



2022/0095(COD)

31.3.2023

OPINION

of the Committee on Industry, Research and Energy

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council on Establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC (COM(2022)0142 – C9-0132/2022 – 2022/0095(COD))

Rapporteur for opinion(*): Maria Spyraki

(*) Associated committee – Rule 57 of the Rules of Procedure

PA_Legam

SHORT JUSTIFICATION

Waste prevention and circularity are fundamental pillars of the Green Deal. According to the new Circular Economy Action Plan (CEAP), all packaging on the market must be reusable or recyclable by 2030. In that direction, the reduction of natural resources used for production, the extension of a lifetime, the improvement of its repairability and the adoption of circular economies are the best way to extend the useful life of a product¹.

Eco-design addresses the consumption of resources and energy and reduces the lifecycle environmental impacts of products by extending the use phase. Especially for industrial enterprises and SMEs, the transformation to circular business models can be curbed by operational tools and the need for more relevant data². However, the optimal eco-design solution is only sometimes generated in the conceptual design stage due to the complex association of the life cycle design information. Therefore, this policy should also reflect ecodesign alternations³.

The current Ecodesign Directive has successfully delivered environmental and energy efficiency objectives for energy-related products, regulating measurable, verifiable parameters of the product based on a clear and transparent methodology. Therefore, the Rapporteur generally supports many elements of the Commission proposal. However, any new requirement should be measurable on the product and designed to be efficiently enforced unless tested cost-efficiently and within a short enough time. Therefore, the Rapporteur suggests building on the experience of the ecodesign instrument.

Moreover, the proposal for a new Regulation on Ecodesign for Sustainable Products (ESPR) should enable a comprehensive and harmonised set of requirements for the sustainability of products placed on the EU market. The industry should undertake those requirements through continual sustainability improvements and encouraging consumers to adopt more sustainable ways. Even though room for improvement that certain technologies or product design choices may have should be left.

Ecodesign and information requirements harmonisation at the EU level by using harmonised methodologies to assess environmental impact is necessary to achieve the sustainability of products. The Rapporteur stresses that the regulations should bring added value to users, avoiding unnecessary and burdensome replications of information in existing databases. To improve environmental sustainability, future regulation requirements should identify the most appropriate variables, considering that product parameters can be interdependent and affect each other (e.g. repairability can affect reliability, etc.).

Additionally, it is important to ensure that the definitions included in the Regulation are clear and the list of parameters and criteria is exhaustive to cover all possible sustainability aspects across all products. But there is a need to establish overarching product sustainability criteria to minimise the product's negative environmental and social impacts.

Furthermore, information disclosure responsibility along the supply chain should be shared.

¹<https://www.sciencedirect.com/science/article/pii/S2212827122001007>

² <https://www.sciencedirect.com/science/article/pii/S0959652621030432>

³ <https://www.sciencedirect.com/science/article/pii/S0959652622021175>

Sharing responsibilities in the supply chain for generating and providing information should be reflected in the Regulation. Data and information shall originate from suppliers, while the obligation to provide such information will rest on manufacturers placing the final products on the EU market.

Concerning the Digital Product Passport (DPP), it should rely on existing databases to avoid unnecessary and burdensome replication, reduce waste and enable consumers to play a more active role in the green and digital transitions. The DPP could be an effective tool to facilitate communication along the value chain and ensure that the value of information, materials and products is preserved. Information gaps, as identified in the Circular Economy Action Plan, are a key negative externality that needs to be addressed to make sustainable products the norm. Thus, the DPP information should be limited, with added value to the key stakeholders.

Furthermore, the Rapporteur believes that all requirements set by the Regulation must be implemented with sufficient transition times to minimise market distortions. A sufficient lead time should be granted between the publication of legislation and the application of new product requirements, particularly because of the need for developing harmonised standards because the industry needs to adapt its processes for implementing new or updated legal requirements through complex supply chains.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1 **Proposal for a regulation** **Recital 5**

Text proposed by the Commission

(5) This Regulation will contribute to making products fit for a climate-neutral, resource-efficient and circular economy, reducing waste and ensuring that the performance of frontrunners in sustainability progressively becomes the norm. It should provide for the setting of new ecodesign requirements to improve product durability, reusability, upgradability and reparability, improve possibilities for refurbishment and maintenance, address the presence of hazardous chemicals in products, increase

Amendment

(5) This Regulation will contribute to making products fit for a climate-neutral, resource-efficient and circular economy, reducing waste and ensuring that the performance of frontrunners in sustainability progressively becomes the norm. It should provide for the setting of new ecodesign requirements to improve product durability, reusability, upgradability and reparability, improve possibilities for refurbishment and maintenance, address the presence of hazardous chemicals in products, increase

their energy and resource efficiency, reduce their expected generation of waste materials and increase recycled content in products, while ensuring their performance and safety, enabling remanufacturing and high-quality recycling and reducing carbon and environmental footprints.

their energy and resource efficiency, reduce their expected generation of waste materials and increase recycled content in products, while ensuring their performance and safety, enabling remanufacturing and high-quality recycling and reducing carbon and environmental footprints, ***tackling microplastics pollution for the relevant product categories and in coherence with the relevant product regulations.***

Amendment 2
Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) In order to allow the Commission to set requirements as appropriate to the product groups covered, ecodesign requirements should include performance and information requirements. Those requirements should be used to improve product aspects relevant for environmental sustainability, such as energy efficiency, durability, reparability and carbon and environmental footprints. Ecodesign requirements should be transparent, objective, proportionate and in compliance with international trade rules.

Amendment

(14) In order to allow the Commission to set requirements as appropriate to the product groups covered, ecodesign requirements should include performance and information requirements. Those requirements should be used to improve product aspects relevant for environmental sustainability, such as energy efficiency, durability, reparability, ***reuse, refurbishment*** and carbon and environmental footprints. Ecodesign requirements should be transparent, objective, proportionate and in compliance with international trade rules.

Amendment 3
Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) To improve environmental sustainability of products, information requirements should relate to a selected product parameter relevant to the product aspect, such as the product's environmental footprint or its durability. They may require manufacturer to make available information on the product's performance in relation to a selected product parameter

Amendment

(23) To improve environmental sustainability of products, information requirements should relate to a selected product parameter relevant to the product aspect, such as the product's environmental ***and carbon*** footprint or its durability. They may require manufacturer to make available information on the product's performance in relation to a selected

or other information that may influence the way the product is handled by parties other than the manufacturer in order to improve performance in relation to such a parameter. Such information requirements should be set either in addition to, or in place of, performance requirements on the same product parameter as appropriate. Where a delegated act includes information requirements, it should indicate the method for making the required information available, such as its inclusion on a free-access website, product passport or product label. Information requirements are necessary to lead to the behavioural change needed to ensure that the environmental sustainability objectives of this Regulation are achieved. By providing a solid basis for purchasers and public authorities to compare products on the basis of their environmental sustainability, information requirements are expected to drive consumers and public authorities towards more sustainable choices.

