



Minutes of the first meeting of the CRM Board sub-group on circularity, resource efficiency and substitution
25 September 2024, 13h00-15h30
Location: Online Webex

1. NATURE OF THE MEETING

The meeting was non-public.

2. POINTS DISCUSSED

Welcome and introduction to the sub-group on circularity, resource efficiency and substitution

The European Commission DG GROW welcomed Member States representatives to the first meeting of the sub-group, highlighting the crucial role of circularity for the resilience of the raw materials value chains and the work needed to attain the 25% circularity benchmark under art.5 of the Critical Raw Materials Act (CRMA).

DG GROW thanked Member States for contributing to the survey on circularity, resource efficiency and substitution.

Adoption of the sub-group's Terms of Reference

The ToR were adopted taking into account the suggestions from Member States.

Article 26: National measures on circularity

- **Presentation of ongoing work towards the list of products, components and waste streams with relevant CRM recovery potential (Art. 26(7))**

DG GROW outlined the challenges to attain the CRMA goals: the 25% recycling target and the demand moderation. These call for the development of EU-level measures and the review of national measures on CRM circularity. The need for cooperation to identify the priorities and share best practices is the basis for the establishment of the subgroup.

DG GROW summarised the obligations of the Commission and MS pursuant to Art.26 of the CRMA.

The JRC presented the ongoing work towards the list of products, components and waste streams with relevant CRM recovery potential under Art. 26(7). The list will be adopted by the European Commission as an implementing act by May 2025.

Member States will have to adopt and implement national programmes containing measures on circularity by 2 years after the entry into force of the implementing act.

The JRC is working on the list of products, components and waste streams with relevant CRM recovery potential under Art. 26(7) with FutuRaM, a Horizon Europe project ending in May 2026. Six waste streams are being analysed and data will be collected in a harmonised way by the JRC and FutuRaM before the JRC applies the filter based on the criteria of art.26.7. The priority list will be based on scientific evidence, and justifications for inclusion and exclusion will be provided. The JRC will publish a report on the methodology followed in May 2025.

- Presentation of the results of the questionnaire on circularity, resource efficiency and substitution

DG GROW summarised the results of the survey on the national measures on circularity. 19

Member States submitted their replies.

The survey covers the areas identified under art.26.1.

Once adopted in May 2027, the national programmes will have to be reviewed every five years and updated if necessary. Art 45 sets out reporting obligations for Member States by May 2026 and annually thereafter on the implementation of the circularity programmes.

- Presentation of best practices by Member States

Italy and Belgium presented the regulatory, financial and R&I frameworks put in place during the negotiations and just after the adoption of the CRMA to promote circularity.

In the ensuing discussion the subgroup members wished clarifications on the timeline for the adoption of the Implementing Act under art.26.7 and on the possibility that national circularity programmes are integrated in existing waste management and prevention plans.

Member States flagged interest in knowing more about initiatives on slags and ashes carried out by other national authorities and enquired on whether the focus of the work of the JRC on art.26.7 would be on the regulatory gaps, which prompted the JRC to confirm that those components, products and waste streams that are less regulated in the EU law are indeed prioritised.

Article 27: Recovery of CRMs from extractive waste

DG GROW made Member States aware of the corrigendum adopted in July concerning the dates in art. Art 27(6): instead of 24/11/2026 the correct date is 24/11/2025 and in Art.27(7)(a) instead of 24/11/2026 the correct date is 24/11/2025.

DG GROW recalled the obligations for economic operators and for Member States stemming from Art.27.

- Presentation of best practices by Member State

Sweden presented the work carried out since 2021 to sample and characterise mining waste (waste rock and tailings). In 2023 the results were gathered in a report. The extraction of raw materials from mining waste will not replace primary mining, but, if recoverable, could make some contribution. Extraction could be economically viable if combined with primary mining and several mining companies are assessing the potential in active mines or re-opened mining sites.

In the following discussions Members States shared their national experiences on the establishment of inventories and online databases on extractive waste, raised possible administrative barriers (linked to the consent of the owners of the sites), and explained how they intend to contact economic operators to raise awareness around the obligations to provide to the competent authorities the preliminary economic assessment study.

Articles 28, 29: Recyclability, recycled content of permanent magnets

- Presentation of ongoing work towards the implementing act on the label (Art. 28(2)) and the recommended information folder for the data carrier

DG GROW recalled the labelling obligations, under Art.28, for any natural or legal person placing on the market a series of products. The labelling should be displayed whether or not the products actually contain CRM-rich permanent magnets since the aim is to provide precisely this information to recyclers. A data carrier (QR-code or equivalent) should also be provided. By 24 November 2025, the Commission will adopt an implementing act establishing the format for the labelling. The obligations on economic operators will apply from 2 years after entry into force of the implementing act.

The JRC presented the work ongoing in the vehicles context on the permanent magnet labelling and the set of information to enable access, removal and recovery of permanent magnets.

Under the set of information to enable access, removal and recovery of permanent magnets there are 2 layers of work: one concerns the information on the traction motor (number, location, weight, removal instruction) and the other information on the permanent magnet in the targeted motor.

The JRC mentioned the importance of consulting relevant stakeholders (not only from the automotive, but also industrial solutions, aerospace, energy sectors) and recalled the work under CEN/TC 472 on Rare Earths to develop a standard/TS related to permanent magnets labelling.

- Presentation of ongoing work towards the delegated act on calculation and verification rules for recycled content (Art. 29(2))

DG GROW outlined the content of art.29 related to the information on what is the recycled content of the magnet contained in a product - in view of a possible future recycled content requirement.

The JRC has been working on calculation and verification rules for recycled content (for plastics and batteries CRMs) and they could support also the work under art.29. However, they stressed the initial challenges related to the system/process boundaries and calculation rules, calculation options, verification and reporting. They reiterated the importance of engaging with stakeholders.

3. CONCLUDING REMARKS AND NEXT STEPS

The next meeting of the subgroup could be envisaged for Spring 2025 to discuss the priority waste streams under Art.26(7).

The subgroup members will receive the information about the RMW 2024, in particular the session on circularity of CRM.

4. PARTICIPANTS

European Commission: DG GROW, JRC and DG ENV.

Member States representatives from: Austria, Belgium, Bulgaria, Cyprus, Czechia, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.

Observers: European Parliament - Accredited Parliamentary Assistants.