



Proposal for a Regulation on Ecodesign for Sustainable Products

European Commission
15.12.2022

3 major interrelated ecological crises

We are encountering three major interrelated ecological crises...



Climate change

Biodiversity loss

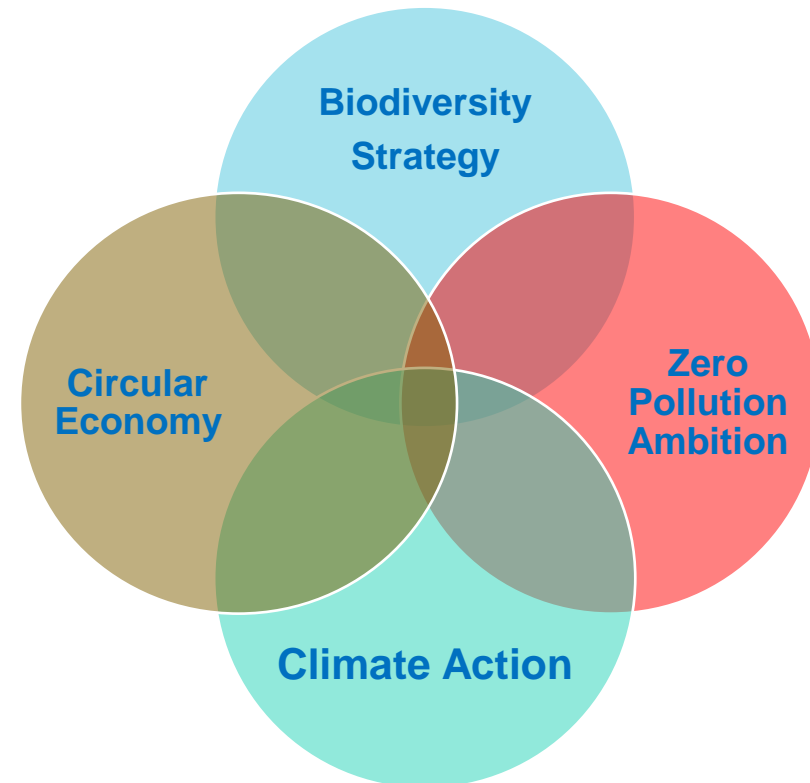


Pollution

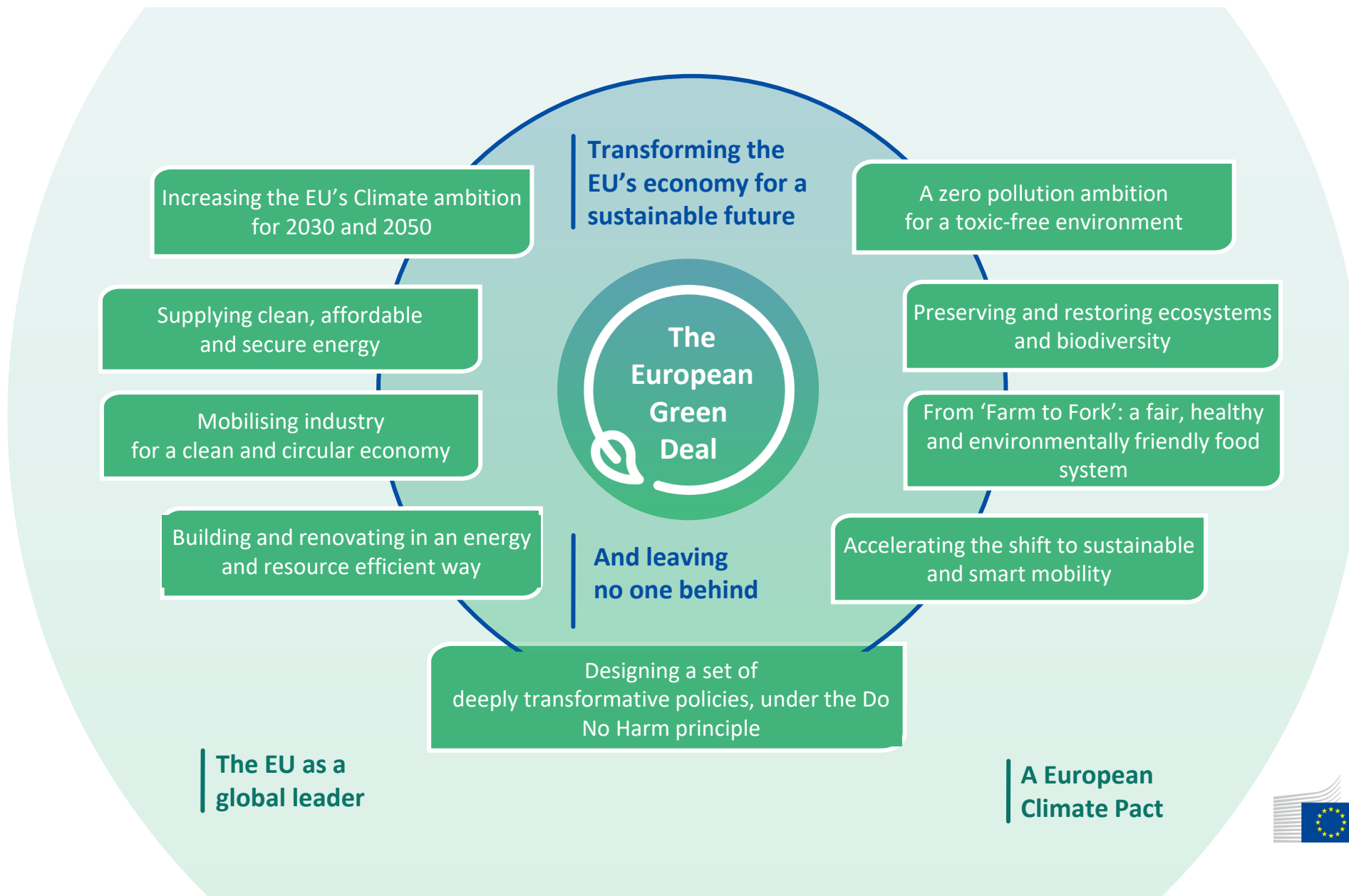


... and our **unsustainable use of resources** is a key driver for all of them.

... and the EU is responding with interrelated solutions!



The European Green Deal



Circular Economy Package of 30 March 2022

- **Proposal for a Regulation on Ecodesign for Sustainable Products (ESPR)**
- **Ecodesign and Energy Labelling Working Plan 2022-2024**
- **EU Strategy for Sustainable and Circular Textiles**
- **Proposal for a revision of the Construction Products Regulation**
- **Proposal to Empower Consumers in the Green Transition**

Circular Economy Package of 30 March 2022

Making sustainable products the norm in a more resilient Single Market



Why an initiative on Sustainable Products?



Inefficient use of resources

- **Global extraction of materials tripled** since 1970; **waste generation** set to increase **70%** by 2050;
- Over **90% of biodiversity loss and water stress** from resource extraction and processing



