Ecodesign for Sustainable Products Regulation (ESPR)

Online Information Session

22 May 2024

Housekeeping - Slido for Q&As

- Recorded session (privacy statement), recording & presentation slides will be available via website (within a few days)

- Please submit your question(s) for the Q&As via **Slido – preferably indicating at least your affiliation**

- **Moderation** will be used to accept questions and to avoid duplicates or questions that will be answered within the presentation

- **Read existing questions to avoid duplications**

- **Wait for presentation of certain elements** (see Agenda, to avoid unnecessary questions)

- **Use upvote/like buttons to prioritise questions**

- Selected/priority questions will be answered

- **FAQ document** planned based on questions submitted

Join at slido.com #1671766

Or use webstream Slido interface

European Commission

Welcome

Matjaž Malgaj
DG ENV

Agenda

10:00-10:10	Welcome & Introduction
10:10-11:15	Presentation of core elements of the ESPR legal text

- *Ecodesign Approach & Requirements*
- *Self-Regulation*
- *Green Public Procurement*
- *Market Surveillance*
- *Unsold Consumer Goods*
- *Digital Product Passport*
- *Substances of Concern*

11:15-11:20	Break (~5')

11:20-12:00	Presentation on ESPR implementation & next steps

- *ESPR Timeline (indicative)*
- *Ecodesign Forum*
- *Transitional Regime*
- *ESPR Working Plan & Product Priorities*
- *SME support*

12:00-12:15	Break (~15')
12:15-12:55	Q&A
12:55-13:00	Wrap-Up

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Core elements of the ESPR legal text

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ESPR establishes a framework legislation

ESPR = framework legislation

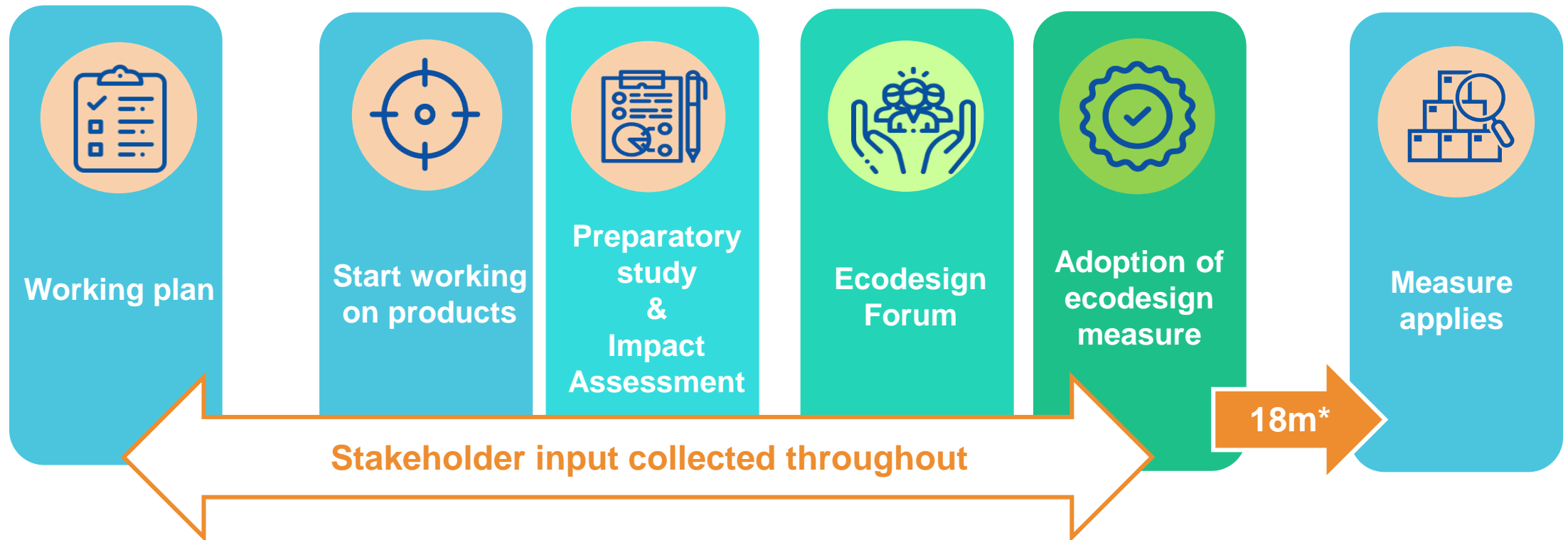It does not set specific measures. Rather, it enables their later adoption

Framework legislation

Regularly updated **multiannual working plans** setting out priorities

Product-specific measures based on detailed impact assessment

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European Commission

Setting product requirements under ESPR

Working plan

Start working on products

Preparatory study & Impact Assessment

Ecodesign Forum

Adoption of ecodesign measure

**Measure applies**

Stakeholder input collected throughout

18m*

*Not earlier than 18m, shorter periods possible in duly justified cases, staggered application of specific requirements possible

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ESPR sets a new sustainability & ecodesign approach

Broad scope

Moving beyond energy-related products to a **wide product scope**
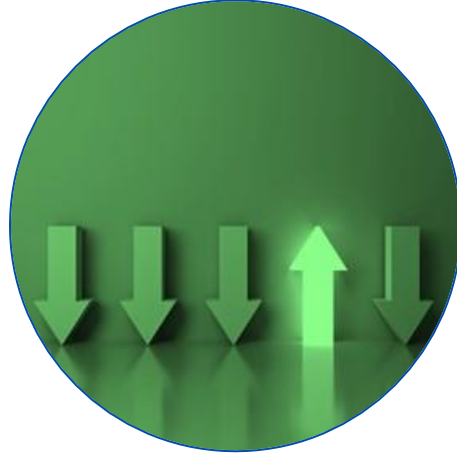
New sustainability & ecodesign aspects