Amendment 4

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Information on the presence of substances of concern in products is a key element to identify and promote products that are sustainable. The chemical composition of products determines largely their functionalities and impacts, as well as the possibilities for their re-use or for recovery once they become waste. The Chemicals Strategy for Sustainability⁶⁴ calls for minimising the presence of substances of concern in products, and ensuring the availability of information on chemical content and safe use, by introducing information requirements and tracking the presence of substances of

product parameter or other information that may influence the way the product is handled by parties other than the manufacturer in order to improve performance in relation to such a parameter. Such information requirements should be set either in addition to, or in place of, performance requirements on the same product parameter as appropriate. Where a delegated act includes information requirements, it should indicate the method for making the required information available **and easily accessible**, such as its inclusion on a free-access website, product passport or product label. Information requirements are necessary to lead to the behavioural change needed to ensure that the environmental sustainability objectives of this Regulation are achieved. By providing a solid basis for purchasers and public authorities to compare products on the basis of their environmental sustainability, information requirements are expected to drive consumers and public authorities towards more sustainable choices.

Amendment

(25) Information on the presence of **intentionally added microplastics and** substances of concern in products is a key element to identify and promote products that are sustainable. The chemical composition of products determines largely their functionalities and impacts, as well as the possibilities for their re-use or for recovery once they become waste. The Chemicals Strategy for Sustainability⁶⁴ calls for minimising the presence of substances of concern in products, and ensuring the availability of information on chemical content and safe use, by introducing information requirements and

concern throughout the life cycle of materials and products. Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁶⁵ and other existing chemicals legislation such as Regulation (EC) No 1223/2009 already ensure communication on hazards to health or the environment posed by certain substances of concern on their own or in a mixture. Users of substances and mixtures should also be informed about pertinent sustainability-related information not primarily related to hazards to health *or* the environment. Furthermore, users of products other than substances or mixtures, and managers of waste from such products, should also receive sustainability-related information, including information primarily related to chemicals' hazards to health *or* the environment. Therefore, this Regulation should allow for the setting of requirements related to the tracking and communication of sustainability information, including the presence of substances of concern in products throughout their life cycle, including with a view to their decontamination and recovery when they become waste. Such a framework should aim to progressively cover all substances of concern in all products listed in working plans setting out the product groups the Commission intends to tackle.

⁶⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Chemicals Strategy for Sustainability Towards a Toxic-Free Environment

tracking the presence of substances of concern throughout the life cycle of materials and products. Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁶⁵ and other existing chemicals legislation such as Regulation (EC) No 1223/2009 already ensure communication on hazards to health or the environment posed by certain substances of concern on their own or in a mixture. Users of substances and mixtures should also be informed about pertinent sustainability-related information not primarily related to hazards to health *and to* the environment. Furthermore, users of products other than substances or mixtures, and managers of waste from such products, should also receive sustainability-related information, including information primarily related to chemicals' hazards to health *and to* the environment. Therefore, this Regulation should allow for the setting of requirements related to the tracking and communication of sustainability information, including the presence of substances of concern in products throughout their life cycle, including with a view to their decontamination and recovery when they become waste. ***A similar approach should be applied to intentionally added non-biodegradable micro plastics. Such a framework should aim to tackle microplastic pollution and substances of concern in all products listed in working plans setting out the product groups the Commission intends to tackle.*** Such a framework should aim to progressively cover ***these particles and*** all substances of concern in all products listed in working plans setting out the product groups the Commission intends to tackle.

⁶⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Chemicals Strategy for Sustainability Towards a Toxic-Free Environment

COM(2020)667 final.

⁶⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

COM(2020)667 final.

⁶⁵ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

Amendment 5
Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) The information requirements set under this Regulation should include the requirement to make available a product passport. The product passport is an important tool for making information available to actors along the entire value chain and the availability of a product passport should significantly enhance end-to-end traceability of a product throughout its value chain. Among other things, the product passport should help consumers make informed choices by improving their access to product information relevant to them, allow economic operators other value chain actors such as repairers or recyclers to access relevant information, and enable competent national authorities to perform their duties. To this end, the product passport should not replace but complement non-digital forms of transmitting information, such as information in the product manual or on a label. In addition, it should be possible for the product passport to be used for information on other sustainability aspects applicable to the relevant product group pursuant to other Union legislation.

Amendment

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Amendment 6
Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) In order to not unnecessarily delay the establishment of ecodesign requirements other than on the product passport or to ensure that product passports can be effectively implemented, the Commission should be allowed to exempt product groups from the product passport requirements in case technical specifications are not available in relation to the essential requirements for the technical design and operation of the product passport. Similarly, in order to prevent unnecessary administrative burden for economic operator, the Commission should be allowed to exempt product groups from the product passport requirements in case other Union law already includes a system for the digital provision of product information allowing actors along the value chain to access relevant product information and facilitating the verification of product compliance by competent national authorities. These exemptions should be periodically reviewed taking into account further availability of technical specifications.

Amendment

(29) In order to not unnecessarily delay the establishment of ecodesign requirements other than on the product passport or to ensure that product passports can be effectively implemented, the Commission should be allowed to exempt product groups from the product passport requirements ***exceptionally*** in case technical specifications are not available in relation to the essential requirements for the technical design and operation of the product passport. Similarly, in order to prevent unnecessary administrative burden for economic operator, the Commission should be allowed to exempt product groups from the product passport requirements in case other Union law already includes a system for the digital provision of product information allowing actors along the value chain to access relevant product information and facilitating the verification of product compliance by competent national authorities. These exemptions should be periodically reviewed taking into account further availability of technical specifications ***and eliminated where possible.***

Amendment 7

Proposal for a regulation

Recital 45

Text proposed by the Commission

(45) Micro, small and medium-sized enterprises (SMEs) could greatly benefit from an increase in the demand for sustainable products but could also face costs and difficulties with some of the requirements. The Member States and the Commission should, in their respective areas of responsibility, provide adequate information, ensure targeted and

Amendment

(45) Micro, small and medium-sized enterprises (SMEs) could greatly benefit from an increase in the demand for sustainable products but could also face costs and difficulties with some of the requirements. ***In order to ensure competitiveness of European SMEs,*** the Member States and the Commission should, in their respective areas of

specialised training, and provide specific assistance and support, including financial, to SMEs active in the manufacturing of products for which ecodesign requirements are set. Those actions should, for example, cover the calculation of the product environmental footprint and the technical implementation of the product passport. Member States actions should be taken in respect of applicable State aid rules.

responsibility, provide adequate information, ensure targeted and specialised training, and provide specific assistance and support, including financial, to SMEs active in the manufacturing of products for which ecodesign requirements are set. Those actions should, for example, cover the calculation of the product environmental footprint and the technical implementation of the product passport. Member States actions should be taken in respect of applicable State aid rules.