Planetary boundaries exceeded

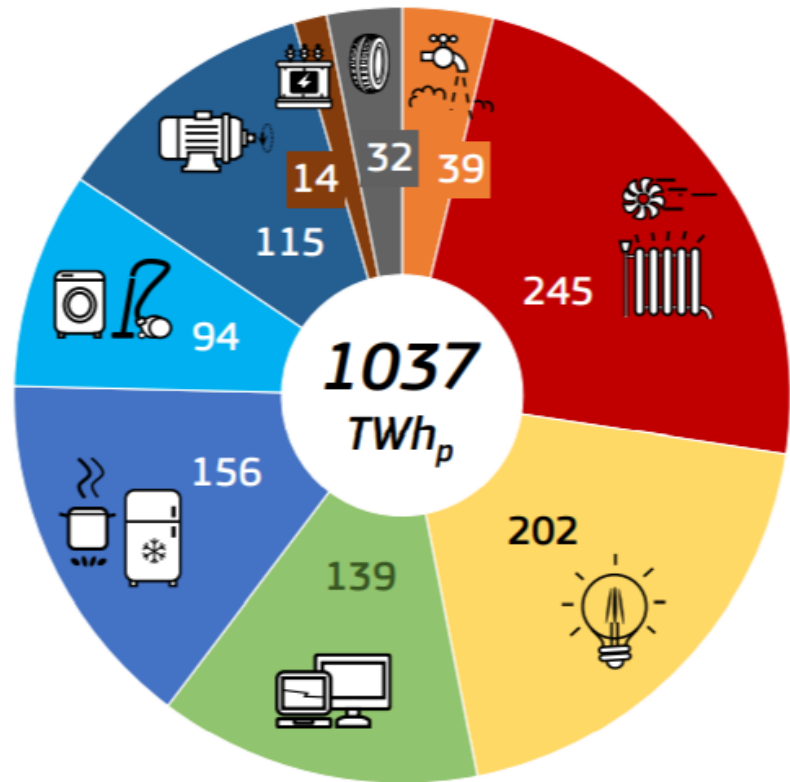
- EU has less than 10% of world population, yet its **consumption-based impacts are close to or exceed boundaries** for climate change, particulate matter, land use and mineral resources (Sala et al, 2020)



New business opportunities

- **Better functioning of the Single Market**
- **Reduce material use and expenditure**
- **Level playing field**

Existing Ecodesign and Energy Labelling Legislation



Current status (existing measures):

50 measures covering products that consume almost 50% of EU final energy, and emitted almost half our GHG in 2020

- About 3 billion products in scope sold in 2020
- Energy saved in 2020 comparable to energy consumption of Poland

More than € 60 bn estimated reduction in annual consumer energy expenditure in 2020

About 1 MWh annual electricity savings per household (27%)

All savings for 2020 vs BAU

How will ESPR work?

- By extending the Ecodesign approach



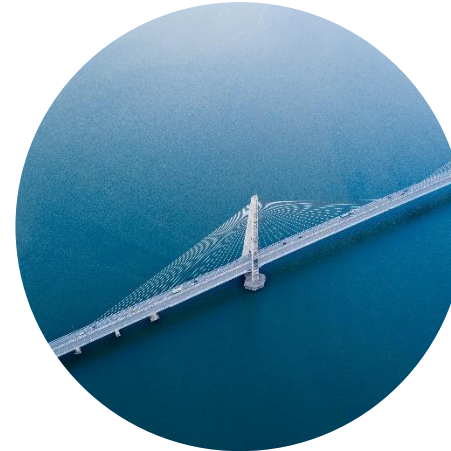
Scope extension

Moving beyond energy-related products to a wide product scope



New requirements

Plus clarification of existing requirements



Horizontal approach

Requirements in addition to product-specific requirements



Increased focus on product information

e.g. Digital Product Passport; labels

How will ESPR work?

- By adding new tools



Mandatory Green Public Procurement

ESPR will enable mandatory GPP criteria to be set in delegated acts for public contracting authorities



Prevention of destruction of unsold consumer goods

Transparency requirements for those choosing to discard unsold goods, and possibility to ban their destruction for relevant product groups.



Market surveillance and customs controls

Reinforcing controls on regulated products, including market surveillance implementing plans, possible targets on checks, support to common projects and investments