e.g. **performance requirements** - durability, CO_2 footprint, recycled content

Horizontal measures

Common ecodesign requirements for products with similarities
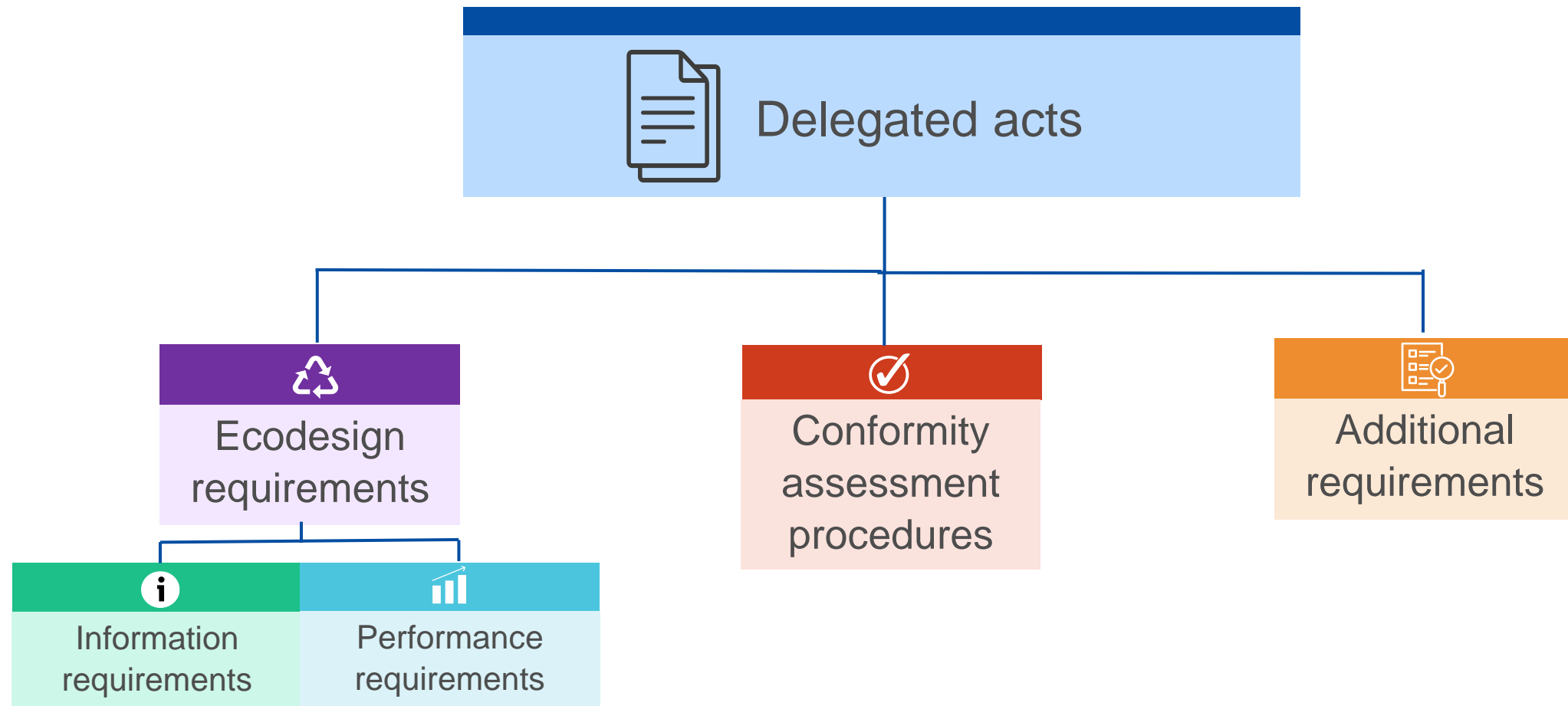
Strong focus on product information

Digital Product Passport, labels & **information requirements**

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Key product aspects under ESPR
Article 5 – Ecodesign requirements

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Art. 4 – Empowerment

Delegated acts

- Ecodesign requirements
  - Information requirements
  - Performance requirements
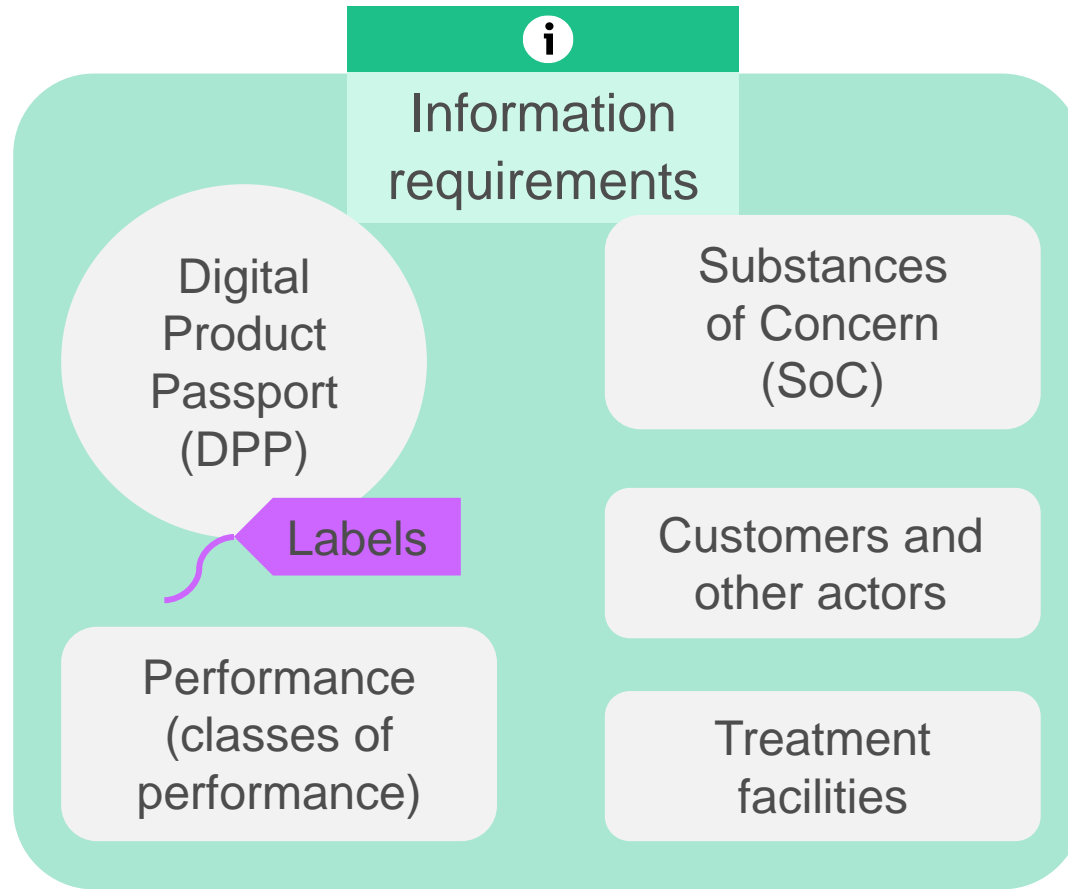- Conformity assessment procedures
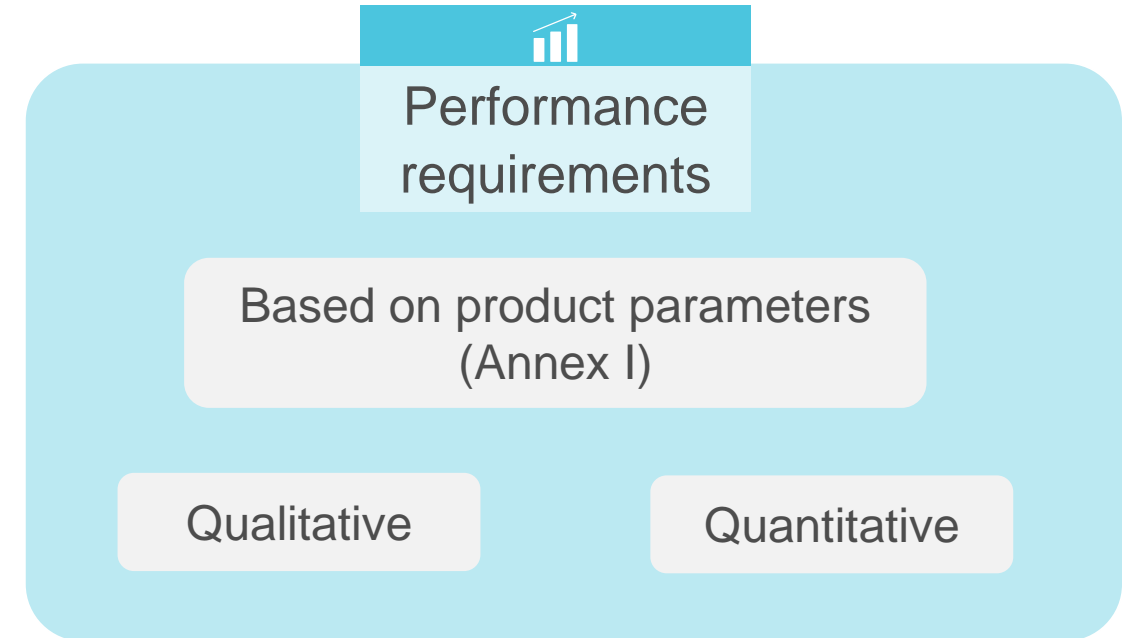- Additional requirements

