

The CNMC proposes measures to end the monopoly in the management of packaging waste in Spain

- Companies that produce packaged goods - in glass, plastic, Tetra Briks, cans, etc. - must finance the collection and treatment of this waste.
- They do this through Collective Producer Responsibility Organisations (PROs).
- These organisations sign agreements with the municipalities, who are responsible for organising waste collection, and pay them for said collection.
- Up until 2024, the only two active organisations have been Ecoembes (for light packaging and paper and cardboard) and Ecovidrio (for glass packaging).
- In order to improve the sector, it is crucial to bring in new competitors, avoid conflicts of interest and enhance transparency.

Madrid, 22 July 2024. – The CNMC analysed last July the management of packaging waste destined for the yellow container - plastics, Tetra Briks, metal cans, etc. - and the glass container. In Spain, the sector has historically operated as a monopoly, in contrast to other European countries, so promoting competition is essential to improve its functioning. ([E/CNMC/004/21](#)).

Waste management has a major impact on public health, environmental sustainability and ecological transition, and involves many public and private actors.

It starts at the household level - an individual generates on average more than 180 kg of packaging waste per year - where citizens separate their waste and place it in containers (yellow for plastic, cans, etc. and green for glass). Subsequently, the collection, transport, separation and sorting are organised by the municipalities and public administrations in charge of these services.

The polluter pays principle

Under this principle, the regulations oblige the companies that produce the packaged goods (e.g. beer, soft drinks, detergents, bottled water, etc.) to bear the costs associated with the management of their packaging waste.

In order to channel these payments to municipalities for the collection of their waste, producers join Collective Producer Responsibility Organisations ([PROs](#)).

In Spain, until this year, the only active PROs have been Ecoembes, for light household packaging and paper-cardboard, and Ecovidrio, for glass packaging. Recently, at least one new PRO has received authorisation.

The PROs sign agreements establishing the amounts that they must pay to the administrations to cover the cost of waste management. In turn, the companies that produce packaged goods bear the cost of the PROs and, in this way, fulfil their legal obligation to ‘pay for polluting’.

CNMC recommendations

The multiple public and private actors involved in the management, their co-ordination and the complexity of the system hinder the entry of competitors.

It is crucial that regulators and authorities actively promote competition through the following measures:

- **Reduce barriers to entry** by facilitating the authorisation of new PROs, eliminating or relaxing the deadline for signing agreements, and making it easier for companies to switch between PROs.
- **Establish an efficient and pro-competitive framework of coordination between public and private agents**, which entails regulating the coexistence between competing PROs in detail, establishing a coordination and supervisory body, introducing a single agreement system, drawing up a standard agreement, agreeing on minimum quality requirements and providing public authorities with the necessary means.
- **Promote transparency**, with measures to improve traceability and fraud detection.
- **Prevent and remedy conflicts of interest**, in particular with regard to the participation of associations in PROs. Also, in the case of waste recyclers having to join the PROs.
- **Promote competition in the allocation of waste** from PROs to recyclers by developing the regulation in detail.

The CNMC is the independent market regulator that ensures and promotes the existence of effective competition for the benefit of consumers and users. This study is carried out in the framework of its competition advocacy functions.

Related content:

- [E/CNMC/004/21](#): Study on Packaging Waste Management.
- [Questions and Answers](#): Study on Packaging Waste Management (only available in Spanish).
- [Press release](#) (22/02/2022): CNMC launches a study on the management of packaging waste in Spain (only available in Spanish).
- [Blog](#)(16/03/2022): How to manage packaging waste? CNMC launches a study and a public consultation (only available in Spanish).
- [Blog](#)(18/05/2022): Packaging waste management: first results of the CNMC public consultation (only available in Spanish).
- [MET/DP/001/16](#) (21/05/2016): Methodology for the production of market studies at the CNMC (only available in Spanish).