DETI / DECC consultation on ecodesign for sustainable products

1. Introduction

The Rediscovery Centre is pleased to respond to this consultation, informing the Irish position on negotiations on the EU Commission's Proposal for a Regulation on Ecodesign for Sustainable Products.

As members of several European networks including the European Circular Economy Stakeholder Platform, the RREUSE network and the Right to Repair campaign, the Rediscovery Centre frequently contributes to European policy consultations. However, there are few opportunities to reflect national-level concerns at European level via Departmental negotiations. We welcome and encourage this approach as a model for other European consultations in future.

2. The Importance of Ecodesign

The Sustainable Products Initiative (SPI) and related regulations represent a significant shift toward circular thinking, putting design at the heart of European CE policy. It is clear that the global nature of supply chains creates major challenges in regulating product design. Therefore, this €105M investment by the Commission in supporting eco-design is both an opportunity for Europe to demonstrate global leadership and to create a level playing field for businesses operating on the internal market.

Circular economic approaches seek to retain materials in economic circulation for as long as possible thereby maximising the value derived from our existing resources, and reducing the need for new material extraction. More circular products and service design are crucial to fostering the circular economy. Indeed, 80% of a product's environmental impact is determined at a design phase. However, design has long been overlooked in sustainability policy and product lifetimes have continued to shorten[1], whether due to planned, unintended or perceived obsolescence. The direct result of poor design is a growing waste stream involving those fractions of post consumer products that cannot be kept in circulation through repair, reuse, or remanufacturing due to poor design. This is increasingly apparent across all priority product groups set out in the EU CEAP 2.0. More

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[1] OkoInstitut study for the German Federal Environment Agency (UBA), *The influence of the service life of products on their environmental impact*, 2015, available at
https://www.umweltbundesamt.de/publikationen/influence-of-the-service-life-of-products-in-terms

pressingly, it is anticipated that the separate collection of textiles required by 2025 under the Waste Framework Directive (WFD) will see large volumes of very low quality textiles enter the post consumer stream[2], for which there are few solutions.

3. About The Rediscovery Centre

The Rediscovery Centre is a creative movement connecting people, ideas and resources. Our mission is to lead Ireland's transition to a circular economy and sustainable future, which we deliver through four key strategic goals. Our **education** services for lifelong learning deliver workshops from primary level all the way through to on-the-job training. We **demonstrate** best practice in the circular economy through our centre of excellence in Ballymun. This centre features four social enterprises focused on reuse and upcycling in the areas of fashion, furniture, bicycles and paint where our professional repairers have built expertise in product design and repair. Through these activities we aim to inspire, inform and lead positive behavioural change with respect to resource management and efficiency. We carry out research to provide an evidence base for policy **advocacy**. Finally, we **collaborate** at national and European level through partnerships with key public agencies, civil society networks and research bodies.

4. Consultation Response

4.1   Better design for more products

The extension of eco-design requirements to a wider group of product categories beyond electrical and electronic goods is an essential new development aligning with the CEAP2.0. We also welcome the move toward ecdesign regulation over voluntary agreements which, as highlighted by the Right to Repair campaign, have not worked - as has been seen, for example, in relation to printers.

In addition to the focus on specific product groups, we also welcome the potential development of **horizontal requirements** that apply across all product groups as referred to in Article 5. THe implementation of such requirements would help to accelerate and provide for a wider reach for ecodesign requirements. However, while the product aspects set out in Annex I for inclusion in ecodesign requirements are broad and welcome, the extent to which these may or must be applied is unclear. Requirements relating to the full

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[2] Köhler, A., Watson, D., Trzepacz, S., Löw, C., Liu, R., Danneck, J., Konstantas, A., Donatello, S. and Faraca, G., Circular Economy Perspectives in the EU Textile sector, EUR 30734 EN, Publications Office of the European Union, Luxembourg, 2021, ISBN 978-92-76-38646-9, doi:10.2760/858144, JRC125110.

implementation should therefore be strengthened and clarified. We believe that the following product aspects need widespread application through the directive:

- **Modularity**, allowing for ease of repair or at minimum for teardown for recycling.
- **Ease of replacement of** moving or wearing parts and reuse of non-moving parts designed in whenever possible.
- **Design for disassembly and assembly**. Some common challenges encountered by repair professionals at the Rediscovery Centre include removing upholstery from furniture, or pedal cranks, bottom bracket cups and gear cables that cannot be removed easily from bicycles without risking damage. Simple aspects such as the use of rivets in place of fasteners such as nuts and bolts should also be discouraged.
- **Proper product protection** through provision of appropriate surface preparation for parts during fitting. For example, to prevent major corrosion or seizing of parts together on bicycles, a minimum quantity of grease should be supplied with new bikes allowing consumers to self-assemble with areas pre-greased
- **Design of supply chains for remanufacturing** whenever possible. This involves facilitating the return of products or raw materials to the producer for reuse.