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Ecodesign requirements

Product specific or horizontal

Horizontal requirements
When two or more product groups display similarities allowing a product aspect to be effectively improved based on common information or performance requirements

Information requirements

- Digital Product Passport (DPP)
- Labels
- Performance (classes of performance)
- Substances of Concern (SoC)
- Customers and other actors
- Treatment facilities

Performance requirements

- Based on product parameters (Annex I)
- Qualitative
- Quantitative

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Art. 21 - Self-regulation measures

Min. **2 economic operators**
Market share ≥ 80%
+ open to others

Objective achieved **more quickly**
& **to a lesser expense**

Publicised on freely accessible **website**

Independent inspector
Compliance report **every year**

Commission assessment

For products not included in a delegated act or in the working plan

List of self-regulation measures
(implementing act)

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ESPR is adding new tools

Mandatory Green Public Procurement

Mandatory GPP criteria to be set for contracting authorities or contracting entities

Prevention of destruction of unsold consumer goods

Transparency requirements for those discarding unsold goods, and possibility to ban destruction for relevant product groups

Ban on destruction of **apparel** and **footwear** after 2 years

Market surveillance and customs controls

Strong focus on controls of regulated products, incl. planned market surveillance activities

Support to common projects and investments

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Art. 65 - Green Public Procurement (GPP)

- GPP **minimum mandatory** requirements for ESPR regulated products or for works or services using those products can be set out via **implementing acts**

- Based on the **best performance levels** (highest performance classes or highest scores) in relation to product aspects addressed in the relevant ESPR **delegated act**

- Several possibilities:
  - o   technical specifications
  - o   award criteria
  - o   contract performance conditions
  - o   targets

- Possibility of mandatory **15-30%** weighting of award criteria in the tender assessment

- Targets – minimum percentage of **50%** of procurement of the most environmentally sustainable products – at contracting authority or aggregated national level

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Art. 66-68 - Market Surveillance

Broadened scope will make verifying compliance more challenging

Enhanced role of Market Surveillance to allow for better enforcement

DAs will provide verification requirements to support Market Surveillance

MS to include dedicated ESPR section in their national Market surveillance strategy

MS reporting obligations to EC on their surveillance activities

EC to establish joint market surveillance actions (incl. investment in IT-tools/equipment), guidelines and training

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Provisions on Unsold Consumer Goods

Carsten Wentink

DG ENV

Why does ESPR address destruction of unsold products?

- While precise figures are scarce, destruction of unsold products is clearly prevalent

  - In the EU, an estimated 4 – 9% of unsold textiles never reach a consumer

  - Destruction of unsold products in France alone estimated to amount to a value of 630-800 million Euros per year

  - In Germany an estimated 10 - 20% of returned clothing and between 4-10% of returned electronics are destroyed

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Definitions: What is destruction and what is an unsold consumer product?

- ## Destruction

    Intentional damaging or discarding of a product as waste with the exception of discarding for the sole purpose of delivering the discarded product for preparing for reuse, including refurbishment or remanufacturing operations

- ## Consumer product

    Any product, excluding components and intermediate products, primarily intended for consumers

- ## Unsold consumer product

    Any consumer product that has not been sold including surplus stock, excess inventory and deadstock and products returned by a consumer on the basis of their right of withdrawal (..)

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Article 23: General principle to prevent destruction

Economic operators shall take necessary measures which can reasonably be expected to prevent the need to destroy unsold consumer products.

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Article 24: Obligation to disclose

- Obligation for economic operator discarding unsold products to disclose information on destruction on their website.

  - Number and weight per year;

  - Reasons for destruction;

  - relevant exemption if applicable;

  - applicable waste treatment operation;

  - measures taken to avoid destruction (cf. article 23).

- Per financial year

- Applicable to large enterprises first full financial year after entry into force, 6 years after entry into force for medium-sized enterprises. Micro and small enterprises exempted.

Obligation to disclose – implementing act

- Commission shall adopt implementing acts setting out the details and format for the disclosure.

    - Delimitation of product types or categories

    - How disclosed information is to be verified

- Adoption of implementing act expected by 12 months from date of entry into force

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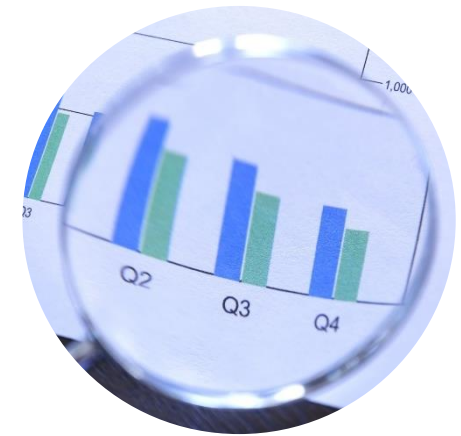
Article 25: Prohibitions on destruction

- Destruction of unsold consumer products as listed in Annex VII (apparel and footwear) shall be prohibited

- Applicable to large enterprises 2 years after entry into force, 6 years for medium sized enterprises. Micro and small enterprises exempt

- Commission will adopt Delegated Act to set out derogations 12 months after entry into force to ensure proportionality and prevent indefinite storage of unsold products

- Commission may adopt delegated acts to add products to the list in Annex VII based on:
  - Dedicated impact assessment
  - Assessment of prevalence of destruction and associated impacts
  - Information from the disclosure obligation

- Commission is required to consider electrical and electronic equipment.