Key product aspects under ESPR

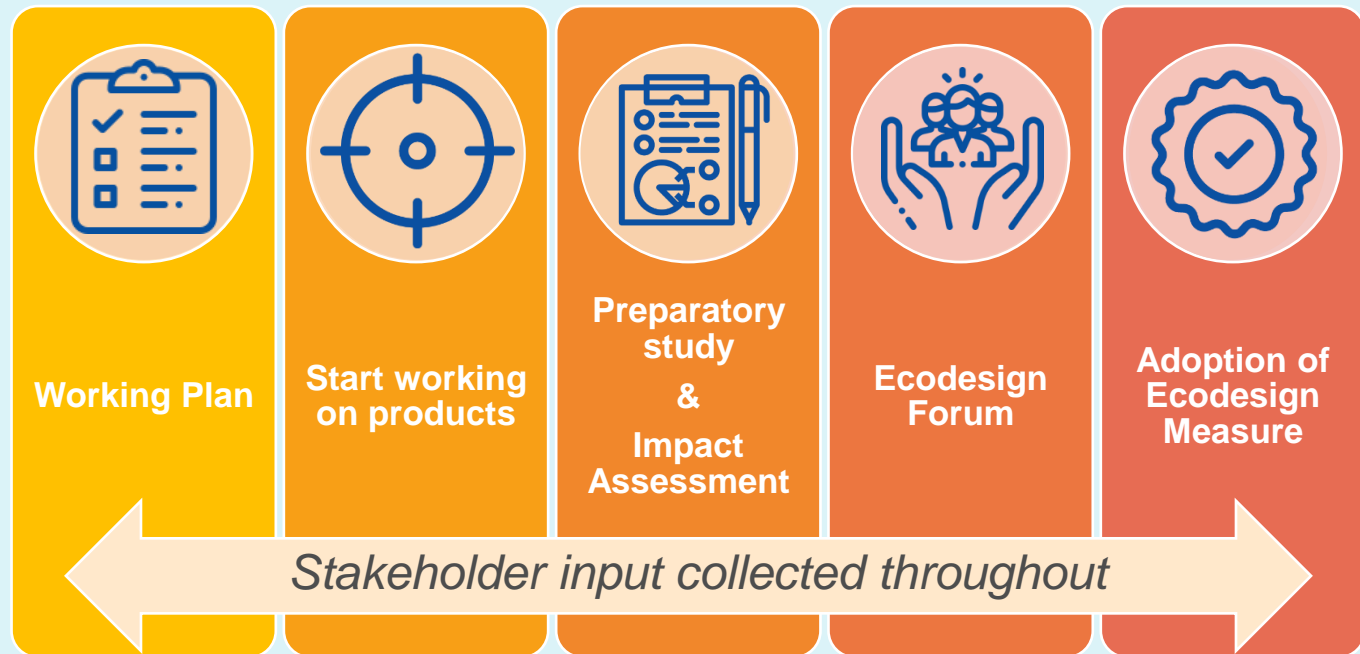
- Durability
- Reliability
- Reusability
- Upgradability
- Reparability
- Possibility of maintenance and refurbishment
- Presence of substances of concern
- Energy use or energy efficiency
- Resource use or resource efficiency
- Recycled content
- Possibility of remanufacturing and recycling
- Possibility of recovery of materials
- Environmental impacts, including carbon and environmental footprint
- Expected generation of waste materials

Process under ESPR

**ESPR =
framework
legislation**

*i.e. does not set
specific measures.
Rather, it enables
their later adoption*

Improved process for adoption of new Ecodesign measures





Digital Product Passport (DPP)

- the concept

- Will allow access to **product information** throughout the product life cycle, on a **need-to-know** basis
- Should contain, as relevant to the product:
 - For consumers: **data** on e.g. environmental impact, circularity, substances of concern
 - For value retention: information to **facilitate for reuse, remanufacturing or recycling**
 - For authorities: **compliance information** (e.g. technical documentation, DoC)

DPP design

DPP-system

(to be developed before DPP deployment)

- All **standards** and **protocols** related to the IT architecture, like standards on:
- The DPP registry



Digital Product Passport

DPP-data

(to be identified when developing product-group specific secondary legislation)

Possible Track & Trace identifiers

- Economic operator's name, registered trade name
- Global Trade Identification Number or equivalent
- TARIC code or equivalent
- Global location number or equivalent
- Authorised representative
- ...