Amendment 8
Proposal for a regulation
Recital 86

Text proposed by the Commission

(86) In order to incentivise consumers to make sustainable choices, in particular when the more sustainable products are not affordable enough, mechanisms such as eco-vouchers and green taxation should be provided for. When Member States decide to make use of incentives to reward the best-performing products among those for which classes of performance have been set by delegated acts pursuant to this Regulation, they should do so by targeting those incentives at the highest two populated classes of performance, unless otherwise indicated by the relevant delegated act. However, Member States should not be able to prohibit the placing on the market of a product based on its class of performance. For the same reason, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement this Regulation by further specifying which product parameters or related levels of performance Member States' incentives concern in case no class of performance is determined in the applicable delegated act or where classes of performance are established in relation to more than one product parameter. The introduction of

Amendment

(86) In order to incentivise consumers to make sustainable choices, in particular when the more sustainable products are not affordable enough, mechanisms such as eco-vouchers ***that can only be used to purchase products and services respecting the environment***, and green taxation should be provided for. When Member States decide to make use of incentives to reward the best-performing products among those for which classes of performance have been set by delegated acts pursuant to this Regulation, they should do so by targeting those incentives at the highest two populated classes of performance, unless otherwise indicated by the relevant delegated act. However, Member States should not be able to prohibit the placing on the market of a product based on its class of performance. For the same reason, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement this Regulation by further specifying which product parameters or related levels of performance Member States' incentives concern in case no class of performance is determined in the applicable delegated act or where classes

Member State incentives should be without prejudice to the application of the Union State aid rules.

of performance are established in relation to more than one product parameter. The introduction of Member State incentives should be without prejudice to the application of the Union State aid rules.

Amendment 9
Proposal for a regulation
Recital 87

Text proposed by the Commission

(87) Public procurement amounts to 14% of the Union's GDP. To contribute to the objective of reaching climate neutrality, improving energy and resource efficiency and transitioning to a circular economy that protects public health and biodiversity, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to require, where appropriate, contracting authorities and entities as defined in Directive 2014/24/EU⁷⁸ and 2014/25/EU⁷⁹ of the European Parliament and of the Council, to align their procurement with specific green public procurement criteria or targets, to be set out in the delegated acts adopted pursuant to this Regulation. The criteria or targets set by delegated acts for specific product groups should be complied with not only when directly procuring those products in public supply contracts but also in public works or public services contracts where those products will be used for activities constituting the subject matter of those contracts. Compared to a voluntary approach, mandatory criteria or targets will ensure that the leverage of public spending to boost demand for better performing products is maximised. The criteria should be transparent, objective and non-discriminatory.

⁷⁸ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and

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(87) Public procurement amounts to 14% of the Union's GDP. To contribute to the objective of reaching climate neutrality, improving energy and resource efficiency and transitioning to a circular economy that protects public health and biodiversity, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to require, where appropriate, contracting authorities and entities as defined in Directive 2014/24/EU⁷⁸ and 2014/25/EU⁷⁹ of the European Parliament and of the Council, to align their procurement with specific green public procurement criteria or targets, to be set out in the delegated acts adopted pursuant to this Regulation. The criteria or targets set by delegated acts for specific product groups should be complied with not only when directly procuring those products in public supply contracts but also in public works or public services contracts where those products will be used for activities constituting the subject matter of those contracts. Compared to a voluntary approach, mandatory criteria or targets will ensure that the leverage of public spending to boost demand for better performing products is maximised **in all Member States**. The criteria should be transparent, objective and non-discriminatory.

⁷⁸ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and

repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

⁷⁹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

⁷⁹ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

Amendment 10
Proposal for a regulation
Recital 92

Text proposed by the Commission

(92) Where problematic levels of non-compliance with ecodesign requirements are observed despite the enhanced planning, coordination and support laid down by this Regulation, the Commission should be able to intervene to ensure that market surveillance authorities perform checks on an adequate scale. Therefore, in order to safeguard the effective enforcement of ecodesign requirements, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to lay down a minimum number of checks to be performed on specific products or requirements. This empowerment should be additional to the empowerment in Article 11(4) of Regulation (EU) 2019/1020.

Amendment

(92) Where problematic levels of non-compliance with ecodesign requirements are observed despite the enhanced planning, coordination and support laid down by this Regulation, the Commission should be able to intervene ***promptly and efficiently*** to ensure that market surveillance authorities perform checks on an adequate scale. Therefore, in order to safeguard the effective enforcement of ecodesign requirements, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to lay down a minimum number of checks to be performed on specific products or requirements. This empowerment should be additional to the empowerment in Article 11(4) of Regulation (EU) 2019/1020.

Amendment 11
Proposal for a regulation
Recital 93

Text proposed by the Commission

(93) Based on data entered into the information and communication system for market surveillance, the Commission should draw up a report containing

Amendment

(93) Based on data entered into the information and communication system for market surveillance, the Commission should draw up a report containing

information on the nature and number of checks performed, on the levels of non-compliance identified and on the nature and severity of penalties imposed in relation to ecodesign requirements over the two previous calendar years. The reports should contain a comparison of Member States' activities with the activities planned and indicative benchmarks for market surveillance authorities.

information on the nature and number of checks performed, on the levels of non-compliance identified and on the nature and severity of penalties imposed in relation to ecodesign requirements over the two previous calendar years. The reports should ***be publicly accessible and*** contain a comparison of Member States' activities with the activities planned and indicative benchmarks for market surveillance authorities.

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – subparagraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(f a) recycled and other low-impact content, such as responsibly resourced renewable materials.