European Commission

Destruction of unsold products (derogations)

Commission shall adopt delegated act 12 months after entry into force setting out derogations from the prohibition where it is necessary in view of:

a) health, hygiene and safety reasons;

b) damage caused to products as a result of their handling, or detected after products have been returned, which cannot be repaired in a cost-effective manner;

c) unfitness of products for the purpose for which they are intended, taking into account, where applicable, Union and national law and technical standards;

d) non-acceptance of products offered for donation;

e) unsuitability of products for preparing for reuse or for remanufacturing;

f) unsaleability of products due to infringement of intellectual property rights, including counterfeit products;

g) destruction is the option with the least negative environmental impacts.

European Commission

Consultation on derogations

- Relevant stakeholders can register to be consulted on derogations to the prohibition on destruction.

- Consultation to be launched early June

Link: https://secure.oeko.de/surveys/index.php/227213?lang=en

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Digital Product Passport

William Neale

DG ENV

Contents

- What is the DPP?

- DPP main design features

- What will companies need to do?

- Implementation work ahead

Digital Product Passport

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# 1. What is the Digital Product Passport?

- DPP is an integral part of Ecodesign for Sustainable Products Regulation; it shares:
    - The adoption timeline
    - The (future) work programme for priority products
    - The entry into force timeline for product requirements (except for batteries)

- A (growing) number of other EU policies will rely on DPP (or elements of it) to make product-related information digitally available :

    - Batteries Regulation
    - Toys regulation
    - Detergents regulation

    - Construction Products Regulation
    - Critical Raw Materials Act

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1. What is the Digital Product Passport? (ctd.)

- The DPP will simplify digital access to product-specific information related to sustainability, circularity, and legal compliance.

- It will set data access Ecodesign requirements for products, complementing the physical Ecodesign requirements.

- It is not a track & tracing tool, but it will allow traceability information when appropriate.

- The DPP-system shall build on existing best practices at international level, while also allowing the possibility of using new technologies and approaches.

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2. DPP main design features
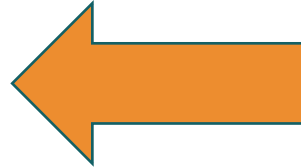
DPP-system ⬅ DPP-data

*(the "**HOW**". To be developed horizontally for all product groups and legislations)*

- **The DPP registry**

- **A searchable Web Portal**

- **All standards and protocols related to IT architecture:**

    1. Unique identifiers

    2. Data carriers and links between physical product and digital representation

    3. Access rights management, information security, and business confidentiality

    4. Interoperability (technical, semantic, organisation)

    5. Data processing , data exchange protocols, and data formats

    6. Data storage, archiving, and data persistence

    7. Data authentication, reliability, integrity

    8. APIs for the DPP lifecycle management and searchability

*(the "**WHAT**". To be developed through **product-group specific** dedicated legislation)*

Information to be included in the DPP will be **product-group specific** and identified in delegated act process.

It may include information/data on one or more of the following areas:

- Technical performance
- Environmental sustainability performance
- Circularity aspects (durability, repairability, etc)
- Legal compliance
- Product-related information (e.g., manuals, other labels)

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2. DPP main design features

- DPP is based on a decentralised approach for data storage.

- The DPP shall be uniquely linked to a product.

- Access to data will take place through a (persistent) product unique identifier, embedded in a data carrier and relying on a look-up mechanism.

- Access to DPP-data based on a need-to-know basis (there will be public and restricted data)

- 3 possible levels of granularity: (i) model, (ii) batch, (iii) item

- 4 unique identifiers will always be required:

    - Product identifier
    - Economic operator identifier

    - Facility identifier
    - Registration identifier (not public)

- Economic operators shall make also available a back-up copy of the DPP through a [certified] independent third-party DPP service provider

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3. What will companies need to do?

Make sure that:

- a product passport **exists**, and it is in compliance with essential requirements established in articles 9 and 10 – exceptions are possible

- the product passport is **complete**, meaning it includes all the mandatory information listed in the corresponding product group-specific Delegated Act.

- the information included in the passport is **authentic, reliable** and **verified** in accordance with requirements established in the corresponding product group-specific Delegated Act.

- a **back-up copy** of the DPP is stored by a [certified] third-party product passport service provider.

- A copy of the data carrier or unique product identifier are made available to **dealers** and **online market places** selling the corresponding product.

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4. Implementation work ahead

Many Commission services are actively contributing to its design and deployment (DGs CNECT, DIGIT, ENER, ENV, GROW, JRC, TAXUD)

- Rules and requirements to be followed by **DPP service providers**, including a certification scheme to verify such requirements (via delegated act).
- Procedures to issue and verify the **digital credentials of economic operators and other relevant actors** that shall have access rights to DPP information (via implementing act).
- Rules and procedures related to **unique identifiers and data carriers' lifecycle management** (via delegated acts)
- Design and set-up the **DPP registry**.
- Design and set up the **DPP web portal**.
- Definition of **standards** (by 31 December 2025).

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SoC in the ESPR legal text

Twofold approach with different scope and different boundaries:

- Information requirements and display → TRACKING of all SoCs (a, b, c and d) to enable information flow (B2B and to consumers) and to waste management operators (recyclers, preparation for reuse, etc) to improve management of SoCs including via digital product passport (DPP) or other systems such as labels, tags, etc.

- By default, all SoCs are tracked – DA to define thresholds and exemptions where relevant

- Performance requirements → RESTRICTIONS for sustainability reasons on:

  - Focusing on impact on ecodesign criteria in Art 5(1): durability, resource use, presence of substances of concern, possibility of recycling, possibility of remanufacturing, environmental footprint …

  - ESPR should NOT provide for the restriction of substances based primarily on chemical safety, as done under other Union legislation. Union legislation on chemicals already provides for the restrictions of substances or mixtures related to safety or risk, where needed.

