

## FRENCH REPUBLIC

Ministry of Ecological Transition,  
Biodiversity and International Climate  
and Nature Negotiations

### **Order of establishing criteria for the removal of waste status for rubber particles from end-of-life tyres intended for use in the manufacture of tyres or conveyor belts**

NOR: TECP2528360A

**Target audience:** *Operators producing rubber particles from end-of-life tyres.*

**Subject:** *This Order establishes the criteria that must be met for the removal of waste status for rubber particles from end-of-life tyres for the purposes of material recovery in the manufacture of tyres or conveyor belts. The application of this Order is without prejudice to compliance with other regulations applicable to these types of products.*

**Entry into force:** *the day after its publication.*

**Application:** *this Order can be consulted on the Légifrance website (<http://www.legifrance.gouv.fr>).*

The Minister for Ecological Transition, Biodiversity and International Climate and Nature Negotiations:

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council, of 18 December 2006, concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94, as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC;

Having regard to 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;

Having regard to Regulation (EU) No 2019/1021, of 20 June 2019, on persistent organic pollutants;

Having regard to Regulation (EU) No 2024/1157 of the European Parliament and of the Council, of 11 April 2024, on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006;

Having regard to Directive 2008/98/EC of the European Parliament and of the Council, of 19 November 2008, on waste and repealing certain directives;

Having regard to Directive (EU) 2018/851 of the European Parliament and of the Council, of 30 May 2018, amending Directive 2008/98/EC on waste;

Having regard to Directive 2010/75/EU of the European Parliament and of the Council, of 24 November 2010, on industrial emissions;

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council, of 9 September 2015, laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, and in particular notification No 2023/549/F;

Having regard to the Environmental Code, in particular Articles L. 541-4-3, D. 541-12-4 to D. 541-12-14, R. 541-43, R. 541-45, and R. 541-78 thereof;

Having regard to Decree No. 2021-321, of 5 March 2021, concerning the traceability of waste, excavated soil, and sediments;

Having regard to the Order, of 19 June 2015, as amended, concerning the quality management system referred to in Article D. 541-12-14 of the Environmental Code;

Having regard to the Order, of 31 May 2021, establishing the content of the waste, excavated soil, and sediment registers referred to in Articles R. 541-43 and R. 541-43-1 of the Environmental Code;

Having regard to the observations made during the public consultation held from 3 to 24 November 2025 pursuant to Article L. 123-19-1 of the Environmental Code

HEREBY ORDERS:

### **Article 1**

For the purposes of applying the provisions of this Order, the following definitions apply:

User facilities: facilities manufacturing:

- Pneumatics;
- Conveyor belts.

Marketed batch: Batch or part of a batch of rubber particles from end-of-life tyres, transferred to the same person or entity.

Rubber particles from end-of-life tyres: rubber particles from tyre waste (including rubber waste from tyre manufacturing or their retreading), less than 20 mm in size, obtained by grinding or granulation using ambient temperature or cryogenic processes.

Recovery operation: an operation intended to obtain rubber particles from end-of-life tyres by mechanical grinding or granulation processes at ambient temperature or cryogenic conditions.

Competent personnel: personnel trained in the end-of-waste process, including input control and quality control of batches of rubber particles from end-of-life tyres.

Use: use as defined in Regulation (EC) No 1907/2006.

### **Article 2**

Rubber particles from end-of-life tyres cease to be waste when all of the following criteria are met:

- a) the waste entering the recovery operation meets the criteria established in Section 1 of Annex I;
- b) the waste entering the recovery operation has been managed in accordance with the criteria established in Section 2 of Annex I;

- c) the rubber particles from end-of-life tyres meet the criteria established in Section 3 of Annex I;
- d) the rubber particles from end-of-life tyres are used for the applications defined in Section 4 of Annex I;
- e) a system of checks and self-monitoring conforming to the provisions of Section 5 of Annex I is in place in the facility;
- f) the operator of the facility carrying out the recovery operation has entered into a transfer agreement with a facility for the marketed batch of rubber particles from end-of-life tyres;
- g) the operator of the facility carrying out the recovery operation meets the requirements set out in Articles 4 to 7 of this Order;
- h) the use of rubber particles from end-of-life tyres is not likely to increase either the emission limit values or significantly the channelled emissions into the environment imposed on the user facility;
- i) the use of rubber particles from end-of-life tyres does not increase the diffuse emissions quantified at the user facility.

