















Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Awaiting Council's 1st reading position
2022/0095(COD)	
Ecodesign for Sustainable Products Regulation Repealing Directive 2009/125 2008/0151(COD)	
Subject 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.70.17 European ecolabel and ecolabelling, ecodesign 3.70.20 Sustainable development	
Legislative priorities Joint Declaration 2022 Joint Declaration 2023-24	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Environment, Public Health and Food Safety	 MORETTI Alessandra	16/05/2022
		Shadow rapporteur	
		 POLFJÄRD Jessica	
		 HUITEMA Jan	
		 MATTHIEU Sara	
		 SARDONE Silvia	
		 VONDRA Alexandr	
		 BJÖRK Malin	
	Committee for opinion	Rapporteur for opinion	Appointed
 Industry, Research and Energy (Associated committee)	 SPYRAKI Maria	05/05/2022	
 Internal Market and Consumer Protection (Associated committee)	 CORMAND David	31/08/2022	

Key events

30/03/2022	Legislative proposal published	COM(2022)0142	Summary
02/05/2022	Committee referral announced in Parliament, 1st reading		
15/09/2022	Referral to associated committees announced in Parliament		
15/06/2023	Vote in committee, 1st reading		
22/06/2023	Committee report tabled for plenary, 1st reading	A9-0218/2023	Summary
11/07/2023	Debate in Parliament		
12/07/2023	Results of vote in Parliament		
12/07/2023	Decision by Parliament, 1st reading	T9-0272/2023	Summary
12/07/2023	Matter referred back to the committee responsible		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE758.076 GEDA/A/(2024)000137	
23/04/2024	Decision by Parliament, 1st reading	T9-0303/2024	

Technical information

Procedure reference	2022/0095(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 2009/125 2008/0151(COD)
Legal basis	Rules of Procedure EP 57; Treaty on the Functioning of the EU TFEU 114
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	ENVI/9/08744

Documentation gateway

Legislative proposal	COM(2022)0142	30/03/2022	EC	Summary
Document attached to the procedure	SEC(2022)0165	31/03/2022	EC	
Document attached to the procedure	SWD(2022)0081	31/03/2022	EC	
Document attached to the procedure	SWD(2022)0082	31/03/2022	EC	

Document attached to the procedure		SWD(2022)0083	31/03/2022	EC	
Committee draft report		PE738.753	06/12/2022	EP	
Amendments tabled in committee		PE740.731	18/01/2023	EP	
Amendments tabled in committee		PE740.732	18/01/2023	EP	
Amendments tabled in committee		PE740.733	19/01/2023	EP	
Amendments tabled in committee		PE740.760	23/01/2023	EP	
Committee opinion	ITRE	PE738.514	31/03/2023	EP	
Committee opinion	IMCO	PE737.400	27/04/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0218/2023	22/06/2023	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		T9-0272/2023	12/07/2023	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2024)000137	22/12/2023	CSL	
Text agreed during interinstitutional negotiations		PE758.076	22/12/2023	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0303/2024	23/04/2024	EP	

Additional information

Research document	Briefing	08/06/2022
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Ecodesign for Sustainable Products Regulation

PURPOSE: to establish a broadened framework for setting ecodesign requirements for sustainable products.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Directive 2009/125/EC](#) establishes a framework for the setting of ecodesign requirements for energy-related products. It has significantly reduced EU primary energy demand for products and has been generally successful in fostering the energy efficiency and some circularity aspects of energy-related products, and its approach has the potential to progressively address the sustainability of all products. To deliver on Green Deal commitments, this approach should be extended to other product groups and systematically address key aspects for increasing the environmental sustainability of products with binding requirements.

In the absence of legislation at Union level, diverging national approaches to improving the environmental sustainability of products have already emerged, ranging from information requirements on the duration of software compatibility of electronic devices to reporting obligations on handling unsold durable goods. This is an indication that further national efforts to achieve the aims pursued by this Regulation will likely lead to further fragmentation of the internal market.