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SoC in the ESPR legal text

(27) 'substance of concern' means a substance that:

- (a) meets the criteria laid down in Article 57 **of Regulation (EC) No 1907/2006** and is identified in accordance with Article 59(1) of that Regulation;

- (b) is classified in **Part 3 of Annex VI to Regulation (EC) No 1272/2008** in one of the following hazard classes or hazard categories:

  - carcinogenicity categories 1 and 2, germ cell mutagenicity categories 1 and 2, reproductive toxicity categories 1 and 2, endocrine disruption for human health categories 1 and 2, endocrine disruption for the environment categories 1 and 2, persistent, mobile and toxic or very persistent, very mobile properties, persistent, bioaccumulative and toxic or very persistent, very bioaccumulative properties, respiratory sensitisation category 1, skin sensitisation category 1, chronic hazard to the aquatic environment categories 1 to 4, hazardous to the ozone layer, specific target organ toxicity – repeated exposure categories 1 and 2, specific target organ toxicity – single exposure categories 1 and 2;

- (c) is regulated under **Regulation (EU) 2019/1021**; or

- **(d) negatively affects the reuse and recycling of materials in the product in which it is present;**

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SoC in the ESPR legal text

(27) 'substance of concern' means a substance that:

- (a) meets the criteria laid down in Article 57 of Regulation (EC) No 1907/2006 and is identified in accordance with Article 59(1) of that Regulation;

➢This section of the definition refers to substances identified as substances of very high concern (SVHC) in accordance with Article 59 of REACH

SoC in the ESPR legal text

(27) 'substance of concern' means a substance that:

- (b) is classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 in one of the following hazard classes or hazard categories:

✓ carcinogenicity categories 1 and 2;
✓ germ cell mutagenicity categories 1 and 2;
✓ reproductive toxicity categories 1 and 2;
✓ endocrine disruption for human health categories 1 and 2;
✓ endocrine disruption for the environment categories 1 and 2;
✓ Persistent, Mobile and Toxic or Very Persistent, Very Mobile properties;
✓ Persistent, Bioaccumulative and Toxic or Very Persistent, Very Bioaccumulative properties;

✓ respiratory sensitisation category 1;
✓ skin sensitisation category 1;
✓ chronic hazard to the aquatic environment categories 1 to 4;
✓ hazardous to the ozone layer;
✓ specific target organ toxicity, repeated exposure categories 1 and 2;
✓ specific target organ toxicity, single exposure categories 1 and 2;

➢ This section of the definition refers to substances with harmonized classification in one of the selected hazard classes or categories under the CLP Regulation

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SoC in the ESPR legal text

- (27) 'substance of concern' means a substance that:

- (c) is regulated under Regulation (EU) 2019/1021; or

> ➤ This section of the definition refers to persistent organic pollutants regulated under the POPs legislation

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SoC in the ESPR legal text

(27) 'substance of concern' means a substance that:

- (d) negatively affects the reuse and recycling of materials in the product in which it is present;

➢This section of the definition refers to substances that will be product specific and defined in product-specific delegated acts adopted under ESPR.

An example would be the ban on halogenated flame retardants under Regulation 2019/2021 laying down ecodesign requirements for electronic displays

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SHORT BREAK (~5') – WE WILL BE BACK AT
11:20 CET

European Commission

Implementation and next steps

New Ecodesign Forum & transition from the consultation forum

Yolanda Villar Ruberte

DG ENER

European Commission

ESPR: tentative timeline & milestones

25 April 2024
EP Plenary voted on final ESPR text

June 2024
Publication of ESPR in the OJ

Q3 2024
Establishment of Ecodesign Forum; calls for membership

March 2025
Adoption of the 1st ESPR **Working Plan** (9m after entry into force)

Late 2025
Acts on DPP registry, service providers, data carriers, digital credentials

2027/2028
First product **requirements** start to apply.

May 2024
Final Council endorsement

June/July 2024
ESPR **entry into force**

Late 2024/2025
First meeting of the **Ecodesign Forum**

Mid 2025
Acts on **unsold goods** destruction ban & exemptions (12m after entry into force)

2026
Adoption of the **first ESPR measures** (e.g. textiles/steel)

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Ecodesign Forum (EDF) (I)

1. OBLIGATIONS on the Commission

Articles 5, 19, 20; Recital 52

- Establish an Ecodesign Forum in the form of a Commission expert group, with the aim of ensuring '*proper consultation of all interested parties*'.

- When preparing ecodesign requirements, '*take into account the views expressed by the Ecodesign Forum…and the Member States Expert Group*'.

2. MEMBERS of the Ecodesign Forum

Article 19; Recital 52

1. Experts designated by Member States; and

2. Other interested parties

   → such as "*representatives of industry, including SMEs and craft industry, social enterprises, trade unions, traders, retailers, importers, consumer and environmental organisations, actors involved in circular economy activities, European standardisation organisations, as well as researchers*"

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Ecodesign Forum (II)

3. ROLE of the Ecodesign Forum

Article 19

The Ecodesign Forum shall contribute in particular to:

(a) preparing **ecodesign requirements**;

(b) preparing **working plans**;

(c) examining the effectiveness of the established **market surveillance** mechanisms

(d) assessing **self-regulation** measures

(e) assessing prohibition of the **destruction** of unsold consumer products additional to those listed in Annex VII

4. MEMBER STATE Expert Group

Article 20; Recital 52

The Member State Expert Group will be a **subgroup** of the Ecodesign Forum, composed of **experts designated by Member States**, who shall contribute in particular to:

(a) preparing **ecodesign requirements**;

(b) assessing **self-regulation** measures;

(c) exchanging information and best practices on measures to enhance **compliance** with this Regulation;

(d) setting priorities under Article 26 (Consolidated information on the destruction of unsold consumer products)

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Establishment of the EDF (I)

Adoption of a Commission Decision legally establishing the Ecodesign Forum:

- As soon as possible following ESPR's entry into force (likely Q3 2024)

- Will include horizonal rules governing the Forum (e.g. role, selection of members, operation, transparency, etc.)

Call for membership applications:

- **For non-Member State participants:** Call to be published on the Register of Commission Expert Groups* (likely Q3 2024)
  * https://ec.europa.eu/transparency/expert-groups-register/screen/home?lang=en

- **For Member State participants:** Nominations to be requested directly

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Establishment of the EDF (II)

Meetings:

- Rules of procedures (RoP) to be drawn up in advance and adopted at first meeting of the Forum

- Documents (e.g. invite, agenda, drafts) to be sent in advance of meetings, within deadlines set out in RoP

- First meeting of the Ecodesign Forum: early 2025 (TBC)

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General principles governing the Ecodesign Forum

Some initial reflections:

- Maintain an **open** public call for membership applications (with possible 'rounds of selection' depending on the products/ horizontal requirements covered by the subsequent Working plans);

- Design **membership criteria** to ensure, as far as possible, "a high level of expertise, a geographical balance, as well as a balanced representation of relevant know how and areas of interest" (C(2016) 3301 final);

- **5 years renewable;**

- **Hybrid meetings** as default.

