.

The scope of the decree is limited to defining inputs eligible for biomass plants under an incentive scheme for renewable energy. Therefore, it does not seem to contradict EU waste legislation, provided that the obligations thereunder are complied with.

The Commission does not consider that designating companies that maintain public green spaces as ‘initial producers’ of grass clippings and pruning residues entails that this waste is no longer ‘municipal waste’ but rather a ‘by-product’ from a production activity.

The classification of grass clippings and pruning residues as ‘municipal waste’ ⁽³⁾ and the possibility for them to be considered a ‘by-product’ ⁽⁴⁾ are two different matters under the Waste Framework Directive, which are not affected by the qualification of the original waste producer.

¹ https://www.europarl.europa.eu/doceo/document/P-10-2025-004292-ASW_EN.html.

² https://www.albonazionalegestoriambientali.it/Download/it/CircolariComitatoNazionale/177-Circ1_14.02.2023.pdf.

³ The only condition is that companies are listed in Category ca of the Register, i.e. they produce and transport non-hazardous waste (<https://www.albonazionalegestoriambientali.it/Public/Iscrizione/Categorie>).

⁴ Decree of 19 June 2024, <https://www.mase.gov.it/portale/-/decreto-19-giugno-2024-recante-quot-incentivazione-degli-impianti-a-fonte-rinnovabile-innovativi-o-con-costi-di-generazione-elevati-che-presentino-caratteristiche-di-innovazione-e-ridotto-impatto-sull-ambiente-e-sul-territorio->.

⁵ This may well be the case in other cities, too.

⁶ The tender specifications can be downloaded from <https://www.comune.roma.it/SUAFF-public/#/atti-procedure> by searching for expired contracts and entering a CIG (tender identification code) for any of the 15 lots into which the contract was divided. For example, Lot A would be CIG 96908072EC.

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives, OJ L 312, 22.11.2008, p. 3-30.

⁽²⁾ According to Article 22 of Directive 2008/98/EC, bio-waste shall as of 31 December 2023 be either separated and recycled at source or collected separately and not mixed with other types of waste.

⁽³⁾ Article 3(2b) of the Waste Framework Directive.

⁽⁴⁾ Article 5(1) of the Waste Framework Directive.