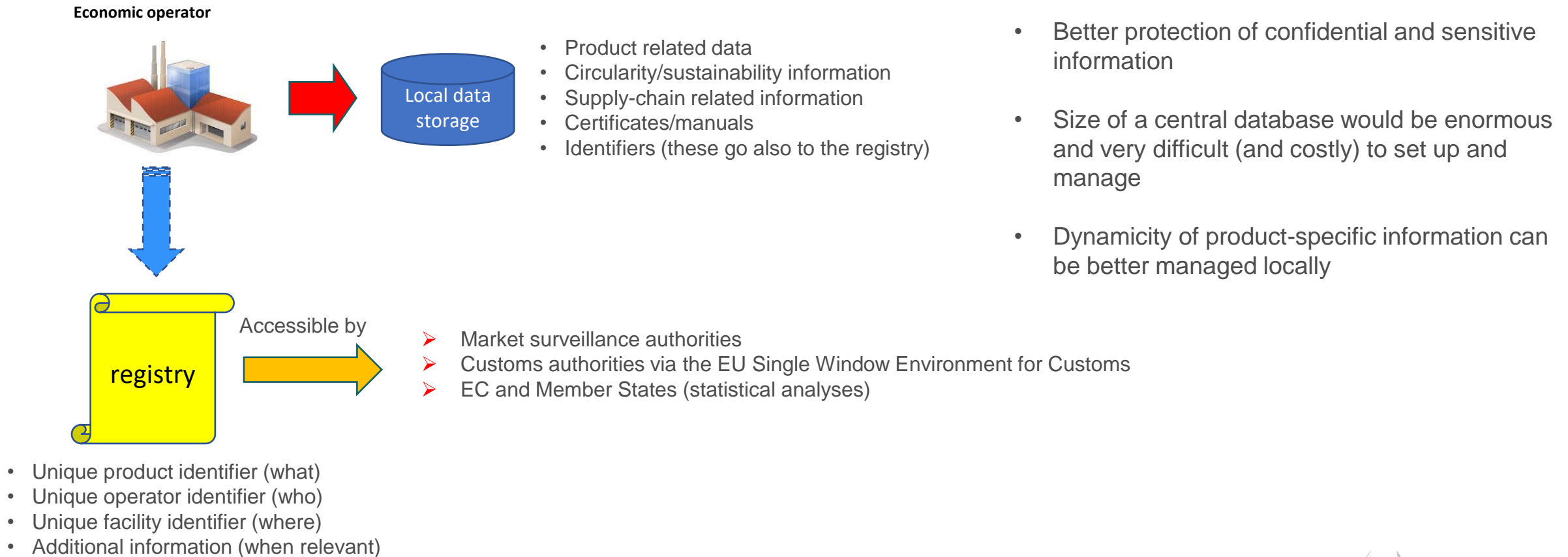
Example of potential attributes

- Description of the material, component, or product
- Recycled content
- Substances of concern
- Environmental footprint profile
- Classes of performance
- Technical parameters
- ...