Therefore, in order to safeguard the functioning of the internal market while ensuring a high level of environmental protection, there is a need for a regulatory framework to progressively introduce ecodesign requirements for products. This Regulation will, by making the ecodesign approach initially set out in Directive 2009/125/EC of the European Parliament and of the Council applicable to the broadest possible range of products, provide such a framework.

CONTENT: the proposal builds on the success of EU's existing Ecodesign rules, which have brought remarkable reductions in EU's energy consumption and significant savings to consumers. However, the new proposal extends the existing Ecodesign framework in two ways:

- to cover the broadest possible range of products;
- to broaden the scope of the requirements with which products are to comply.

The proposal:

- lays down a framework for setting ecodesign requirements, creating a digital product passport, and prohibiting the destruction of unsold consumer products;

- lays down the product aspects to which the eco-design requirements relate, such as durability and reliability, reusability, upgradability, reparability, and possibility of maintenance and refurbishment, presence of substances of concern, energy and resource efficiency, recycled content;
- sets the scope of the Regulation only a few sectors, such as food, feed, and medicinal products, are exempted;
- provides more details about performance requirements;
- lays down the necessary provision to implement the product passport and sets up a registry storing information included in the products passport;
- specifies the requirements attached to labels, when they are to be used for a given product group;
- lays down a number of measures that the Member States and the Commission are required to take to help SMEs with the general implementation of this Regulation and the future delegated acts;
- establishes a general obligation of transparency for economic operators who discard unsold consumer products;
- explicitly prohibits circumvention techniques, such as a big company selling to small companies (which are normally exempted) to make them destroy products;
- lays down obligations of manufacturers, authorised representatives, importers and distributors;
- sets out the obligations of online marketplaces and online search engines in particular concerning cooperation with market surveillance authorities. It also specifies that market surveillance authorities should have the power to order an online marketplace to remove illegal content ;
- requires Member States to draw up an action plan for market surveillance activities, which must include priorities for market surveillance to be identified.

Budgetary implications

The proposal has limited budgetary implications for the Commission. Specifically, it requires 54 full-time equivalents to fully implement the regulation and the related delegated acts over the period 2022-2027 of the EU Multiannual Financial Framework (MFF). New commitments would be needed on existing budget lines, amounting to EUR 23.338 million in Heading 1 of the MFF (Single Market, Innovation and Digital), EUR 43.912 million in Heading 3 (Natural Resources and the Environment) and EUR 38.621 million in Heading 7 (Administrative Expenditure). The new commitments will be covered from the existing budgetary envelopes of the relevant programmes.

Ecodesign for Sustainable Products Regulation

The Committee on the Environment, Public Health and Food Safety adopted the report by Alessandra MORETTI (S&D, IT) on the proposal for a regulation of the European Parliament and of the Council establishing a framework for setting of ecodesign requirements for sustainable products and repealing Directive 2009/125/EC.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Objective

This Regulation should establish a framework to improve the environmental sustainability of products, in order to make sustainable products the norm and to reduce their overall environmental footprint over their lifecycle. Ecodesign requirements, to be specified by the Commission in delegated acts, should also address product recycling.

Ecodesign requirements

When establishing ecodesign requirements in delegated acts, the Commission should allow economic operators sufficient time to adjust to the new requirements, taking particular account of the needs of micro-enterprises and SMEs.

When developing ecodesign requirements, the Commission should take into account the objectives of the Union in relation to:

- the climate, in particular the objective of achieving climate neutrality by 2050 at the latest;
- the environment, including biodiversity, resource efficiency and security and reduction of the environmental, material and consumption footprints, and staying within the planetary boundaries;
- non-toxicity, energy efficiency and other related EU objectives;
- the do no significant harm principle;
- relevant international agreements;
- the prioritisation of measures in accordance with the waste hierarchy established by Directive 2008/98/EC.

In carrying out the impact assessments, the Commission should provide an assessment of (i) the expected reduction of the environmental, carbon and material footprints by the new ecodesign requirements; and (ii) any relevant consequences for human health.

Durability and reparability of products

The Commission should ensure that manufacturers: (i) do not limit the durability of a product making it prematurely obsolete; (ii) do not limit the reparability of products by impeding the disassembly of key components or limiting access to repair information and spare parts exclusively to authorised repairers.