Amendment 13

Proposal for a regulation

Article 2 – paragraph 1 – point 23

Text proposed by the Commission

Amendment

(23) 'environmental footprint' means a quantification of a product's environmental impacts, whether in relation to a single environmental impact category or an aggregated set of impact categories based on the Product Environmental Footprint method;

(23) 'environmental footprint' means a quantification of a product's environmental impacts, whether in relation to a single environmental impact category or an aggregated set of impact categories based on the Product Environmental Footprint method ***and relevant Product Environmental Footprint Category Rules (PEFCRs), or other scientifically validated and verifiable lifecycle based standards and category rules ensuring accuracy and reliability according to the future other methods or tools in accordance with Union law;***

Amendment 14

Proposal for a regulation

Article 2 – paragraph 1 – point 25

Text proposed by the Commission

(25) ‘carbon footprint’ means the sum of greenhouse gas (GHG) emissions and GHG removals in a product system, expressed as CO₂ equivalents and based on a life cycle assessment using the single impact category of climate change;

Amendment

(25) ‘carbon footprint’ means the sum of greenhouse gas (GHG) emissions and GHG removals in a product system, expressed as CO₂ equivalents ***as defined in the certification of carbon removals*** and based on a life cycle assessment using the single impact category of climate change;

Amendment 15

Proposal for a regulation

Article 2 – paragraph 1 – point 35

Text proposed by the Commission

(35) ‘destruction’ means the intentional damaging or discarding of a product as waste with the exception of discarding for the only purpose of delivering a product for preparing for re-use or remanufacturing operations;

Amendment

(35) ‘destruction’ means the intentional damaging or discarding of a product as waste with the exception of discarding for the only purpose of delivering a product for preparing for re-use or remanufacturing operations. ***A product is considered destroyed or discarded as soon as the information is made available to the authorities in accordance with Article 20.***

Amendment 16

Proposal for a regulation

Article 2 – paragraph 1 – point 45

Text proposed by the Commission

(45) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market;

Amendment

(45) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market, ***including remanufacturers and companies which repair and upgrade products;***

Amendment 17

Proposal for a regulation

Article 2 – paragraph 1 – point 59

Text proposed by the Commission

(59) ‘product presenting a serious risk’ means a product presenting a risk **for which, based on an assessment, the degree of the relevant non-compliance or the associated harm is considered to require rapid intervention by the market surveillance authorities, including cases where the effects of the non-compliance are not immediate.**

Amendment

(59) ‘product presenting a serious risk’ means a product presenting a risk **as identified by the Regulation (EU) .../... [Regulation of the European Parliament and of the Council on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council, and repealing Council Directive 87/357/EEC and Directive 2001/95/EC of the European Parliament and of the Council as proposed by COM(2021)0346].**

Amendment 18

Proposal for a regulation

Article 2 – paragraph 1 – point 59 a (new)

Text proposed by the Commission

(59a) ‘recyclability’ means the ability of materials built into products to be effectively separated out from the waste stream, collected, sorted and aggregated in specific streams and then recycled again within relevant industrial processes to be turned into recycled materials or products, whilst minimising quality or functionality losses compared to the original material or product.

Amendment

(59a) ‘recyclability’ means the ability of materials built into products to be effectively separated out from the waste stream, collected, sorted and aggregated in specific streams and then recycled again within relevant industrial processes to be turned into recycled materials or products, whilst minimising quality or functionality losses compared to the original material or product.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 1 – point 59 b (new)

Text proposed by the Commission

(59b) ‘renewability and renewability of materials and use or content of renewable raw materials’ means the ability for a natural resource to naturally replenish and recover with a limited negative impact on the climate, environment and biodiversity.

Amendment

(59b) ‘renewability and renewability of materials and use or content of renewable raw materials’ means the ability for a natural resource to naturally replenish and recover with a limited negative impact on the climate, environment and biodiversity.

Amendment 20
Proposal for a regulation
Article 2 – paragraph 1 – point 59 c (new)

Text proposed by the Commission

Amendment

(59c) "professional repairer" means an operator or undertaking which provides professional repair and maintenance services.

Amendment 21
Proposal for a regulation
Article 4 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) requiring manufacturers, their authorised representatives or importers to collect, anonymise, or report to the Commission the in-use data referred to in point (c), in accordance with Article 31(3);

(d) *subject to adequate protection of privacy rights, and confidential and sensitive information*, requiring manufacturers, their authorised representatives or importers to collect, anonymise, or report to the Commission the in-use data referred to in point (c), in accordance with Article 31(3);

Amendment 22
Proposal for a regulation
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

Delegated acts referred to in the first paragraph shall apply at the earliest 18 months after the entry into force of that delegated act.

Amendment 23
Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall, as appropriate to the relevant product groups and with due consideration for all stages of

1. The Commission shall, as appropriate to the relevant product groups and with due consideration for all stages of

their life cycle, establish ecodesign requirements to improve the following product aspects:

their life cycle ***and to existing product-specific regulation including Union's widely used or mandatory product-specific standards and guidelines***, establish ecodesign requirements to improve the following product aspects:

Amendment 24
Proposal for a regulation
Article 5 – paragraph 1 – point g

Text proposed by the Commission

(g) presence of substances of concern;

Amendment

(g) presence of substances of concern, ***while ensuring coherence with other Union law related to chemical safety***;

Amendment 25
Proposal for a regulation
Article 5 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) presence of non-biodegradable intentionally added microplastics;

Amendment 26
Proposal for a regulation
Article 5 – paragraph 1 – point k

Text proposed by the Commission

(k) possibility of remanufacturing ***and recycling***;

Amendment

(k) possibility of remanufacturing;

Amendment 27
Proposal for a regulation
Article 5 – paragraph 1 – point k a (new)

Text proposed by the Commission

Amendment

(ka) recyclability and ease of recycling;

Amendment 28
Proposal for a regulation
Article 5 – paragraph 1 – point n a (new)

Text proposed by the Commission

Amendment

(na) renewability of materials and use or content of renewable raw materials;

Amendment 29
Proposal for a regulation
Article 5 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

A horizontal ecodesign requirement established pursuant to the second subparagraph may cover products falling in the scope of a self-regulation measure established as a valid alternative pursuant to Article 18(3), where the Commission considers that that self-regulation measure does not address the product aspect covered by that horizontal ecodesign requirement.

A horizontal ecodesign requirement established pursuant to the second subparagraph **shall not cover products falling in scope of a mandatory vertical ecodesign measure, unless it is duly justified. However, it** may cover products falling in the scope of a self-regulation measure established as a valid alternative pursuant to Article 18(3), where the Commission considers that that self-regulation measure does not address the product aspect covered by that horizontal ecodesign requirement.

Amendment 30
Proposal for a regulation
Article 5 – paragraph 4 – point a – point i

Text proposed by the Commission

Amendment

(i) Union climate, environmental and energy efficiency priorities and other related Union priorities;

(i) Union climate, environmental and energy efficiency, **resource security and biodiversity** priorities **with the view to reach the Green Deal goals**, and other related Union priorities;

Amendment 31
Proposal for a regulation
Article 5 – paragraph 4 – point a – point ii

Text proposed by the Commission

(ii) relevant Union legislation, including the extent to which it addresses the relevant product aspects listed in paragraph 1;

Amendment

(ii) relevant Union legislation, including the extent to which it addresses the relevant product aspects listed in paragraph 1 ***to ensure harmonisation and to avoid duplication or overregulation;***

Amendment 32
Proposal for a regulation
Article 5 – paragraph 5 – point d

Text proposed by the Commission

(d) there shall be no disproportionate negative impact on the competitiveness of economic actors, ***at least of*** SMEs;

Amendment

(d) there shall be no disproportionate negative impact on the competitiveness of economic actors, ***in particular for*** SMEs;

Amendment 33
Proposal for a regulation
Article 5 – paragraph 5 – point d a (new)

Text proposed by the Commission

Amendment

(da) appropriate instruments of financial and educational support for businesses, especially for SMEs, shall be ensured;

Amendment 34
Proposal for a regulation
Article 5 – paragraph 5 – point f

Text proposed by the Commission

(f) there shall be no disproportionate administrative burden on manufacturers or other economic actors.