### **Article 3**

The content of the certificate of conformity mentioned in Article D. 541-12-13 of the Environmental Code complies with Annex II of this Order. The certificate of conformity may be issued electronically. It is issued for each marketed batch of rubber particles from end-of-life tyres.

The information requested in the certificate of conformity may be included in the transfer agreement established between the operator of the facility carrying out the recovery operation and the user facility; the transfer agreement then serves as the certificate of conformity.

### **Article 4**

In accordance with Article D. 541-12-14 of the French Environmental Code, the operator of the facility carrying out the recovery operation implements a quality management system compliant with the aforementioned Ministerial Order of 19 June 2015.

### **Article 5**

Each marketed batch of rubber particles from end-of-life tyres is identified by a unique number and a reference that uniquely identifies the facility where the recovery operation was carried out. The numbering system is recorded in the quality management manual mentioned in the aforementioned Ministerial Order, of 19 June 2015.

### **Article 6**

The person carrying out the valuation operation shall keep a register up to date in accordance with Article 5 of the aforementioned Order of 31 May 2021. The batches subject to the waste removal procedure are identified in the register.

### **Article 7**

The evidence demonstrating compliance with Articles 2 to 6 shall be kept by the operator of the facility carrying out the recovery operation for at least 5 years.

**Article 8**

The Director-General for Risk Prevention shall be responsible for implementing this Order, which shall be published in the Official Journal of the French Republic.

Signed on

For the Minister and by delegation:  
The Director-General for Risk Prevention,  
Cédric Bourillet

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## ANNEX I – CRITERIA FOR END-OF-WASTE STATUS FOR RUBBER PARTICLES FROM END-OF-LIFE TYRES

### Section 1: Waste permitted as input in the recovery operation

1.1. The only waste accepted as input in the recovery operation is non-hazardous tyre waste covered by the following codes from the single list of waste mentioned in Article R.541-7 of the Environmental Code:

16 01 03	End-of-life tyre
19 12 04	Plastics and rubber
07 02 99	Waste not specified elsewhere: identifies rubber waste produced in the manufacturing processes of new or retreaded tyres

1.2. Any batch of tyre waste entering the recovery operation is free of waste:

- from solid rubber wheels;
- from bicycle tyres;
- from tyres showing signs of burning or thermal degradation;
- from tyres coming from historical stockpiles and abandoned or buried depots;
- from tyres coming from landfills;
- from inner tubes;
- from non-vulcanised or partially vulcanised rubber compounds and debris;
- from electrical and electronic equipment (known as "WEEE");
- that is hazardous within the meaning of Article R. 541-8 of the Environmental Code;
- containing asbestos;
- containing substances listed in Article R. 543-17 of the French Environmental Code, known as "PCBs" (polychlorinated biphenyls);
- likely to contain persistent organic pollutants at concentrations exceeding the limits set by Annex IV of Regulation (EU) No 2019/1021, of 20 June 2019;
- that may contain brominated flame retardants;
- falling under Section 18 "Waste from medical or veterinary care and/or associated research (excluding kitchen and catering waste not directly from medical care)" of the single list referred to in Article R. 541-7 of the Environmental Code;
- from waste from end-of-life vehicle (ELV) components, other than tyres.

1.3. The provisions of this section are formalised in a set of specifications by the operator of the recovery facility.

### Section 2: Treatment techniques and processes

Tyre waste is stored separately from other types of products and waste managed on the site of the recovery facility.