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Coexistence CF-ED Forum until 2030

ED EL Consultation Forum

By vertu of the transitional mechanism the current ED EL Consultation Forum will continue to be consulted on energy-related products:

- for which work is already substantially advanced so as to get the necessary 2009/125 measures adopted **until end of 2026**;

- **In case** existing 2009/125 measures need some "technical corrections", they could be adopted **until end of 2030.**

Ecodesign Forum

The Ecodesign Forum, also dealing with EL, will be consulted on products/horizontal requirements identified in the ESPR working plans either as:

- **'New' products** (i.e. those outside the scope of the current Ecodesign Directive)

- **Or energy-related products** except those under the transition mechanism for which work is in progress.

*These include: *photovoltaic panels, space and combination heaters, water heaters, solid fuel local space heaters, air conditioners including air-to-air heat pumps and comfort fans, solid fuel boilers, air heating and cooling products, ventilation units, vacuum cleaners, cooking appliances, water pumps, industrial fans, circulators, external power supplies, computers, servers and data storage products, power transformers, professional refrigeration, and imaging equipment*

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Combined fora for ecodesign and energy labelling

Energy labelling work for products <u>subject</u> to the transitional mechanism

Until the expiry of the transitional period:

- Work will continue to take place under the current framework (i.e. the Consultation Forum and the Energy Labelling Member State Expert Group)

Energy labelling work for products <u>not subject</u> to the transitional mechanism

- Work will need to take place in the new Ecodesign Forum, which will in such cases replace the Consultation Forum referred to in Art. 14(1) of the Energy Labelling Regulation
- For draft delegated acts on energy labelling, the Energy Labelling Member State Expert Group will continue to be consulted

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Transitional regime

Ian Hodgson

DG ENER

ESPR transitional regime

- Existing measures adopted pursuant to Ecodesign Directive remain in force until repealed;

- Transitional provisions (Article 79):

    - Ongoing work on 19 energy-related product groups can continue until end of 2026

    - Amendments to existing energy related product regulations can also be adopted under Ecodesign Directive till 2030, with a view to "keep them fit for purpose" ";

    - Legal base for continuing progress / keeping these measures "fit" is Ecodesign Directive

    - ED -EL consultation forum remains in place + Comitology procedure applies

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Pending work under the EDEL WP 2022-24

►Transitional regime

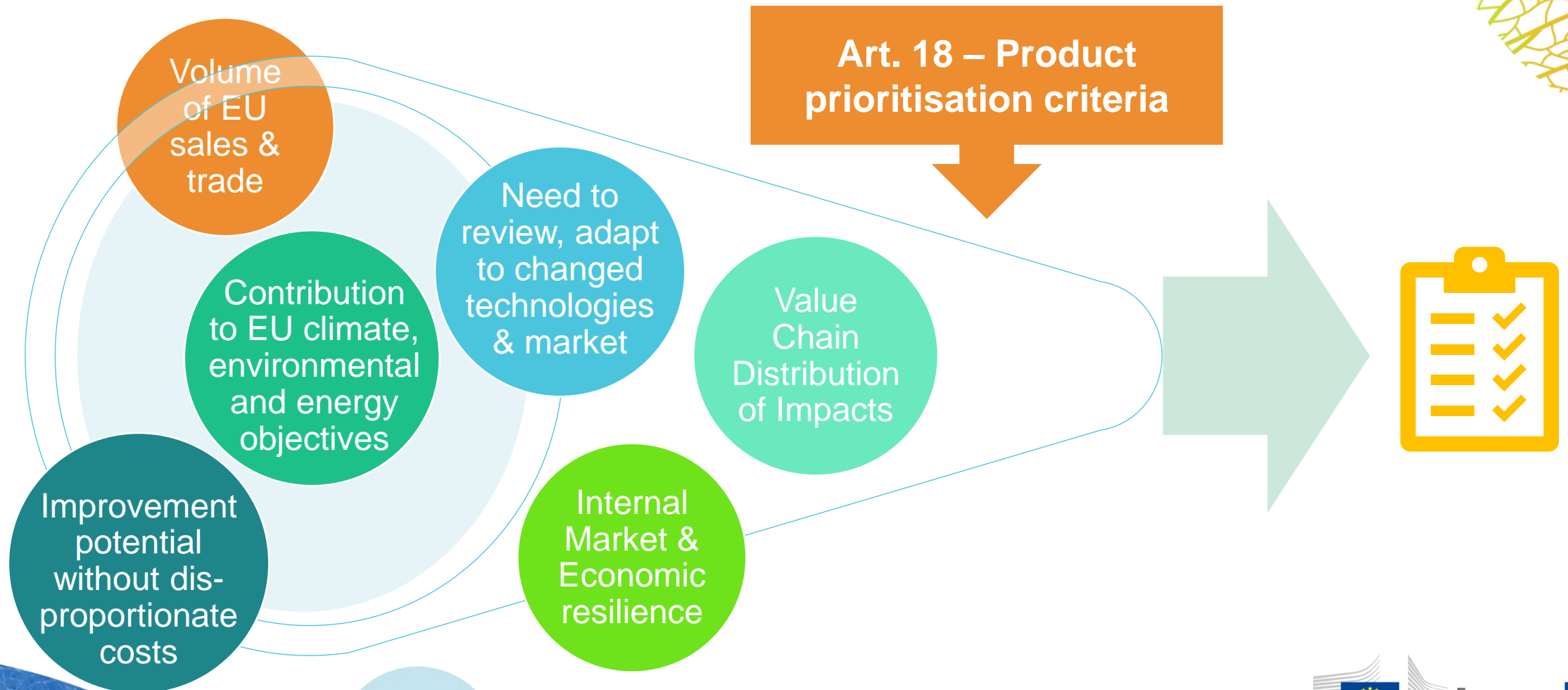|	
Industrial fans	Cooking appliances
Space and combination heaters	Professional refrigeration equipment
Water heaters	Power transformers
External power supplies	Imaging equipment
Photovoltaic panels	Circulators
Water pumps	Air heating / cooling products
Air conditioners inc. A-A HPs	Ventilation units
Vacuum cleaners	Computers
Solid fuel local space heaters	Servers and data storage products
Solid fuel boilers	

►ESPR WP

Electronic displays
Light sources and separate control gear
Welding equipment
Electric motors and variable speed drives
Household dishwashers
Household washing machines and washer-dryers
Refrigerating appliances (household)
Refrigerating appliances with sales function
EV charging boxes
Professional laundry
Professional dishwashers

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Working Plan & Product Priorities

Pierre Henry

DG ENV

Next steps – Prioritisation of products

Volume of EU sales & trade

Contribution to EU climate, environmental and energy objectives

Need to review, adapt to changed technologies & market

Value Chain Distribution of Impacts

Improvement potential without disproportionate costs

Internal Market & Economic resilience

Art. 18 – Product prioritisation criteria

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ESPR Working Plan

- WP minimum of 3 years, covering ecodesign requirements, including horizontal requirements, and the possible prohibition of destruction of unsold consumer goods.

