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New consumer rights and product requirements pave the way for more sustainable consumption

As a part of the Circular Economy package, two proposals from the European Commission will give new rights to consumers and provide them with easier access to more sustainable and durable products.

New requirements for manufacturers of products will be a tangible improvement for consumers. Manufacturers will have to abide by important sustainability criteria such as durability, repairability, upgradeability and chemicals in their products' design.

Both proposals also introduce new obligations for companies to present key information about the durability and repairability of their products, making it easier for consumers to find and choose the more sustainable option.

In addition to this, concrete rules will be introduced to protect consumers from unfair commercial practices as premature obsolescence and greenwashing.¹

BEUC Director General Monique Goyens commented:

"This long-awaited package from the Commission is a milestone towards greener production and consumption in the EU. The Commission's package is broad and ambitious, including two proposals which act on both ends of consumption, that is companies and consumers. If we want consumers to play their part in the green transition, the EU needs to make the sustainable choice the easy one for them, and that's exactly what today's proposals are about.

On product design: "Design measures making appliances more energy-efficient have brought significant savings to consumers. Now indeed it is necessary to bring Ecodesign measures to the next level by using it to make sustainable products the norm. The plan to cover all products and integrate further sustainability criteria – such as durability and chemicals – can fulfil this ambition. We now call on the Council and Parliament to swiftly adopt this file without watering it down.

On information: "It is great news that the EU pushes for information on how durable and repairable products are. Knowing before purchase how long a product or its software is expected to last and if spare parts are available will allow consumers to make informed choices. But the way the information is provided is also of crucial importance. To really make it easier for consumers to compare products, we call for mandatory, EU-wide labels.

On consumer rights: "The Commission is raising their game to fight unfair commercial practices such as greenwashing. EU rules are desperately needed to guide consumers through

the jungle of green claims, like 'CO2 neutral' or 'sustainable'. It is encouraging to see that the EU Commission is tackling misleading green claims in the proposal, but the devil is in the details. We hope the other initiative expected this summer will fill in the blanks. A requirement to have any green claim preapproved would be a great place to start with."

Background

The two initiatives – the 'Sustainable Products Initiative' and 'Empowering the consumer for the green transition' – are part of the EU's Circular Economy Action Plan. Consumers can expect the following:

1. WIDER ECODESIGN

- **Products:** The scope will be extended to almost all products with only a few exceptions like food and medicine. Under the EU Strategy for Sustainable and Circular Textiles, the Commission is expected to adopt ambitious Ecodesign measures, to bring more sustainable textile items to consumers.
- **Scope:** Ecodesign will cover more aspects than just energy efficiency; durability, repairability, upgradeability and the presence of hazardous substances will be included to make sure that consumers can benefit from products that are more sustainable and designed to last.
- **Digital Product Passport:** The new Regulation introduces a new tool to increase transparency about product information along the value chain, helping consumers make informed sustainable choices and support market surveillance.

2. BETTER INFORMATION:

- **Durability:** Sellers will be obliged to inform consumers if products are covered by a voluntary producer's commercial guarantee of durability of more than two years.
- **Software updates:** Sellers will be obliged to clarify at point of sale for how long software updates will be provided.
- **Repairability:** Sellers will have to inform consumers about the availability of spare parts, repair services and the existence of user and repair manuals.

3. TACKLING UNFAIR COMMERCIAL PRACTICES:

- **Green claims:** Specific practices linked to greenwashing will be banned.² For example, general green claims (such as 'climate friendly' or 'eco') will be prohibited, unless the product can prove its excellent environmental performance for example through the EU Ecolabel and equivalent trustworthy schemes.
- **Premature obsolescence:** Specific practices limiting a product's durability or repairability will be also prohibited. For example, omitting to inform consumers that a software update can impair some of the device's functionalities will be explicitly banned.

ENDS

¹ To tackle greenwashing, the Commission is also expected to propose further measures in the Green Claims Initiative, set for summer 2022.

² In practice, such claims will be added to the list of commercial practices considered as unfair in all circumstances (annex I of the Unfair Commercial Practices Directive).

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