If the tyre waste is contaminated, it is washed to remove impurities from its surface.

The tyre waste undergoes a recovery process to obtain rubber particles from end-of-life tyres, which are:

- either granules with a particle size between 0.8 and 20 mm;
- or powders with a particle size less than 0.8 mm.

These rubber particles from end-of-life tyres are obtained after separating the textile fibres and steel. They are presumed to meet this requirement when they comply with the requirements of Section 3.1, first indent, using Standards NF EN 14243-1: 2019 and NF EN 14243-2:2019 or any other equivalent method.

### Section 3: Quality of rubber particles from end-of-life tyres

#### 3.1. Batches of rubber particles from end-of-life tyres:

- Are free from metal and textile fibres;
- Are free from visible lubricating oils or greases;
- Are free from impurities in quantities likely to damage the user facility or cause incidents;
- Are free from impurities likely to cause greater environmental or health impacts, in user facilities and under the conditions stipulated by the operator of the user facility, than those generated by the use of the usual input products;
- Have technical characteristics enabling them to be used for the same functions and with the same level of safety as the products they replace under the conditions stipulated by the operator of the user facility;
- Do not lead to the presence of undesirable substances in the products leaving the user facility and do not lead to any modification of the products leaving the user facility;
- Have characteristics enabling user facilities to use them while respecting the imposed emission limit values for the environment and without increasing the diffuse emissions quantified at the user facility level.

3.2. Without prejudice to Point 3.3 of this Annex, batches of rubber particles from end-of-life tyres comply with the technical specifications required by the operator of the user facility.

These technical specifications are established, for each end-of-life tyre waste recovery facility, by the operator of the user facility following tests aimed at validating the conditions for substitution of the usual input products. These tests are described in Point 5.5 of Section 5 of this Annex.

The two preceding paragraphs and the provisions of Point 3.1 are the subject of explicit clauses in the transfer agreement provided for in Letter f) of Article 2. The relevant clauses are made available to the inspectorate of classified facilities for environmental protection.

3.3. Without prejudice to the provisions of Points 3.1, 3.2 and 3.4 of this Annex:

Batches of rubber particles from end-of-life tyres do not exceed, for each of the following compounds, the levels specified in the table below:

<b>Parameters/Impurities</b>	<b>Percentage by mass</b>
<b>Ferromagnetic metals</b>	Less than or equal to 1
<b>Textile fibres</b>	Less than or equal to 0.25
<b>Other impurities</b>	Less than or equal to 0.25
<b>Sum of metals: Al + Cu + Fe + Zn + Mg + Ti</b>	3
<b>Sum of metals: As + Cd + Co + Cr + Hg + Ni + Pb + Mn + Sb</b>	0.04

The operator of the recovery facility ensures the use of analytical methods that allow for reliable, repeatable and reproducible measurements.

3.4 Batches of rubber particles from end-of-life tyres comply with the provisions of the aforementioned Regulation, of 18 December 2006.

3.5 Batches of rubber particles from end-of-life tyres comply with the provisions of the aforementioned Regulation, of 16 December 2008.

3.6 Batches of rubber particles from end-of-life tyres are stored in such a way as not to be mixed with any other waste or material present in the user facility. Storage is carried out in such a way as to ensure that the product is maintained in the best conditions of use.

#### **Section 4: Limitations on the use of rubber particles from end-of-life tyres**

The only permitted uses for rubber particles from end-of-life tyres are for the manufacture of:

- tyres;
- conveyor belts.

In particular, the use of rubber particles from end-of-life tyres is not permitted:

1. in objects whose intended use requires continuous or repeated contact with the skin;
2. in materials that come into contact with drinking water or food.

#### **Section 5: Prior information, checks and self-monitoring**

The operator of the recovery facility shall implement a self-monitoring system according to the procedures defined below. The procedures for ensuring compliance with these obligations are established and recorded in the quality management manual required by the aforementioned Ministerial Order, of 19 June 2015.