- First working plan to be adopted in the first 9 months of ESPR implementation and include:

INTERMEDIATE PRODUCTS

FINAL PRODUCTS

- Iron and Steel
- Aluminum

- Textiles (in part. garments & footwear)
- Furniture, including mattresses
- Tyres
- Detergents
- Paints

- Lubricants
- Chemicals
- Energy related products
- Information & communication technology products and other electronics

- Justification must be provided for inclusion or exclusion of products.

European Commission

Preparation of the first **working plan**

- Preliminary work by JRC on possible priority products

Figure IV. The 7 shortlisted **intermediate** products.

	WATER	AIR	SOIL	BIODIVERSITY	WASTE	CLIMATE CHANGE	ENERGY USE	HUMAN TOXICITY	STRATEGIC AUTONOMY
IRON & STEEL (Score 31)	5	5	2	2	4	5	5	3	5
NON-FERROUS METAL PRODUCTS (Score 27)	3	2	3	2	5	4	5	3	4
ALUMINIUM (Score 26)	1	4	4	3	4	4	4	2	3
CHEMICALS (Score 25)	3	3	3	3	3	4	4	2	5
PLASTICS (Score 23)	3	3	2	2	3	4	4	2	3
PULP & PAPER (Score 22)	3	2	3	3	2	4	4	1	2
GLASS (Score 19)	3	2	2	3	1	3	4	1	2

Figure III. The 12 shortlisted **end-use** products.

|	WATER	AIR	SOIL	BIODIVERSITY	WASTE	CLIMATE CHANGE	ENERGY USE	HUMAN TOXICITY	MATERIAL EFFICIENCY	LIFETIME EXTENTION	STRATEGIC AUTONOMY
TEXTILES and FOOTWEAR (Score 43)	5	2	4	4	5	5	5	3	5	5	1
FURNITURE (Score 30)	1	3	3	3	4	3	3	2	3	5	1
CERAMICS PRODUCTS (Score 30)	3	3	3	3	3	4	4	1	3	3	1
TYRES (Score 30)	3	4	3	3	3	3	3	2	3	3	5
DETERGENTS (Score 28)	4	2	1	4	3	3	3	2	3	3	1
BED MATTRESSES (Score 26)	1	3	1	2	5	3	3	2	3	3	2
LUBRICANTS (Score 24)	2	2	2	2	2	3	3	2	3	3	2
PAINTS (Score 24)	3	3	3	3	3	2	2	2	3	1	3
COSMETICS (Score 23)	4	2	1	4	3	2	1	2	3	1	1
TOYS (Score 22)	1	1	1	1	3	2	2	3	3	5	1
FISHING GEARS (Score 21)	4	1	1	4	3	2	1	1	3	1	1
ABSORBENT HYGIENE PRODUCTS (Score 18)	2	1	2	2	4	2	2	1	1	1	1

[Source: JRC Preliminary ESPR WP Report](#)

European Commission

Preparation of the first **working plan**

- Horizontal requirements – preliminary assessment

Source: JRC Preliminary ESPR WP Report

European Commission
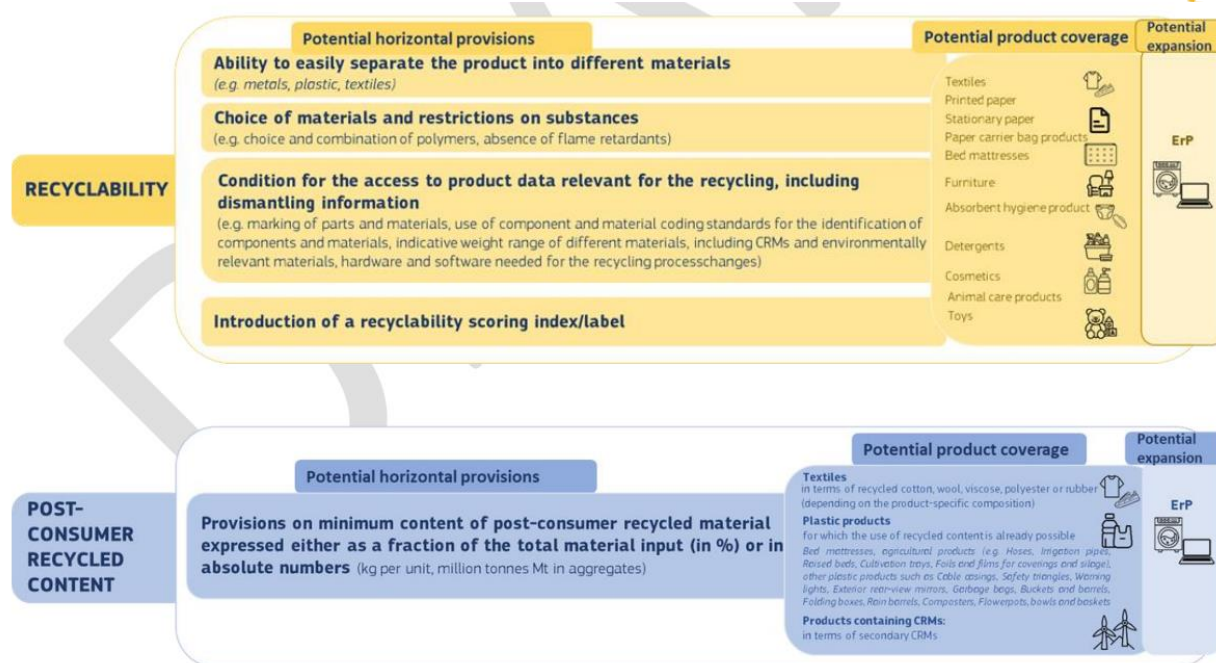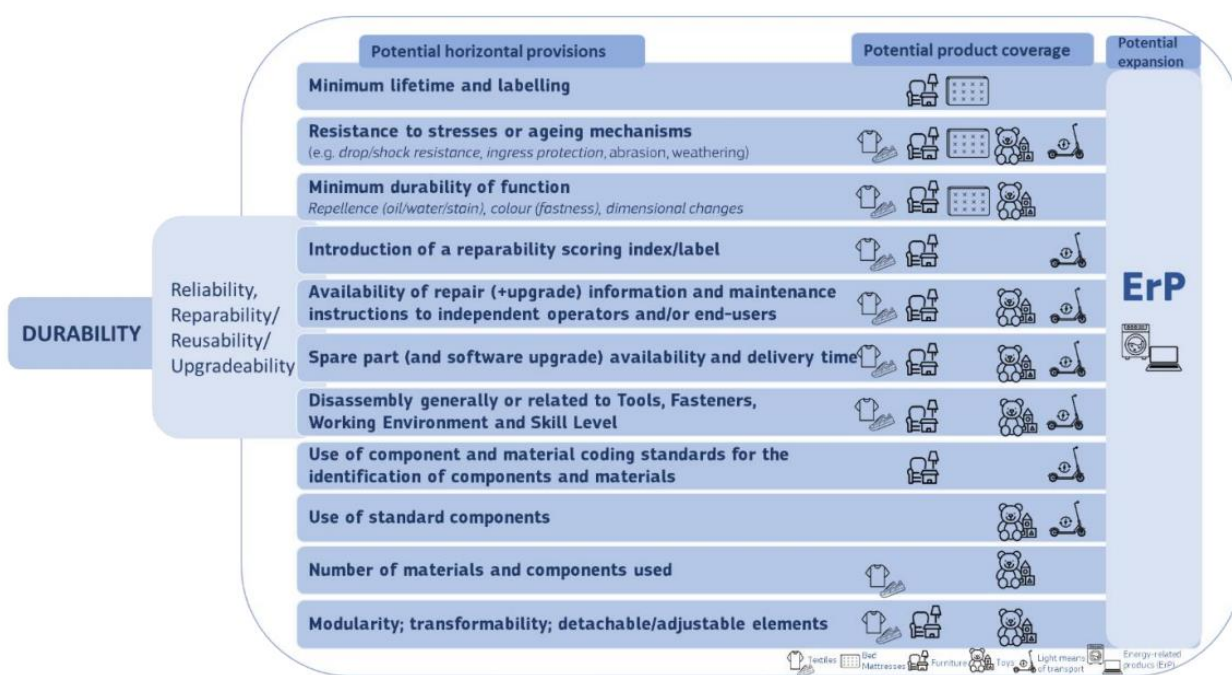
ESPR next steps and process