Amendment

(f) there shall be no disproportionate administrative burden on manufacturers or other economic actors, ***in particular for SMEs;***

Amendment 35
Proposal for a regulation
Article 5 – paragraph 5 – point f a (new)

Text proposed by the Commission

Amendment

(fa) the requirements shall contribute to the Union's climate and environmental objectives and targets;

Amendment 36
Proposal for a regulation
Article 5 – paragraph 5 – point f b (new)

Text proposed by the Commission

Amendment

(fb) they shall be technically feasible in accordance with commercially available and state-of-art technologies.

Amendment 37
Proposal for a regulation
Article 5 – paragraph 6 – introductory part

Text proposed by the Commission

Amendment

6. The Commission shall, **where appropriate**, require supply chain actors to:

6. The Commission shall require supply chain actors to:

Amendment 38
Proposal for a regulation
Article 5 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) provide, upon request, manufacturers, notified bodies and competent national authorities with available **information** related to their supplies or services that is relevant in order to verify compliance with ecodesign requirements;

(a) provide, upon request, manufacturers, notified bodies and competent national authorities with available **to the supply chain actor according to the Digital Product Passport of the product category in question, according to Article 8**, related to their supplies or services that is relevant in order to verify compliance with ecodesign requirements;

Amendment 39
Proposal for a regulation

Article 5 – paragraph 6 – point b

Text proposed by the Commission

(b) allow, in the absence of information referred to in point (a), manufacturers to assess their supplies or services in order to verify compliance with ecodesign requirements and give access to relevant documents or facilities to those manufacturers;

Amendment

(b) allow, in the absence of information referred to in point (a) **and in line with intellectual property considerations**, manufacturers to assess their supplies or services in order to verify compliance with ecodesign requirements and give access to relevant documents or facilities to those manufacturers;

Amendment 40

Proposal for a regulation

Article 5 – paragraph 8

Text proposed by the Commission

8. The Commission shall publish relevant studies and analyses used in the establishment of ecodesign requirements in accordance with this Regulation.

Amendment

8. The Commission shall publish, **in due time before the adoption of delegated acts**, relevant studies and analyses used in the establishment of ecodesign requirements in accordance with this Regulation.

Amendment 41

Proposal for a regulation

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The first such delegated act covering all elements referred to in paragraph 1 shall be adopted by ... [30 months after the date of entry into force of this Regulation].

Amendment 42

Proposal for a regulation

Article 7 – paragraph 6 – subparagraph 3

Text proposed by the Commission

Information **ensuring the traceability of substances pursuant to paragraph 5** shall

Amendment

Priority should be given to providing the information via electronic means. The

be given either on the product or be accessible through a data carrier included on the product.

information requirements shall be clear and appropriate allowing the users to make comparisons between products.

Amendment 43
Proposal for a regulation
Article 7 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Any supplier of an article, a substance or a mixture, shall provide the recipient of that article, substance of mixture, with sufficient information, free of charge, to allow the manufacturers to comply with information requirements related to the product aspects listed in Article 5(1).

Amendment 44
Proposal for a regulation
Article 8 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) the actors that shall have access to information in the product passport and to what information they shall have access, including customers, end-users, manufacturers, importers and distributors, dealers, repairers, remanufacturers, recyclers, competent national authorities, public interest organisations and the Commission, or any organisation acting on their behalf;

(f) the actors that shall have access to information in the product passport and to what information they shall have access, including customers, end-users, manufacturers, importers and distributors, dealers, **professional** repairers, remanufacturers, recyclers, competent national authorities, public interest organisations and the Commission, or any organisation acting on their behalf;

Amendment 45
Proposal for a regulation
Article 8 – paragraph 2 – point g

Text proposed by the Commission

Amendment

(g) the actors that may introduce or update the information in the product passport, including where needed the creation of a new product passport, and

(g) the actors that may introduce or update the information in the product passport, including where needed the creation of a new product passport, and

what information they may introduce or update, including manufacturers, repairers, maintenance professionals, remanufacturers, recyclers, competent national authorities, and the Commission, or any organisation acting on their behalf;

what information they may introduce or update, including manufacturers, **professional** repairers, maintenance professionals, remanufacturers, recyclers, competent national authorities, and the Commission, or any organisation acting on their behalf;

Amendment 46

Proposal for a regulation

Article 8 – paragraph 3 – point a

Text proposed by the Commission

(a) ensure that actors along the value chain, in particular consumers, economic operators and competent national authorities, can access product information relevant to them;

Amendment

(a) ensure that actors along the value chain, in particular consumers, economic operators and competent national authorities, can **easily** access product information relevant to them;

Amendment 47

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1 – point d

Text proposed by the Commission

(d) all information included in the product passport shall be based on open, standards, developed with an inter-operable format and shall be machine-readable, structured, and searchable, in accordance with the essential requirements set out in Article 10;

Amendment

(d) all information included in the product passport shall be based on open, standards, developed with an inter-operable format and shall be machine-readable, structured, and searchable, in accordance with the essential requirements set out in Article 10 **and respecting trade secret information**;

Amendment 48

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) it shall integrate with existing databases including existing industry solutions, where appropriate;

Amendment 49
Proposal for a regulation
Article 10 – paragraph 1 – point a

Text proposed by the Commission

(a) product passports shall be fully interoperable with other product passports required by delegated acts adopted pursuant to Article 4 in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer;

Amendment

(a) product passports shall be fully interoperable with other product passports required by delegated acts adopted pursuant to Article 4 in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer **and with existing product databases, where appropriate**;

Amendment 50
Proposal for a regulation
Article 10 – paragraph 1 – point b

Text proposed by the Commission

(b) consumers, economic operators and other relevant actors shall have free access to the product passport based on their respective access rights set out in the applicable delegated act adopted pursuant to Article 4;

Amendment

(b) consumers, economic operators and other relevant actors shall have free **and easy** access to the product passport based on their respective access rights set out in the applicable delegated act adopted pursuant to Article 4;

Amendment 51
Proposal for a regulation
Article 10 – paragraph 1 – point d

Text proposed by the Commission

(d) if the data included in the product passport is stored or otherwise processed by operators authorised to act on their behalf, those operators shall not be allowed to sell, re-use or process such data, in whole or in part, beyond what is necessary for the provision of the relevant storing or processing services;