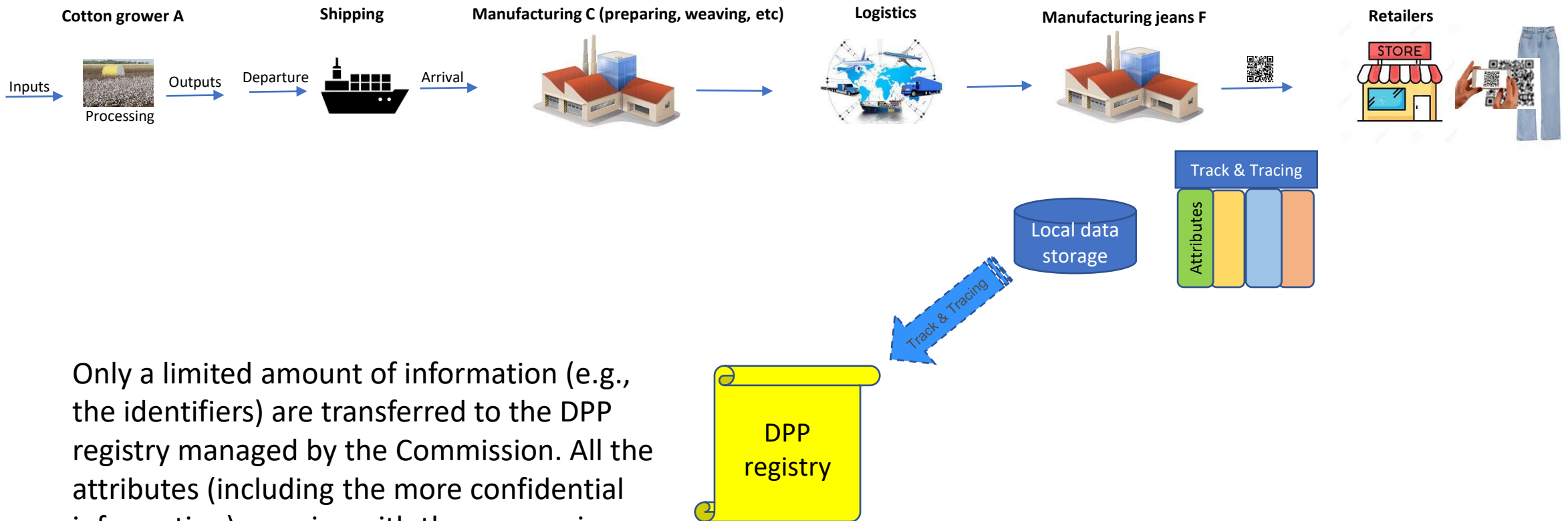
DPP architecture

Decentralised system (information stays where it belongs)



Working principles

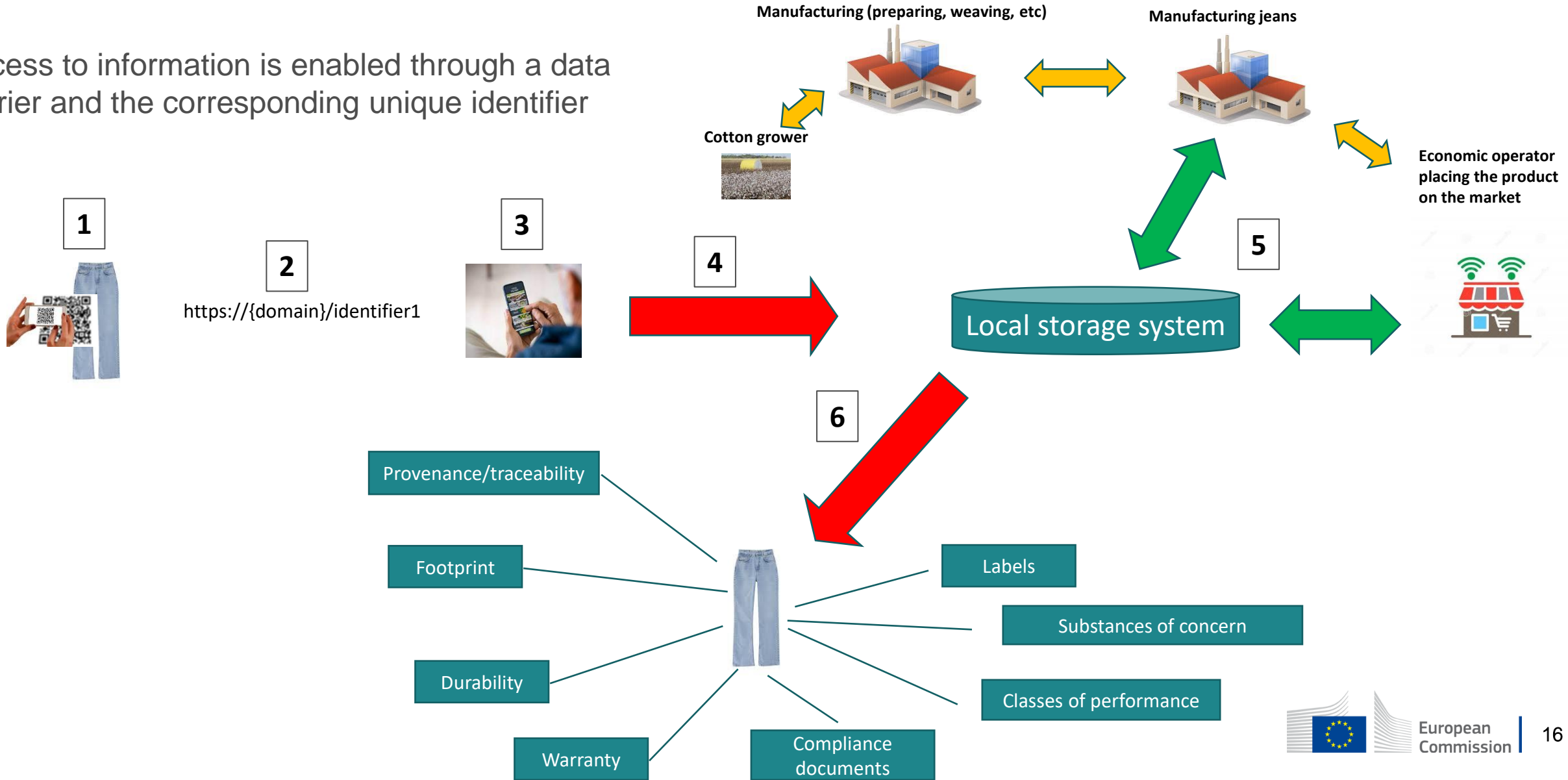
The economic operator organise the information in his/her own web-page and store it on an own server or through an external service provider



