

ECODESIGN OF PRODUCTS

Communication COM(2022) 140 of 30 March 2022 on making sustainable products the norm

Proposal COM(2022) 142 of 30 March 2022 for a Regulation establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC

Communication COM(2022) 141 of 30 March 2022: EU Strategy for Sustainable and Circular Textiles

cepPolicyBrief No. 10/2022

SHORT VERSION [\[Go to Long Version\]](#)

Context | Objective | Interested Parties

Context: The current Ecodesign Directive [2009/125/EC] allows the Commission to set ecodesign requirements for “energy-related” products in order to reduce their consumption of energy and resources (“ecodesign requirements”). Products – irrespective of their place of production – may only be placed on the EU market and put into service in the EU if they comply with the ecodesign requirements laid down for them.

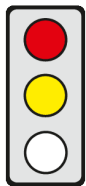
Objective: The new Ecodesign Regulation will have a wider scope, applying to almost all physical goods and covering additional product characteristics. It aims to make products more durable throughout their life cycle and easier to repair, reuse and recycle. One focus is on textiles.

Interested Parties: The entire economy.

Brief Assessment

Pro

- ▶ Digital product passports may create transparency along the value chain through the information provided – e.g. on the proper handling of products and their materials – and thus support the establishment of a circular economy.

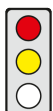


Contra

- ▶ Investigating and taking into account all potential impacts of the ecodesign requirements is almost impossible, as all trade-offs and effects along the value chain as well as impacts on the manufacture of other products cannot be modelled.
- ▶ The EU should avoid duplicate regulations. They unnecessarily increase the administrative burden for companies and, in the worst case, may even contradict each other.
- ▶ Pricing primary raw materials has the advantage over a minimum share of recycled materials (“recyclates”) that companies can decide on a decentralised and case-by-case basis in which products to use recyclates and when the advantages of primary raw materials outweigh their cost.

Scope and Product Selection [Long version A.2.2 and C.1.1.2]

Commission proposal: In contrast to the Directive currently in force, the Regulation will apply to almost all physical goods, including components and intermediate products. An impact assessment will be carried out for each product. The concrete ecodesign requirements will be developed by an expert group (“Ecodesign Forum”) containing representatives of the Member States and stakeholders with an interest in the product – such as industry, importers, environmental protection groups and consumer organisations.

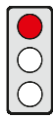


cep-Assessment: When selecting the products to be regulated and defining the ecodesign requirements, it will be crucial to carry out a product-specific assessment and weigh up the advantages and disadvantages of the individual ecodesign requirements in a life-cycle analysis. However, it is almost impossible to investigate and consider all potential impacts of the ecodesign requirements, as it is simply not possible to model all trade-offs and effects along the value chain.

Ecodesign Requirements: Environmental Impact of Products

[Long Version A.2.3 and C.1.1.3]

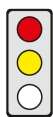
Commission proposal: Taking into account all stages of the life cycle of a product, the Commission will establish ecodesign requirements to improve the durability, reliability, reusability, upgradability, reparability and recyclability of products.



cep-Assessment: In contrast to the previously defined, mainly quantifiable metrics – such as energy consumption – qualitative ecodesign requirements, such as durability, can vary depending on the parameters considered and their weighting. In addition, prolonging the use of a device may have an impact on the ability to innovate, slowing down technological progress and the speed at which innovations spread through the market.

Ecodesign Requirements: Chemicals [Long Version A.2.3 and C.1.1.3]

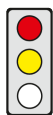
Commission proposal: The use of various chemical substances that adversely affect recycling and the presence of substances of concern in products will be restricted. The regulation of chemical substances should not be based on issues of chemical safety but should relate to the negative effects on the sustainability of a product as well as its recyclability.



cep-Assessment: The Commission should avoid duplicate regulations as they unnecessarily increase the administrative burden and, in the worst case, even contradict each other. Where substances that impede recycling are banned by ecodesign requirements, then – as signalled by the Commission – these substances should indeed not be covered by other legislation.

Ecodesign Requirements: Recyclates [Long Version A.2.3 and C.1.1.3]

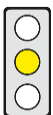
Commission proposal: The Commission wants to use ecodesign requirements to increase the proportion of recyclates – i.e. secondary raw materials recycled from waste – by way of a mandatory minimum content in products.



cep-Assessment: The use of recyclates can also be increased by pricing the proportion of primary raw materials. This will make expensive high-quality recyclates an economically viable alternative. By contrast with a mandatory minimum content of recyclates, pricing primary raw materials would also have the advantage of allowing companies to decide for themselves, i.e. on a decentralised and case-by-case basis, in which products to use recyclates and when the advantages of primary raw materials outweigh the cost.

Digital Product Passport [Long Version A.2.4 and C.1.1.4]

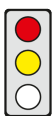
Commission proposal: A digital product passport provides information such as user manuals, instructions for use, warnings or safety instructions about a product via a data carrier – e.g. a barcode. It is also intended to help consumers to decide in favour of more sustainable products based on the information in the product passport.



cep-Assessment: In principle, digital product passports may create transparency along the value chain through the information provided, and thus support the establishment of a circular economy. However, it should be defined which data relates to which actor along the value chain. If the retrieval of information from the digital product passport is too complicated and complex, there is a risk that people will not use it.

Textile Strategy [Long Version A.3 and C.1.2]

Commission proposal: Due to the major negative impact of textiles on the environment, the Commission is presenting a separate Textile Strategy. On the basis of an impact assessment, it wants to set ecodesign requirements for the design of textiles. This should permit a longer life span, promote the primary use of recycled fibres and make textiles more reusable and repairable. “Fibre-to-fibre recycling” is to be used more widely.



cep-Assessment: With current recycling technologies, the use of recyclates may impair the function of garments and shorten the life of the garments concerned. However, a longer lifespan and correspondingly longer use of new products is the most effective way to reduce the environmental impact of textiles. A life-cycle analysis should take account of such trade-offs so that they can be avoided when setting ecodesign requirements.