



European Commission

Enterprise Directorate-General

Framework Directive for eco-design of energy-using products: Commission proposal

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EuP features : Aim

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

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)
- Security of energy supply
- Better regulation (institutional architecture, consultation, self-regulation)



Related legislation and initiatives

- 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
- Working papers on product design requirements of EEE and on minimum energy efficiency requirements (EER)

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EuP features :scope

- In principle all energy sources are covered, in practice at first products using electricity or fuels will be considered
- No list of priority products (unnecessary and counterproductive) but clear selection criteria
- Means of transport excluded (EuP framework must be manageable and avoid overlaps)



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

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 proposals
- Stakeholders participate throughout the whole process (studies, impact assessments, consultations, preparatory discussions within the Committee)

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

Implementing measures

Implementing measures are proposed for products which:

- represent a significant volume of sales and trade in the internal market and
- 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-commitments 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

Conformity assessment

- shall be chosen among the procedures described in Annexes IV (internal design control) and V (environmental 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)



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

Next Steps

- Proposal adopted by Commission on 01/08/03. Discussions to start in Council, EP and other institutions
- Accompanying activities such as support for SME's, launching of preparatory studies, drafting of standardisation mandates.