4.2 Empowering Repair Professionals

The ecodesign regulations are unclear in terms of the definition and status of professional repairers who may access spare parts and repair information. Independent repairers and second hand operators must be included in this definition to make repair accessible and cost effective.

The requirement on manufacturers to provide repair information should also be extended to include:

- Details of component variables and requirements to ensure compatibility, which are known to manufacturers but immeasurable by third-party technicians or consumers.
- Technical data sheets for all parts and information about the commercial availability of replacement parts and suppliers.
- Availability of a wider range of spare parts and materials to facilitate maintenance.
- An accessible database of products by grouping e.g. bikes and components, to account for consumer loss of documentation, change of ownership, identifying markings being accidentally removed or parts being repainted for maintenance.

- Updated information where production of replacement parts are discontinued, information on obtaining new replacement parts or, as above, all necessary variables needed to get compatible replacement parts.
- Maintenance instructions for all components and products.
- Open access to necessary tools so the end consumer may choose to repair without involvement of the original manufacturer.

4.3 Empowering consumers

Providing ecodesign product information at point of sale, including digital product passports and product labelling, has the potential to empower consumers to make better choices.

However, it is not clear how the list of mandatory information that "*shall or may be included in the product passport*" provided in Annex III of the proposed regulations provides any information useful to consumers in making environmental choices. While the delegated acts will identify other information that manufacturers "may" include in the product passport, the voluntary element implies that this measure may not go far enough to be effective in empowering consumers. In addition to the product passports, other information (e.g. for labelling) may be provided on the performance of a product or information for consumers on how to install or use the product such as, for example, on 'classes of performance' for instance ranging from A to G. However, as a voluntary provision this is unlikely to reliably or consistently be applied.

In order to fulfil the ambition of empowering consumers, repairability information in the form of an European wide repair index and information on durability should be requirements for digital product passports or under other labelling provisions. This could take the form, as suggested, of 'classes of performance' but should be informed by existing schemes such as the world's first repair index in France. Insights into this scheme, one year on, are provided by Right to Repair campaign member HOP [as follows](#):

- There is generally a high level of awareness and engagement with the repair indices by consumers when purchasing new products.

- However, more control is required over the dissemination and display of repair indices across all product groups to ensure they are clear and accessible.

- A lack of detail behind the calculations can make it difficult for consumers to differentiate between different models in the same product category.

- Self declaration of scores by manufacturers can lead to over-estimates.

- The grading system lacks weighting or ambition with most displayed grades being between 6 and 8 out of a maximum of 10. This enables poor performance in certain key areas to be compensated by better performance in other areas.

To be effective and transparent, repair information shared with consumers should be clearly defined (e.g. through an EU repair score), controlled, verifiable and ambitious. Further research on the French national scheme should be carried out to inform the design of digital product passports.

In addition to repair information, other information on durability (length, value of guarantee) should be included in digital product passports or other mandatory labelling. Durability as declared under warranties currently only provides for very limited product lifespans, the product equivalent of "best before" dates used on food (which are now being phased out across many major retailers). Instead, the durability of a product should be expressed as the expected product lifespan - just as "use by" dates are used on food.

Finally, the provision of information alone does not guarantee uptake or understanding. It will be important to engage with communications and behavioural sciences expertise to design consumer facing measures to ensure they are as effective as possible. Accompanying this, there must be an informed, carefully designed awareness campaign that shows the benefits of this new system for consumers.

4.4 Destruction of unsold goods

The introduction of measures to potentially prohibit economic operators from destroying unsold consumer products are welcome. We may learn from the French implementation of this kind of regulation. Here a ban on the destruction of unsold textiles has seen large quantities of unsold stock sent to charities and social enterprise second hand retailers. It is not appropriate that manufacturers receive tax benefits based on this practice because it encourages the continued overproduction of textile products. The design of any system preventing the destruction of unsold goods must ensure the incentives are weighted toward a reduction in overall production, as opposed to a redirection of the overproduced goods.