Amendment

(d) if the data included in the product passport is stored or otherwise processed by operators authorised to act on their behalf, those operators shall not be allowed to sell, re-use or process such data, in whole or in part, beyond what is necessary for the provision of the relevant storing or processing services, **and those operators must ensure sufficient cybersecurity for the data**;

Amendment 52

Proposal for a regulation
Article 10 – paragraph 1 – point f

Text proposed by the Commission

(f) the rights to access and to introduce, modify or update information in product passport shall be restricted based on the access rights specified in delegated acts adopted pursuant to Article 4;

Amendment

(f) the rights to access and to introduce, modify or update information in product passport shall be restricted based on the access rights specified in delegated acts adopted pursuant to Article 4 ***with specific consideration of information that constitutes trade secrets or proprietary information;***

Amendment 53
Proposal for a regulation
Article 10 – paragraph 1 – point g a (new)

Text proposed by the Commission

(ga) The product passport shall be a long-lasting part of the product, as long as the product exists on the market, for the entire life cycle of the product;

Amendment

Amendment 54
Proposal for a regulation
Article 10 – paragraph 1 – point h a (new)

Text proposed by the Commission

(ha) An appropriate transition period for the implementation of the Digital Product Passport shall apply in order to ensure a proper functioning of the Digital Product Passport.

Amendment

Amendment 55
Proposal for a regulation
Article 12 – paragraph 5 a (new)

Text proposed by the Commission

5a. Member States shall ensure information in the Digital Product Passport is integrated with functioning

Amendment

reporting systems in Member States, in order to avoid unnecessary administrative burden on businesses.

Amendment 56
Proposal for a regulation
Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. When prioritising products to be covered by ecodesign requirements in accordance with this Regulation, the Commission shall take into account their potential contribution to achieving Union climate, environmental and energy efficiency objectives, as well as the following criteria:

Amendment

1. When prioritising products to be covered by ecodesign requirements in accordance with this Regulation, the Commission shall take into account their potential contribution to achieving Union climate, environmental and energy efficiency objectives, ***their contribution in fostering the Union’s economic resilience and competitiveness***, as well as the following criteria:

Amendment 57
Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

(c) the distribution of *the* environmental impacts, energy use and waste generation across the value chain, ***in particular whether they take place within the Union***;

Amendment

(c) the distribution of ***climate and*** environmental impacts, energy use and waste generation across the value chain ***and across the entire life cycle of the product***;

Amendment 58
Proposal for a regulation
Article 16 – paragraph 2 – subparagraph 2

Text proposed by the Commission

When adopting or updating the working plan referred to in the first subparagraph, the Commission shall take into account the criteria set out in paragraph 1 of this Article and shall consult the Ecodesign Forum referred to in Article 17.

Amendment

When adopting or updating the working plan referred to in the first subparagraph, the Commission shall take into account the criteria set out in paragraph 1 of this Article and shall consult the Ecodesign Forum ***in an appropriate timeframe as referred to in Article 17, and present in***

due time before the adoption of the working plan a draft to the European Parliament for consultation.

Amendment 59

Proposal for a regulation

Article 16 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The first working plan shall be adopted no later than 3 months after the adoption of this regulation. The first delegated acts to be established as according to the first working plan shall include one or more product groups to cover the textile industry.

Amendment 60

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall ensure that when it conducts its activities, it observes a balanced participation of Member States' representatives and all interested parties ***involved with*** the product or product group in question, such as industry, including SMEs and craft industry, trade unions, traders, retailers, importers, environmental protection groups ***and*** consumer organisations. These parties shall contribute in particular to preparing ecodesign requirements, examining the effectiveness of the established market surveillance mechanisms and assessing self-regulation measures.

The Commission shall ensure that when it conducts its activities, it observes a balanced participation of Member States' representatives and all interested parties ***relevant for and with expertise in*** the product or product group in question, such as ***a broad representation of*** industry, ***including sector organisations across all value chains***, including SMEs and craft ***and recycling*** industry, trade unions, traders, retailers, importers, environmental ***and climate*** protection groups, ***environmental and climate experts***, consumer ***and standardisation*** organisations ***and other relevant registered NGOs***. ***The Ecodesign Forum shall also invite relevant stakeholders within the value chains that lead to the European Market from outside the Union, to share their views and expertise.*** These parties shall contribute in particular to preparing ecodesign requirements, examining the effectiveness of the established market

surveillance mechanisms and assessing self-regulation measures *in a transparent process*.

Amendment 61
Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

To that end, the Commission shall establish an expert group, in which those parties shall meet, referred to as the ‘Ecodesign Forum’.

Amendment

To that end, the Commission shall establish an expert group, in which those parties shall meet, referred to as the ‘Ecodesign Forum’. ***The Commission shall ensure adequate and balanced representation of the parties referred to in paragraph 1, covered by the product groups that are to be regulated in accordance with the working plans according to Art. 16(2) over time. The expert group shall strive for gender balance. The Forum shall advise the Commission on the delegated acts referred to in Article 4. The Forum shall carry out its tasks in accordance with the principle of transparency. The Commission shall publish the minutes of the meetings of the Forum and other relevant documents on the Commission website.***

Amendment 62
Proposal for a regulation
Article 18 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) the market share in terms of volume of the signatories to the self-regulation measure in relation to the products covered by that measure is at least **80** % of units placed on the market or put into service;

Amendment

(b) the market share in terms of volume of the signatories to the self-regulation measure in relation to the products covered by that measure is at least **70** % of units placed on the market or put into service;

Amendment 63
Proposal for a regulation
Article 18 – paragraph 4

Text proposed by the Commission

4. The Commission may at any point in time request the signatories of a self-regulation measure to submit a revised and updated version of that measure in view of relevant market or technological developments within the product group concerned or where it has reason to believe that the criteria set out in paragraph 3 are no longer fulfilled.

Amendment

4. The Commission may at any point in time request the signatories of a self-regulation measure to submit a revised and updated version of that measure in view of relevant market or technological developments within the product group concerned or where it has reason to believe that the criteria set out in paragraph 3 are no longer fulfilled. ***The Commission shall substantiate and justify its request in writing and provide for a reasonable time period for the signatories to react and potentially submit a revised and updated version.***

Amendment 64
Proposal for a regulation
Article 19 – paragraph 1

Text proposed by the Commission

1. In the context of programmes from which SMEs can benefit, the Commission shall ***take into account*** initiatives which help SMEs to integrate environmental sustainability aspects including energy efficiency in their value chain.

Amendment

1. In the context of programmes from which SMEs can benefit, the Commission shall ***offer*** initiatives, which help SMEs to integrate environmental sustainability aspects including energy efficiency in their value chain.

