Ecodesign for Sustainable Products Regulation

2022/0095(COD) - 23/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 455 votes to 99, with 54 abstentions, a legislative resolution on 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 European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Objective

The Regulation **establishes a framework for setting ecodesign requirements** that products must meet in order to be placed on the market or put into service, with the aim of improving the environmental sustainability of products to make sustainable products the norm and to reduce the overall carbon and environmental footprint of products throughout their life cycle, as well as ensuring the free movement of sustainable products within the internal market.

However, it excludes motor vehicles from the groups of products covered by this regulation when those are already regulated in other pieces of legislation. Products whose sole purpose is to serve defence or national security should be excluded from product groups.

Empowerments to adopt delegated acts

The Commission is empowered to adopt delegated acts to supplement this Regulation by setting ecodesign requirements. The Commission should provide economic operators with sufficient time to comply with the ecodesign requirements laid down in those delegated acts, particularly taking into consideration the needs of SMEs, in particular microenterprises. The date of application of a delegated act should not be earlier than 18 months from its entry into force, except in duly justified cases.

Ecodesign requirements

The ecodesign requirements in the delegated acts should be such as to improve the following product aspects such as: durability; reliability; reusability; repairability; energy use and energy efficiency and water use and water efficiency.

Ecodesign requirements should, where relevant, ensure that products do not become prematurely obsolete.

When preparing ecodesign requirements, the Commission should take into account a number of Union priorities, such as the climate, the environment, energy efficiency, resource efficiency and security, including a non-toxic circular economy, and other related Union priorities and targets.

Information requirements

Products should be accompanied by:

- information on the performance of the product, including a **repairability score**, a durability score, a carbon footprint or an environmental footprint;

- information for customers and other actors on how to **install, use, maintain and repair the product**, in order to minimise its impact on the environment and to ensure optimum durability, on how to install third-party operating systems where relevant, as well as on collection for refurbishment or remanufacture, and on how to return or handle the product at end-of-life;

- information for treatment facilities on disassembly, reuse, refurbishment, recycling, or disposal at end-of-life;

- other information that could influence sustainable product choices for customers.

The information must be **clear, easily understandable** and adapted to the particular characteristics of the product groups concerned and to the intended recipients of the information. Products bearing or accompanied by misleading labels may not be placed on the market or put into service.

Digital product passport

The new 'Digital Product Passport' should provide information about products' environmental sustainability. It will help consumers and businesses to make informed choices when purchasing products and help public authorities to better perform checks and controls.

In addition, where appropriate, the digital product passport should be linked to a unique operator identifier and a unique facility identifier which would allow the actors and manufacturing facilities related to that product to be traced.

Prioritisation and planning

The Commission should adopt a working plan and make it publicly available. It should set out a list of product groups which are to be prioritised for the setting of ecodesign requirements. It should present to the European Parliament a draft of the working plan before the adoption of the working plan.

For the first working plan (to be adopted a the latest 9 months from the entry into force of the Regulation), the Commission should prioritise iron, steel, aluminium, textiles, in particular garments and footwear, furniture, including mattresses, tyres, detergents, paints, lubricants, chemicals, information and communication technology products and other electronics, and energy-related products for which ecodesign requirements are to be set for the first time.

Destruction of unsold goods

The amended text introduces a direct ban on the destruction of **textiles and footwear**. Small and micro companies should be exempt from this ban, while medium size companies will benefit of a 6-year exemption. This ban should be applicable two years after the entry into force of the regulation. The Commission should also be empowered to introduce new bans for to the destruction of other unsold products by delegated acts.