"EuP Directive :

A Framework for setting eco-design requirements fo energy-using products

Aim

Promotion of sustainable development through free movement of EuP, environmental protection and increased security of energy supply

Background

- Amsterdam Treaty- Article 6 :

« Environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities referred to in Article 3, in particular with a view to promoting sustainable development » and European Councils (Cardiff, Helsinki, Gothenburg)

- Integrated Product Policy (IPP)

(consider the entirety of environmental impacts of products throughout their life cycle)

Background

- Security of energy supply

(reduction of energy consumption by products increases security of supply)

- Better regulation : efficient decision-making, consultation, self-regulation)

EuP features : Legal Basis

Article 95 *:*

Ensures free movement for the products conforming to the applicable eco-design requirements and a high level of environmental protection

Related legislation

- Directive on management of waste from EEE based on Article 175
- Directive on the restriction of certain hazardous substances in EEE based on Article 95
- Existing legislation on minimum energy efficiency requirements based on Article 95
- Eco-label, EMAS……

Interaction with WEEE/RoHS

- EuP has a wider scope (not only EEE)
- EuP is about product design, WEEE is about management of waste
- EuP will cotribute to avoiding market fragmentation when implementing WEEE
- RoHS regulates the presence of certain hazardous substances in the product
- EuP considers hazardous substances in general with a view to improving the overall environmental performance

Links with IPP

- EuP is in line with IPP principles (sustainable development, consideration of the life cycle, integrated approach, room for voluntary approaches)
- EuP implements one of the elements of the IPP toolbox (legal requirements on product design) for a given category of products
- Cross-fertilisation of studies and other activities (e.g. accompanying measures for SMEs)

Scope

Products covered

- In principle all energy sources are covered, in practice at first products using electricity or fuels will be considered
- No binding list of products to be tackled but clear selection criteria and priority to ECCP products and standby during first phase
- EuP parts (if placed separately in the market and can be assessed environmentally)
- Means of transport excluded

Scope (continued)

Aspects covered

- EuP DOES NOT deal with environmental impacts (e.g. climate change) but with the environmental aspects of the product which can be correlated to those impacts (e.g. energy consumption) and can be influenced in a substantial manner through *product design*.
- EuP addresses all environmental aspects (listed in Annex I), i.e. not only waste, energy, water consumption etc throughout the life cycle, i.e from material selection to end-of-life management… BUT…

Scope (continued)

- …this does not mean that each implementing measure will contain eco-design requirements for all aspects of Annex I
- The eco-design requirements will address the significant environmental aspects of the examined product, following stakeholder consultation and impact assessment; they can be ……

Eco-design requirements

- Generic, aiming at the improvement of the overall environmental performance, focusing on environmental aspects identified in the implementing measure

and/or

- Specific, in the form of limit values or thresholds for selected environmental aspects with a significant adverse impact on the environment

EuP features :Structure

- EuP framework does not create immediate obligations for manufacturers but allows the Commission to do so through implementing measures
- Implementing measures are adopted by the Commission assisted by a regulatory Committee
- They define eco-design requirements, conformity assessment procedures and implementation dates
- Impact assessment precedes the submission of Commission draft measures)
- Stakeholders participate throughout the whole process (studies, impact assessments, consultations, preparatory discussions within the Committee)

EuP features : Consultation Forum Article 18

"…The Commission shall ensure that in the conduct of its activities it observes, in respect of each implementing measure, **a balanced participation of Member States' representatives and all interested parties** concerned with the product/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 **defining and reviewing implementing measures, to examining the effectiveness of the established market surveillance mechanisms, and to assessing voluntary agreements and other self regulation measures**. These parties shall meet in a ***Consultation Forum. …"***

Implementing measures

Implementing measures are proposed for products which:

- represent a significant volume of sales and trade in the internal market (indicative threshold: 200 000 units/year)
- involve a significant environmental impact and
- present a significant potential for improvement

The entire life cycle of the product will be considered

Other aspects (product performance, health&safety, impact on consumers, manufacturers' competitiveness) are taken into account