Only a limited amount of information (e.g., the identifiers) are transferred to the DPP registry managed by the Commission. All the attributes (including the more confidential information) remains with the economic operator.

Working principles

Access to information is enabled through a data carrier and the corresponding unique identifier



Legal ‘architecture’ of the DPP in ESPR

There are 3 ‘milestone’ introduced ahead of the full operationalisation of the DPP:

1. Introduction of the **concept**, description of the **scope**, identification of some **key features** already in the ESP Regulation **(art. 2, 8, 9, 11, 12, 13)**
2. Identification of **essential technical requirements** to be developed through standardisation process. A safety clause is introduced in case of delays or quality of the standards not ‘fit for purpose’. In such case the Commission shall adopt **common specifications** with the technical requirements needed **(art. 10, 35)**.
3. Identification of the **specific information** to be included in the DPP for each product regulated when developing the corresponding Delegated Act **(art. 7, Annex III)**

DPP – article 10: technical design and operation

DPP-system

(to be developed before DPP deployment)

- All **standards** and **protocols** related to the IT architecture, like standards on:
 - Data carriers and unique identifiers
 - Access rights management
 - Interoperability (technical, semantic, organisation), including data exchange protocols and formats
 - Data storage
 - Data processing (introduction, modification, update)
 - Data authentication, reliability, and integrity
 - Data security and privacy

DPP main characteristics

- ✓ **Interoperability** should be the driving design criterion. This requires, amongst other things, the DPP to rely on **global open standards** (no proprietary solutions). Interoperability is meant both along one value chain and between different value chains **(art. 9, 10)**
- ✓ Information included in the DPP should be **specific** to a product group **(art. 8)**
- ✓ Technical solutions should be developed in close collaboration with stakeholders through a **standardisation process** **(art. 10)**
- ✓ The DPP should rely, to the maximum extent technically possible, on information already provided and included in other databases (e.g. EPREL, SCIP, etc) **(art. 8, 10)**
- ✓ Access to information should be granted depending on different “access rights”, depending on the role of each stakeholder in the product value chain (need-to-know principle) **(art. 8)**

Expected outcomes of ESPR



Environment

- Help achieve EU's environmental goals and SDGs
- Target product-related environmental impacts



Consumers

- Improved product performance and longer lifetimes
- More informed decision making
- Financial savings (longer life and less energy)



Supply chain actors

- Reduced material costs
- Reputational benefits
- Increased transparency across supply chain



International aspects

- Internal market legal basis (TFEU Art. 114): rules will be **applicable to all products placed on the EU market**, whether produced in the EU or imported.
- **Impacts** on third countries and on international trade covered by the impact assessment for each delegated act with ecodesign measures
- Wide **consultation** of stakeholders foreseen during the preparation of all measures, as well as notification of WTO under the TBT procedure before adoption
- **Public consultation** on new product priorities under ESPR: in coming weeks

Thank you



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