Amendment 65
Proposal for a regulation
Article 19 – paragraph 3 – subparagraph 3 – point b

Text proposed by the Commission

(b) access to finance;

Amendment

(b) access to finance, ***for example, for tender opportunities at Union and national level;***

Amendment 66
Proposal for a regulation
Article 19 – paragraph 3 – subparagraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(da) Support the implementation of the requirements set out in this Regulation and the Delegated Acts;

Amendment 67
Proposal for a regulation
Article 26 – title

Text proposed by the Commission

Amendment

Obligations related to labels

Obligations related to labels ***and suppliers***

Amendment 68
Proposal for a regulation
Article 26 – paragraph 1

Text proposed by the Commission

Amendment

1. Where a delegated act adopted pursuant to Article 4 requires products to have a label as referred to in Article 14, the economic operator placing the product on the market or putting it into service shall ensure that products are accompanied, for each individual unit and free of charge, by printed labels in accordance with that delegated act.

1. Where a delegated act adopted pursuant to Article 4 requires products to have a label as referred to in Article 14, the economic operator placing the product on the market or putting it into service shall ensure that products are accompanied, for each individual unit and free of charge, by printed ***and/or digital*** labels in accordance with that delegated act. ***For sustainability reasons, preference shall be given to digital labels, where this does not interfere with ease of access to clear information for the consumer.***

Amendment 69
Proposal for a regulation
Article 26 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Any supplier of an article, a substance or a mixture shall provide economic operators responsible for compliance with Articles 6 and 7 with sufficient available information related to their supplies or services that are relevant

to ensure products comply with the performance and information requirements pursuant to Article 6 and 7. If the recipient of the article, substance or mixture is not economic operator responsible for compliance with the information requirements set out in Articles 6 and 7, the recipient of the article, substance or the mixture shall ensure that the information referred to in the first paragraph of this Article is communicated to the economic operator responsible for compliance with the information requirements set out in Article 6 and 7.

Amendment 70

Proposal for a regulation

Article 31 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

(a) collecting the in-use data if it can be accessed remotely via the internet, **unless** the end-user expressly **refuses** to make that data available;

Amendment

(a) collecting the in-use data if it can be accessed remotely via the internet, **only if** the end-user **has** expressly **allowed** to make that data available;

Amendment 71

Proposal for a regulation

Article 31 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall, for every delegated act every three years after implementation, analyse the data points collected with a view to assessing the regulation's impact against its stated goals.

Amendment 72

Proposal for a regulation

Article 58 – paragraph 1

Text proposed by the Commission

Amendment

1. Requirements pursuant to Article 4, third subparagraph, point (h) for public contracts awarded by contracting authorities, as defined in Article 2(1) of Directive 2014/24/EU or Article 3(1) of Directive 2014/25/EU, or contracting entities, as defined in Article 4(1) of Directive 2014/25/EU, **may** take the form of mandatory technical specifications, selection criteria, award criteria, contract performance clauses, or targets, as appropriate.

Amendment 73
Proposal for a regulation
Article 69 – paragraph 1

Text proposed by the Commission

No sooner than [8 years after the date of **application** of this Regulation], the Commission shall carry out an evaluation of this Regulation and of its contribution to the functioning of the internal market and the improvement of the environmental sustainability of products. The Commission shall present a report on the main findings to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. Member States shall provide the Commission with the information necessary for the preparation of that report.

Amendment 74
Proposal for a regulation
Article 69 – paragraph 2 a (new)

Text proposed by the Commission

1. Requirements pursuant to Article 4, third subparagraph, point (h) for public contracts awarded by contracting authorities, as defined in Article 2(1) of Directive 2014/24/EU or Article 3(1) of Directive 2014/25/EU, or contracting entities, as defined in Article 4(1) of Directive 2014/25/EU, **shall** take the form of mandatory technical specifications, selection criteria, award criteria, contract performance clauses, or targets, as appropriate.

Amendment

By ... [eight years after the date of **entry into force** of this Regulation], the Commission shall carry out an evaluation of this Regulation and of its contribution to the functioning of the internal market and the improvement of the environmental sustainability of products. The Commission shall present a report on the main findings to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. Member States shall provide the Commission with the information necessary for the preparation of that report.

For the purpose of the second paragraph, the Commission shall take into account the conclusions of its report and, as appropriate, the positions of the European Parliament, the Council, the European Economic and Social Committee, and the

Amendment 75
Proposal for a regulation
Annex I – paragraph 1 – introductory part

Text proposed by the Commission

The following parameters *may, as* appropriate, *and* where necessary supplemented by others, be used as a basis for improving the product aspects referred to in Article 5(1):

Amendment

The following parameters, *justified by an* appropriate *life cycle and circularity assessment, and*, where necessary supplemented by others, *shall* be used, *individually or aggregated*, as a basis for improving the product aspects referred to in Article 5(1):

Amendment 76
Proposal for a regulation
Annex I – paragraph 1 – point d

Text proposed by the Commission

(d) ease and quality of recycling as expressed through: use of easily recyclable materials, safe, easy and non-destructive access to recyclable components and materials or components and materials containing hazardous substances, material composition and homogeneity, possibility for high-purity sorting, number of materials and components used, use of standard components, use of component and material coding standards for the identification of components and materials, number and complexity of processes and tools needed, ease of non-destructive disassembly and re-assembly, conditions for access to product data, conditions for access to or use of hardware and software needed;

Amendment

(d) ease and quality of recycling as expressed through: use of easily recyclable materials, safe, easy and non-destructive access to recyclable components and materials or components and materials containing hazardous substances, material composition and homogeneity, possibility for high-purity sorting, *design for recycling*, number of materials and components used, use of standard components, use of component and material coding standards for the identification of components and materials, number and complexity of processes and tools needed, ease of non-destructive disassembly and re-assembly, conditions for access to product data, conditions for access to or use of hardware and software needed;

Amendment 77
Proposal for a regulation
Annex I – paragraph 1 – point e

Text proposed by the Commission

(e) avoidance of technical solutions detrimental to re-use, upgrading, repair, maintenance, refurbishment, remanufacturing and recycling of products and components;

Amendment

(e) avoidance of technical solutions detrimental to re-use, upgrading, repair, maintenance, refurbishment, remanufacturing and recycling of products and components, ***unless required, to ensure the safety of the product;***

Amendment 78
Proposal for a regulation
Annex I – paragraph 1 – point p

Text proposed by the Commission

(p) amounts of waste generated, including plastic waste and packaging waste and their ease of re-use, and amounts of hazardous waste generated;

Amendment

(p) amounts of waste generated, including plastic waste and packaging waste and their ease of re-use, ***ease of recycling*** and amounts of hazardous waste generated;

Amendment 79
Proposal for a regulation
Annex I – paragraph 1 – point q

Text proposed by the Commission

(q) conditions for use.