Information requirements

Members strengthened certain provisions relating to the information rights of consumers and end-users.

The report stated that consumers and end-users must be provided with clear and easily understandable information to encourage sustainable consumption patterns and ensure that appropriate action is taken when a product reaches the end of its life.

All information relevant for a purchasing decision shall be provided to the consumers prior to the purchase of a product on the products packaging, in the digital product passport, on a label or on a free access website of application, as appropriate. Information that is essential to the health, safety, and rights of end-users should be provided in physical format with the product and be accessible through a data carrier included on the product.

Where appropriate, information requirements on the performance of the product related to reparability should take the form of a reparability score to enable end-users to easily compare the performance of products.

Members also strengthened the provisions relating to the Ecodesign Forum by making its functioning more transparent and by enabling the Eco-design Forum to propose to the Commission to prepare ecodesign requirements for a particular product group. take into consideration.

Comparison platform

No later than 12 months after the entry into force of this Regulation, the Commission should set up and maintain a publicly accessible online tool allowing stakeholders to compare information included in the product passports stored by the economic operator.

Prioritisation and planning

The current proposal allows the Commission to define, in the working plans, the products for which ecodesign requirements should be established as a priority.

Members consider that for the period 2024-2027, the Commission should consider prioritising the following product groups in the first working plan: (i) iron, steel; (ii) aluminium; (iii) textiles, notably garments and footwear; (iv) furniture, including mattresses; (v) tyres; (vi) detergents; (vii) paints; (viii) lubricants; (ix) chemicals; (x) energy related products, the implementing measures for which need to be revised or newly defined; (xi) ICT products and other electronics.

The work plan should be made public and presented to the European Parliament before its adoption. The Commission should justify its decision if it chooses not to give priority to any of the product groups listed.

Self-regulation measures

Self-regulation measures should include an explanation as to how the self-regulation measures improve the environmental sustainability of products in line with the objectives of this Regulation and ensures the free movement in the internal market more quickly or at a lesser expense than a delegated act.

Destruction of unsold consumer products

One year after the date of entry into force of the Regulation, the destruction of unsold consumer products by economic operators should be prohibited for the following product categories: (a) textiles and footwear; (b) electrical and electronic equipment. This provision would not apply to SMEs, but the Commission could, by means of delegated acts, provide that the ban on the destruction of unsold consumer products applies to medium-sized enterprises, micro-enterprises and SMEs.

Ecodesign for Sustainable Products Regulation

The European Parliament adopted by 473 votes to 110, with 69 abstentions, amendments to the proposal for a Regulation of the European Parliament and of the Council establishing a framework for setting eco-design requirements for sustainable products and repealing Directive 2009/125/EC.

The matter was referred back to the committee responsible for inter-institutional negotiations.

Objective

The Regulation should aim to (i) establish a framework to improve the environmental sustainability of products, in order to make sustainable products the norm and to reduce their overall environmental footprint over their lifecycle, and (ii) ensure free movement in the internal market by setting ecodesign requirements that products should fulfil to be placed on the market or put into service.

Power to adopt delegated acts

Members clarified that the empowerment to adopt ecodesign requirements should include the power to establish that no ecodesign requirements apply for imported second-hand products or product groups, for a limited period of time, where on the basis of the impact assessment conducted under Article 5(4)(b) the Commission concludes that, inter alia, it is relevant to exempt a given imported second-hand product or product group on account of the substantial share that it represents on the relevant Union second-hand product market and the genuine consumer demand that it responds to.

When establishing ecodesign requirements in delegated acts, the Commission should allow economic operators sufficient time to adapt to the new requirements, taking particular account of the needs of micro-enterprises and SMEs. The delegated acts could also complement the Regulation by specifying the methodology to be used to assess the reparability of a product, to define the classes of performance to be represented by the reparability score and to define the product categories to which the reparability score will apply.