##### **5.1. Prior information**

Before accepting waste for recovery, the operator carrying out the recovery operation must request prior information from the waste producer, the collection authority(ies), or the waste holder in order to verify the acceptability of the waste. This prior information is renewed annually and kept for at least five years by the operator.

The prior information contains the elements necessary for the basic characterisation defined below. The basic characterisation demonstrates that the waste meets the acceptance criteria for the recovery operation.

The information to be collected to establish the basic characterisation is as follows:

- Source and origin of the waste;
- Information concerning the waste production process (description and characteristics of raw materials and products, collection and sorting methods);
- Data concerning the composition of the waste, in particular the absence of prohibited waste according to the specifications of the recovery facility;
- Demonstration of compliance with the provisions of Section 1 of this Annex;

- Absence of hazardous properties;
- Appearance of the waste (odour, colour, physical appearance);
- Waste code as defined in the single list provided for in Article R. 541-7 of the Environmental Code;
- Analysis of persistent organic pollutants (POPs) by type and concentration, for waste likely to contain them;
- If necessary, additional precautions will be defined by the operator of the waste recovery facility.

## **5.2. Acceptance procedure**

a) Upon arrival of the waste at the site, the competent personnel:

- Verify the existence of valid prior information that complies with the provisions of Section 5.1;
- Verify, where applicable, the documents required by Regulation (EC) No 1013/2006 of the European Parliament and of the Council, of 14 June 2006, on shipments of waste;
- Verify that the waste is packaged and labelled in accordance with applicable regulations;
- Weigh the incoming waste;
- Conduct a visual inspection;
- Issue a written acknowledgement of receipt for each delivery accepted on site.

b) In the event of failure to present one of the required documents or non-compliance of the waste received with the waste announced, the operator shall inform without delay the producer, the community(ies) in charge of collection or the holder of the waste. Batches of rubber particles from end-of-life tyres, whether from all or part of this waste, remain waste. If the operator of the recovery facility wishes to refuse the load, in part or in whole, they shall send as soon as possible, and at the latest forty-eight hours after the refusal, a copy of the reasoned notification of the refusal of the load, to the producer, to the community(ies) in charge of collection or to the holder of the waste. These documents are kept available for inspection by the classified facilities inspectorate for environmental protection.

c) If there is any doubt about the nature, composition and hazardous properties of incoming waste, the operator shall carry out or have carried out analyses to identify the waste.

d) An area is designated for the storage of waste covered by Points b) and c) above.

## **5.3. Monitoring of persistent organic pollutant (POP) levels:**

Competent personnel ensure that analyses are carried out at the entry of the recovery unit on waste entering the recovery process containing or likely to contain persistent organic pollutants (POPs). Waste with a POP content exceeding the limits set out in Annex IV to the aforementioned amended Regulation (EU) 2019/1021, of 20 June 2019, shall be dispatched by the competent personnel to a waste management facility authorised to receive it.

The results of POP content analyses are known before the waste is accepted for recovery.

Testing for persistent organic pollutants, or the absence thereof, is justified for each batch of waste entering the recovery facility. The justification is recorded in a document allowing identification of the waste concerned (type, origin, date of receipt). The procedure for determining whether or not testing for persistent organic pollutants (POPs) is required is detailed in the quality management manual. The suspected presence of waste electrical and electronic equipment (WEEE), plastic waste from WEEE,

or end-of-life vehicles (ELVs), or the observation of plastics from WEEE or ELVs in incoming waste, must systematically trigger either POP testing or rejection of the incoming waste batch.

When an analysis reveals the presence of a persistent organic pollutant in waste at a level below the limit set by Annex IV of Regulation (EU) No 2019/1021, of 20 June 2019, as amended, but at a level that allows for recovery through the recovery process, the batch of rubber particles from end-of-life tyres derived from this waste is tested to verify the batch's compliance with the POPs Regulation. Batches that do not comply with the provisions of Regulation (EU) No 2019/1021, of 20 June 2019, and in particular those containing POPs exceeding the limits set out in Annex I thereof, remain waste.

