

# Ecodesign for Sustainable Products Regulation

2022/0095(COD) - 12/07/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

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

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.

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.