Principles for setting eco-design requirements

- assure proper and timely consultation of stakeholders
- look for an adequate balance between the requirements envisaged, its technical/economic feasibility and appropriate adaptation deadlines and time schedules for application
- give due consideration to self-regulation by industry
- use mature methods, when available (e.g. least life cycle cost for energy consumption in use)
- use evidence available through other Community activities
- Member state legislation is taken into account when preparing implementing measures

Conformity assessment

- Procedure shall be chosen among those described in Annexes IV (internal design control) and V (management system) or, when duly justified and proportionate to the risk, among modules B,C,D,E as described in Council Decision 93/465/EEC
- EMAS including product design is presumed to conform to the requirements of Annex V
- relevant documents will be made available within 10 days of receipt of a request by the competent authority of a Member State

Presumption of conformity

- CE marking
- Application of harmonised standards, the reference numbers of which have been published in the Official Journal for any corresponding requirements referred to in the applicable implementing measure
- EuP which have been awarded the Eco-label, shall be presumed to comply with the corresponding implementing measure (if the Eco-label meets the requirements)

Operational aspects

When an implementing measure has to be applied

Manufacturers

-consider the environmental aspects and impacts of their product

- implement the design changes in order to comply with the eco-design requirements

-perform the conformity assessment (self-desclaration is the general rule; choice between internal design control and management system)

- **Affix the CE marking**

Possible use of harmonised standards and eco-labels for presumption of conformity

Operational aspects

For *conformity assessment and presumption of conformity* the procedures, tools and documents (conformity assessment modules, harmonised standards, technical documentation file…) are known to industry from other Directives (low voltage, electromagnetic compatibility…)

***Market surveillance* in Member States is carried out:**

- **On the basis of principles and structures known from New Approach Directives**
- **Taking into account particularities of environmental issues**

Benefits

- Reduced risk of fragmentation to the Internal Market and possible barriers to trade
- Reduced environmental impact from EuPs
- Increased security of energy supply
- Integration of environmental aspects into equipment design without compromising competitiveness
- Development of new standards for the environment
- First concrete example of IPP
- Acceleration of ecological solutions, advantaging EU competitiveness in global trade
- Greater availability/exchange of environmental information in the public domain

State of play and next steps

- EuP framework Directive (2005/32/EC) published in OJ in July 2005
- Creation of Consultation Forum during 2006
- Establishment of working plan by the Commission by July 2007
- Transposition of EuP framework Directive by Member States by August 2007
- Adoption of first implementing measures creating eco-design obligations for some EuPs expected in 2nd half of 2007

Summary

- EuP aims at the sustainable development of energy-using products and deals with product design
- It is a framework Directive; legal obligations for manufacturers will come with the implementing measures
- Those will be adopted by a transparent process (stakeholder consultation) and adequate analysis (impact assessment)
- Priority is given to self-regulatory activities by industry
- Adoption of first implementing measures creating eco-design obligations for EuPs expected in 2nd half of 2007

Related activities

- Mandate for programming standardisation activities accepted by CEN/CENELEC/ETSI
- Development of a methodology for assessing whether products fulfil the EuP selection criteria (http://www.eupproject.org/)
- Dissemination of eco-design among SME's
- Study on TV sets by IPTS/JRC
- Research contract on environmental performance indicators of PC's and other ICT products
- Preparatory studies for the priority products and stand-by will be launched soon

Products/topics in the preparatory studies

1. boilers and combi-boilers (gas/oil/electric)
2. water heaters (gas/oil/electric)
3. Personal Computers (desktops & laptops) and computer monitors
4. imaging equipment: copiers, faxes, printers, scanners, multifunctional devices
5. consumer electronics: televisions
6. standby and off-mode losses of EuPs
7. battery chargers and external power supplies

Products/topics in the preparatory studies

8. office lighting

9. (public) street lighting

10. residential room conditioning appliances (airco and ventilation)

11. electric motors 1-150 kW, water pumps (commercial buildings, drinking water, food, agriculture), circulators in buildings, ventilation fans (non-residential)

12. commercial refrigerators and freezers, including chillers, display cabinets and vending machines

13. domestic refrigerators and freezers

14. domestic dishwashers and washing machines.

Website

http://www.europa.eu.int/comm/enterprise/eco_design/index.htm

http://europa.eu.int/comm/energy/demand/legislation/eco_design_en.htm