Multiannual Work Plans

~ 1st WP Q1/25

Preparatory Study & Impact Assessment

1.5-2 years

Consultation of Ecodesign Forum

Adoption of Measure

Adoption first measures 2026
Applicable after 18 months 2027/2028

Measure applies

Stakeholder input collected throughout

ESPR Webinar, 22.05.24

European Commission

Ecodesign a shared responsibility

- European Commission to implement ESPR and adopt Delegated Acts on specific products or horizontal requirements, Implementing Acts on public procurement criteria, DAs or IAs on the destruction of unsold goods and on the Digital Product Passport

  - Lead services: DGs ENER, ENV, GROW; other services involved on specific aspects (e.g. JRC on methodology) and through interservice consultations

- Manufacturers, importers, other actors placing a regulated product on the market to ensure that products comply with ecodesign requirements

  - specific roles/responsibilities of suppliers, retailers, other intermediaries

- Standardisation organisations to facilitate implementation by drafting harmonised standards, Notified Bodies by providing third-party certification when provided by DAs

- Member States: Market Surveillance Authorities and Customs authorities to enforce regulations

European Commission

Focus on SMEs

Alberto Parenti

DG GROW

Art. 22: Supporting measures for SMEs

Commission role:

- **Ensure** that **EU programs for SMEs** help to **integrate** environmental sustainability

- Accompany ESPR DAs with **digital tools** and **guidelines** for SMEs to facilitate compliance (e.g. for LCA or DPP)

- Provide **financial support** to SMEs representative for active **participation** in the **Ecodesign Forum**

Member States role:

Consult with SMEs and take **measures** to help **compliance** including (at least):

- One-stop shops to raise awareness on ecodesing requirements

- Create networking opportunities

- Financial support (e.g. tax breaks)

- Access to finance

- Specialised management and staff training

- Organisational and technical assistance

ESPR Webinar, 22.05.24

European Commission

SHORT BREAK (~10-15') – WE WILL BE BACK AT
12:15 CET

Q&A session

Q&A session – Methodology & interplay with other reg.

- Will a **methodology** be defined to calculate aspects such as recyclability or reparability of products or will existing standards be used? (e.g. EN45554)? How would the product aspects/measures be defined. Is there a **definition for example for reusability or durability** or **methodology to rank requirements**? (Pierre)

- Will the **Performance requirements** or Information requirements require performing a **Life Cycle Assessment** (PEF) or product carbon footprint? (Pierre)

- Are there in the EU regulations/best **practices for a Life cycle analysis**? Apart from the ILCD) Handbook by JRC and DG ENV, this is outdated since 2010 (Pierre)

- **Interplay with other regulations** - On what points concerning packaging will the ESRP complement the PPWR ? Can you explain links to other regulations e.g. CSRD, CPR, Right to repair, Ecolabel, CBAM, WFD, deforestation. (Anna)

European Commission

Q&A session – SoC, EDF & international

Who will define which substances fall under the **substance of concern definition d** (negatively affecting recycling and reuse)? (Wojtek)

Will be hazardous chemical substances and mixtures labelled according to **CLP Regulation** obliged to have **Digital Product passport** as well? (William)

How will ESPR affect other countries at supply chain like Bangladesh in particular the garment industry? Other countries worry **how to comply with all upcoming EU legislation** in terms of capacities, funds… (Paola)

Can companies become a **members of the Ecodesign Forum**? Individually or via professional associations? How will the Commission handle a situation when the Ecodesign Forum and the Member State Expert Group have different opinions? (Yolanda)

ESPR Webinar, 22.05.24

Q&A session – Guidance, Unsold goods, Scope, SMEs

- Will the Commission offer **guidance documents, training sessions, or workshops** tailored for manufacturers on ESPR compliance? (Alberto)

- Do free samples and testers fall under the definition of **unsold consumer products**? (Carsten)

- If a product is to be sold outside the EU but is sent first to a company distribution centre or retailer in the EU, is it in **scope of the unsold goods reporting obligation**? (Carsten)

- **Scope** - Does EU ESPR affect also medical devices? (Anna)

- How will you monitor the effects of ESPR on SMEs competitiveness? (Alberto)

ESPR Webinar, 22.05.24

European Commission

Q&A session – DPP

- Is there a **template or tool for DPP** or are everybody doing their own system development themselves in a cooperation with consult companies?

- Are there plans to **monitor the product passports centrally** to ensure that the regulation is complied with and that there are **no duplicate product passports**? **How to verify**?

- Do **suppliers from third countries** also have to create a product passport? What obligations do **digital marketplaces** such as Temu and Amazon assume?

- How are **upstream operators supposed to provide data/information**, for a DPP that is needed for a downstream product, but not yet for upstream pre-products?

- Products covered by a delegated act must have a DPP. What about products that are covered by a **self-regulation measure? Can they also use the DPP**?

European Commission

Wrap-Up

Matjaž Malgaj

DG ENV

Thank you

Keep in touch

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