#### **5.4. Checks of the batch of rubber particles from end-of-life tyres**

5.4.1 Analyses are carried out on batches of rubber particles from end-of-life tyres to verify that they meet the technical specifications of the user facilities, as described in Section 3 of this Annex.

The techniques used for the sampling and analysis operations ensure the representativeness of the recovery process, the reliability, and the traceability of the measurement results.

The sampling takes into account rare particles in terms of concentration and size. If a batch is stored in several containers, the operator checks the good homogeneity of the batch to ensure the reliability and representativeness of the analyses performed. The sampling procedure is documented in the quality management manual.

The analyses identify all components required to meet technical specifications and, in any case, identify at least 90% of the sample's composition. The standard used for these analyses will be specified, and it will be justified that it applies to rubber particles from end-of-life tyres. The method "Characterization of waste - Guidance on the determination of the content of elements and substances in waste", described in Standard XP CEN/TS17943:2023, is deemed to satisfy these requirements.

The analysis of the metallic impurities listed in the table in Section 3.3 of this Annex is carried out using an inductively coupled plasma method after mineralisation of the sample in a closed environment.

5.4.2 The analyses mentioned in Point 5.4.1 of Section 5 of this Annex are performed for every 1000 tonnes and at least monthly.

This frequency is reduced to semi-annual if it is first demonstrated over one year, through monthly monitoring, that the impurity levels are below the thresholds indicated in Point 3.3 of this Annex.

If an exceedance is observed, the analyses are repeated monthly for six months. If no exceedances are observed during this period, the operator resumes a semi-annual frequency.

Case of an exceedance of a parameter exempt from analysis in accordance with Point 3.3.

If an exceedance is observed for one of the impurities exempted in accordance with Point 3.3, the operator:

- Investigates the cause of the exceedance;
- Implements corrective action, demonstrating that this action prevents a further exceedance;
- Updates the documentation enabling the exemption from analysis;
- Performs monthly analyses of all impurities specified in Point 3.3 as soon as the exceedance is detected and for at least six months after the corrective action has been implemented.

If no exceedance is detected during this period, the operator repeats all the analyses specified in Point 3.3 of this Annex six months after the last analysis. If the last analysis is compliant, the operator cannot perform these analyses in accordance with the provisions of Point 3.3 of this Annex.

5.4.3 Compliance with the requirements of the sector is recorded in the certificate of conformity.

The analyses shall cover *at least* the content of each of the compounds mentioned in Point 3.3 of this Annex.

### **5.5. Prior testing by the user facility**

In addition to the basic characterisation specified in Point 5.1, the user facility conducts prior tests before accepting any transfer agreement for marketed batches of rubber particles from end-of-life tyres within its facility. These tests ensure that the use of rubber particles from accepted end-of-life tyres has no impact on the equipment, the facility's emissions, or its output products. These tests also allow for the definition, if they do not already exist, of technical specifications for the acceptance of rubber particles from end-of-life tyres in this facility, as provided for in Point 3.2 of Section 3 of this Annex. Each user facility performs its own tests. These tests include, in particular, monitoring emissions and discharges as well a check of output products.

These tests are carried out under normal operating conditions of the user facility. They are made with a composition of rubber particles from end-of-life tyres corresponding, as far as possible, to the maximum technical specifications accepted by the user facility.

In the case of using rubber particles from end-of-life tyres mixed with other inputs, the technical specifications of the user facilities are established, as far as possible, on the basis of tests carried out with a maximum concentration of rubber particles from end-of-life tyres relative to what will be accepted by the user facility.

The test results are made available to the inspectorate of facilities classified for environmental protection and the directorate general for risk prevention.



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