Ecodesign requirements

When developing ecodesign requirements, the Commission should take into account the objectives of the Union in relation to:

- the climate, in particular the objective of achieving climate neutrality by 2050 at the latest;
- the environment, including biodiversity, resource efficiency and security and reduction of the environmental, material and consumption footprints, and staying within the planetary boundaries;

- non-toxicity, energy efficiency and other related EU objectives;

- the do no significant harm principle.

Durability and reparability of products

The Commission should ensure that manufacturers:

- do not limit the durability of a product making it prematurely obsolete in particular as a result of the design of a specific feature, the use of consumables or the failure to supply spare parts, software updates or accessories in a timely manner;

- do not limit the reparability of products by impeding the disassembly of key components or limiting access to repair information and spare parts exclusively to authorised repairers.

Information requirements

Members strengthened certain provisions relating to the information rights of consumers and end-users. They stated that consumers and end-users must be provided with clear and easily understandable information to encourage sustainable consumption patterns and ensure that appropriate action is taken when a product reaches the end of its life.

All information relevant for a purchasing decision should be provided to the consumers prior to the purchase of a product on the products packaging, in the digital product passport, on a label or on a free access website of application, as appropriate. Information that is essential to the health, safety, and rights of end-users should be provided in physical format with the product and be accessible through a data carrier included on the product.

Where appropriate, information requirements on the performance of the product related to reparability should take the form of a reparability score to enable end-users to easily compare the performance of products.

A new product passport, containing accurate and up-to-date information, will be introduced to increase transparency and enable consumers to make informed purchasing decisions.

Members also strengthened the provisions relating to the Ecodesign Forum by making its functioning more transparent and by enabling the Eco-design Forum to propose to the Commission to prepare ecodesign requirements for a particular product group. take into consideration.

Comparison platform

No later than 12 months after the entry into force of this Regulation, the Commission should set up and maintain a publicly accessible online tool allowing stakeholders to compare information included in the product passports stored by the economic operator.

Prioritisation and planning

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Members also wanted a specific ban on the destruction of unsold consumer products such as textiles and footwear, as well as electrical and electronic equipment.

Transparency				
MATTHIEU Sara	Shadow rapporteur	ENVI	14/09/2023	VITO
MATTHIEU Sara	Shadow rapporteur	ENVI	15/06/2023	Permanant representation Belgium
POLFJÄRD Jessica	Shadow rapporteur	ENVI	25/04/2023	SME United
BJÖRK Malin	Shadow rapporteur	ENVI	23/03/2023	Seas at Risk
MATTHIEU Sara	Shadow rapporteur	ENVI	07/03/2023	Belgian federal administration for Health, Food Chain Safety and Environment
POLFJÄRD Jessica	Shadow rapporteur	ENVI	01/03/2023	Confederation of Swedish Enterprise
HUITEMA Jan	Shadow rapporteur	ENVI	24/02/2023	SMEunited aisbl
HUITEMA Jan	Shadow rapporteur	ENVI	23/02/2023	Environmental Coalition on Standards European Environmental Bureau

HUITEMA Jan	Shadow rapporteur	ENVI	22/02/2023	Ariane
MALDONADO LÓPEZ Adriana	Shadow rapporteur	ENVI	16/02/2023	The European Consumer Organisation
WEISS Pernille	Member	05/01/2024	2K/Denmark AS	
WÖLKEN Tiemo	Member	22/11/2023	Bundesministerium für Wirtschaft und Klima	
FIDANZA Carlo	Member	04/07/2023	federchimica	
POULSEN Erik	Member	10/05/2023	Novozymes A/S	
LUENA César	Member	13/04/2023	Consejo Intertextil Español	
HOJSÍK Martin	Member	28/03/2023	Electrolux Home Products Europe	
PEKKARINEN Mauri	Member	08/03/2023	Confederation of European Paper Industries Finnish Forest Industries Federation (Metsäteollisuus ry)	
LUENA César	Member	15/02/2023	Electrolux Home Products Europe	
WÖLKEN Tiemo	Member	08/02/2023	Verbraucherzentrale Bundesverband	
DANTI Nicola	Member	25/10/2022	APPLiA (Home Appliance Europe)	