Amendment

(q) conditions for use, ***including the environmental impact and benefits during the use.***

Amendment 80
Proposal for a regulation
Annex I – paragraph 1 – point q a (new)

Text proposed by the Commission

Amendment

(qa) renewability of materials and use or content of renewable raw materials.

Amendment 81
Proposal for a regulation
Annex VII – paragraph 1

Text proposed by the Commission

The following non-exhaustive list of indicative criteria **may** be used to assess self-regulation measures as an alternative to a delegated act adopted pursuant to Article 4 of this Regulation:

Amendment 82
Proposal for a regulation
Annex VII – paragraph 3

Text proposed by the Commission

Self-regulation measures must respond to the policy objectives of this Regulation and must be consistent with the economic and social dimensions of sustainable development. Self-regulation measures must have an integrated approach to the protection of the interests of consumers, health, quality of life and economic interests.

Amendment 83
Proposal for a regulation
Annex VII – paragraph 7

Text proposed by the Commission

Stakeholders including Member States, industry, environmental NGOs and consumers' associations must be invited to comment on a self-regulation measure.

Amendment

The following non-exhaustive list of indicative criteria **shall** be used to assess self-regulation measures as an alternative to a delegated act adopted pursuant to Article 4 of this Regulation:

Amendment

Self-regulation measures must respond to the policy objectives of this Regulation and must be consistent with the economic and social dimensions of sustainable development. Self-regulation measures must have an integrated approach to the protection of the interests of consumers, health, quality of life and economic interests. ***If they are not to be implemented before the adoption of a delegated act, they shall demonstrate a higher ambition than the corresponding delegated act.***

Amendment

Stakeholders including Member States, industry, environmental **registered** NGOs and consumers' associations must be invited to comment on a self-regulation measure, ***including stakeholders of the value chain based outside the Union.***

**ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

| Entity and/or person |
|---|
| European Furniture Industries Confederation |
| International Association for Soaps, Detergents and Maintenance Products |
| FEICA |
| CONEBI-European association of the Bicycle, E-Bike and Parts & Accessories |
| APPLIA |
| CEPI-European association representing the paper industry |
| AMCHAM EU |
| Games Consoles Voluntary Agreement (GCVA) |
| NESTE |
| EEB-EUROPEAN ENVIRONMENTAL BUREAU |
| EUROFER-European Steel Association |
| Construction Products Europe AISBL |
| EBIA - European Bedding Industries' Association |
| CEI-Bois - European Confederation of Woodworking Industries |
| EPF - European Panel Federation |
| EUROPUR - European Association of Flexible Polyurethane Foam Blocks Manufacturers |

PROCEDURE – COMMITTEE ASKED FOR OPINION

| | |
|---|---|
| Title | Establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC |
| References | COM(2022)0142 – C9-0132/2022 – 2022/0095(COD) |
| Committee responsible Date announced in plenary | ENVI 2.5.2022 |
| Opinion by Date announced in plenary | ITRE 2.5.2022 |
| Associated committees - date announced in plenary | 15.9.2022 |
| Rapporteur for the opinion Date appointed | Maria Spyraiki 5.5.2022 |
| Discussed in committee | 28.11.2022 |
| Date adopted | 28.3.2023 |
| Result of final vote | +: 57 –: 5 0: 5 |
| Members present for the final vote | Matteo Adinolfi, Nicola Beer, François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Vasile Blaga, Paolo Borchia, Marc Botenga, Markus Buchheit, Martin Buschmann, Cristian-Silviu Buşoi, Jerzy Buzek, Maria da Graça Carvalho, Ignazio Corrao, Beatrice Covassi, Ciarán Cuffe, Josianne Cutajar, Nicola Danti, Martina Dlabajová, Christian Ehler, Valter Flego, Niels Fuglsang, Lina Gálvez Muñoz, Jens Geier, Nicolás González Casares, Bart Groothuis, Christophe Grudler, Robert Hajšel, Romana Jerković, Seán Kelly, Izabela-Helena Kloc, Łukasz Kohut, Andrius Kubilius, Marisa Matias, Dan Nica, Angelika Niebler, Niklas Nienaaß, Johan Nissinen, Mauri Pekkarinen, Morten Petersen, Markus Pieper, Maria Spyraiki, Beata Szydło, Riho Terras, Patrizia Toia, Marie Toussaint, Isabella Tovaglieri, Henna Virkkunen, Pernille Weiss, Carlos Zorrinho |
| Substitutes present for the final vote | Alex Agius Saliba, Rasmus Andresen, Tiziana Beghin, Franc Bogovič, Jakop G. Dalunde, Pietro Fiocchi, Klemen Grošelj, Martin Hojsik, Marina Kaljurand, Dace Melbārde, Rob Rooken, Bronis Ropè, Ernő Schaller-Baross, Jordi Solé, Susana Solís Pérez |
| Substitutes under Rule 209(7) present for the final vote | Pär Holmgren, Sven Simon |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 57 | + |
|-----------|---|
| ECR | Pietro Fiocchi, Izabela-Helena Kloc, Beata Szydło |
| NI | Tiziana Beghin |
| PPE | François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Vasile Blaga, Franc Bogovič, Cristian-Silviu Buşoi, Jerzy Buzek, Maria da Graça Carvalho, Christian Ehler, Seán Kelly, Andrius Kubilius, Dace Melbārde, Angelika Niebler, Markus Pieper, Sven Simon, Maria Spyrali, Riho Terras, Henna Virkkunen, Pernille Weiss |
| Renew | Nicola Beer, Nicola Danti, Martina Dlabajová, Valter Flego, Bart Groothuis, Klemen Grošelj, Christophe Grudler, Martin Hojsík, Mauri Pekkarinen, Morten Petersen, Susana Solís Pérez |
| S&D | Alex Agius Saliba, Beatrice Covassi, Josianne Cutajar, Niels Fuglsang, Lina Gálvez Muñoz, Jens Geier, Nicolás González Casares, Robert Hajšel, Romana Jerković, Marina Kaljurand, Łukasz Kohut, Dan Nica, Patrizia Toia, Carlos Zorrinho |
| Verts/ALE | Rasmus Andresen, Ignazio Corrao, Ciarán Cuffe, Jakop G. Dalunde, Pär Holmgren, Niklas Nienaaß, Bronis Ropé, Jordi Solé, Marie Toussaint |

| 5 | - |
|----------|-----------------------------|
| ECR | Johan Nissinen, Rob Rooker |
| ID | Markus Buchheit |
| The Left | Marc Botenga, Marisa Matias |

| 5 | 0 |
|----|---|
| ID | Matteo Adinolfi, Paolo Borchia, Isabella Tovaglieri |
| NI | Martin Buschmann, Ernő Schaller-Baross |

Key to symbols:

+ : in favour

- : against

0 : abstention