

Message 001

Communication from the Commission - TRIS/(2026) 0402

Directive (EU) 2015/1535

Notification: 2026/0064/BE

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260402.EN

1. MSG 001 IND 2026 0064 BE EN 10-02-2026 BE NOTIF

2. Belgium

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4. 2026/0064/BE - S20E - Waste

5. BVR amending the BVR of 17 February 2012 adopting the Flemish regulation on the sustainable management of material cycles and waste and the BVR of 23 May 2025 on environmental enforcement

6. Amendments to VLAREMA with a view to implementing EU legislation (WSR, list for battery-related waste, incineration and landfill bans cf. KRL Waste) and a number of urgent changes (online marketplaces at UPV, RC usage bans, medical waste)

7.

Information society

It is a simplification of the rules for online platforms and fulfilment service providers in the context of extended producer responsibility. The rules are fully aligned with the European regulations (KRL Waste and Digital Services Act) and are identical for all online platforms and fulfilment service providers.

The rules for online platforms and fulfilment service providers under extended producer responsibility will be fully aligned with European regulations (KRL Waste and Digital Services Act)

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Other

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Directive 2006/123/EC on services in the internal market

8. Implementation of the WSR regulation: Articles 1, 4, 10-13, 20-24, 26

Update of the list of waste materials relating to battery-related waste, for further implementation of the batteries regulation: Articles 1 and 25

Amendment of incineration and landfill bans to bring them more in line with European legislation: Articles 6 and 7

Amendment to the obligations of online marketplaces under extended producer responsibility: Articles 2, 3 and 5

Changes to the obligations regarding the collection of non-hazardous medical waste: Articles 8 and 9

Changes to the prohibitions on the use of various products containing an insufficient percentage of recycled materials: Articles 14-19

9. The amendments to VLAREMA concern adaptations to Section 6.2 on transboundary shipments of waste. This section has been completely revised to comply with Regulation (EU) 2024/1157. The most important amendments:

* Formal adjustments, such as corrected references to the new regulation.

* Removal of provisions that are now directly regulated in the regulation.

* Adjustments in the context of mandatory digitalisation through the European DIWASS system.

All procedures are required to be digitised: both the notification procedure and the shipments covered by the general information obligations (simplified 'Annex VII procedure' for waste on the 'green list'). This amending decision therefore removes all references to communication by mail or fax in VLAREMA. Furthermore, the amending decision determines how Flanders will connect to the central digital European system (DIWASS)

for different types of files.

- Changes relating to pre-approved establishments (PAF status).

Processors with a licensed establishment in Flanders apply for this status with the OVAM. The new regulation specifies in more detail than before what information must be provided when applying for a pre-approved facility. As regards the assessment of applications, the regulation is less detailed. The regulation states that competent authorities may refuse applications if they are not satisfied that the waste hierarchy and a number of other provisions and principles of European legislation have been complied with, but does not clarify on the basis of which elements that assessment should be made. This is therefore clarified in the VLAREMA.

- Adjustment of the handling charges for notification files.

In addition, the amending decision contains several other urgent changes outside the scope of EVOA:

* Adaptations to the obligations of online marketplaces and so-called 'fulfilment service providers' in the context of extended producer responsibility.

This concerns in particular the obligations of online platforms and fulfilment service providers under extended producer responsibility. These obligations had to be brought into line with the new European Framework Directive and Digital Services Act.

* Adjustments to the incineration and landfill bans.

two minor adjustments to the dumping and incineration bans have been made to respond to the comments of the European Commission in the infringement procedure against Belgium in connection with the transposition of the European Landfill Directive

* Adjustments to the obligations for the collection of non-hazardous medical waste

Waste bags for the collection of non-hazardous medical waste (NRMA) must now be grey instead of blue. There is too much confusion in the healthcare sector between the PMD bag and the NRMA bag. Given the specific healthcare context, this entails risks further down the PMD processing chain.

* Amendments to the ban on the use of various products that contain an insufficient percentage of recycled materials, in order to make these bans more feasible in technical and practical terms.

The required recycled content for the use of different products (waste bags, roller containers, plastic pipes, compost barrels, street furniture, etc.) will be reduced and a number of other small relaxations will also be implemented for the use bans in order to make the bans more feasible in technical and practical terms.

Finally, the amending decision provides for the transposition of Commission Delegated Decision (EU) 2025/934 of 5 March 2025, as regards an update of the list of waste materials relating to battery-related waste.

10. Numbers or titles of the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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