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Position Paper on Ecodesign Regulation for Sustainable Products

In a nutshell

Eurovent supports the Ecodesign Regulation for Sustainable Products proposal. Product sustainability must be addressed in harmonised way across the EU to ensure the free movement of products within the Single Market. For the new Ecodesign framework to be as successful as possible while stimulating innovation and preserving the competitiveness of European industry, Eurovent makes the following recommendations:

- 1. Avoid overlaps and double regulation.**
- 2. Specify requirements product group by product group.**
- 3. Allow sufficient lead times and predictability before requirements come into force.**
- 4. Ensure proper stakeholder consultation and evidence-based decision-making.**
- 5. Use harmonised European standards rather than common specifications.**
- 6. Avoid third-party conformity assessment if not strictly justified.**
- 7. Implement the Digital Product Passport respecting proportionality.**

Preamble

Eurovent represents the European Industry of Indoor Climate (HVAC), Process Cooling, and Food Cold Chain Technologies. Together with household appliances and lighting, our sector is one of the most effectively regulated industries under the current Ecodesign Directive. Eurovent has been involved in the development of ambitious and robust sustainability requirements for products in our scope from the beginning.

Ecodesign has been, by and large, an EU policy success story. Setting clear and enforceable product requirements at EU level has delivered tangible benefits for European consumers, industry, and the environment. And we recognise that a more holistic approach to product sustainability – covering more than just energy consumption aspects – will be essential to meet climate and environmental objectives.

But it is crucial that sustainability requirements are set in a harmonised way across the EU to ensure the free movement of products within the Single Market. Recent years have seen the proliferation of sustainability requirements at national level. This increases the compliance burden for manufacturers and jeopardises the competitiveness of European industry.

Eurovent therefore strongly supports the extension of the Ecodesign instrument and the creation of an EU harmonised framework for product sustainability requirements. That said, we want to bring to the attention of the regulators, specific insights and points of feedback derived from our long experience with Ecodesign. We believe these points are key to ensuring that Ecodesign continues to be a driver of European competitiveness and sustainability innovation, with a low compliance burden. Then it can continue to deliver on its existing promises and be successfully extended to new products and aspects.

Specific points of feedback

Below, we present points of feedback on the new proposal, to ensure it delivers on its potential while stimulating innovation and preserving the competitiveness of European industry:

1. Avoid overlaps and double regulation

The new Ecodesign Regulation is ambitious in its scope and covers many sectors and aspects which may potentially already be regulated under other instruments. This introduces additional complexity and a risk of inconsistencies. We recommend minding these overlaps to avoid double regulation. For example, manufacturers should not be required to duplicate product information in the Digital Product Passport that is already in the scope of the EPREL or SCIP databases. Moreover, substances of concern may already be covered under the RoHS Directive or REACH Regulation. Sustainability criteria are also being developed under the Taxonomy Regulation to steer financing. All these pieces of legislation must be kept in congruence with Ecodesign requirements – and vice-versa.

2. Specify requirements product group by product group

Eurovent strongly favours specifying requirements product group by product group. There are essential differences between sectors (e.g. business-to-business v. business-to-consumer; energy-related v. non-energy related, etc) which preclude one-size-fits-all solutions. Requirements must be tailor-made for each product group. Horizontal requirements would add complexity to the regulatory landscape and risk introducing inconsistencies and loopholes. It will be essential to develop a methodology that can balance conflicting requirements and trade-offs across the spectrum of products covered by the new Ecodesign Regulation.

3. Allow sufficient lead times and predictability before requirements come into force

Industry will have to adapt to increasingly complex requirements adopted under the new Ecodesign framework. These requirements can be ambitious but must be realistic and predictable. There must be sufficient lead time between the publication of legislation and the application of the requirements, considering industrial realities. This is key to safeguard the competitiveness of business and unleash their potential for innovation.

4. Ensure proper stakeholder consultation and evidence-based decision-making

In order for Ecodesign requirements to be effective in practice, they need to be based on a thorough understanding of market and industrial realities, consumer behaviour, technological developments, etc. It is therefore essential to have thorough consultations, which elicit expert input from all relevant stakeholders, including from industry, academia, civil society, and national authorities, and at all stages of the legislative process. Furthermore, every policy measure must be accompanied with an evidence-based impact assessment, which is shared with stakeholders.

Eurovent is concerned that the push to streamline and hasten the process for adoption of secondary acts will prevent sufficient consultation and stakeholder involvement. We recommend further elaborating the role of the Ecodesign Forum and to better specify how all stakeholders will be involved as transparently and inclusively as possible in the adoption of secondary acts.

5. Use harmonised European or standards rather than common specifications

Harmonised European standards are the correct tool for product assessments and declarations of conformity. They are developed inclusively and transparently, based on the technical expertise of industry and academia, to meet crucial benchmarks of reliability, validity, accuracy, and reproducibility, and enforceable at a reasonable cost.

Eurovent recommends that the Commission refrain from issuing its own common specifications and that all reasonable efforts are made to base specifications and methods on recognised European or international standards instead. This is essential to ensure a level playing field and to provide market surveillance authorities with tools to verify the compliance of products.

6. Avoid third-party conformity assessment if not strictly justified

Eurovent recommends avoiding the use of mandatory third-party conformity assessments, which burden manufacturers with additional and unnecessary costs and limitations. Third party verification should be required only if strictly justified based on an objective, evidence-based assessment. In all other cases, self-assessment and the presumption of compliance together with regular market surveillance should remain the implementing principle.

7. Implement the Digital Product Passport respecting proportionality

The Digital Product Passport (DPP) could be a helpful tool for stakeholders in the value chain to make informed decisions that can reduce the lifecycle environmental impact of the product. However, DPP requirements should be implemented gradually and with care. Sufficient confidentiality should be ensured to protect the intellectual property of the manufacturer. Access to information should be allowed on a need-to-know basis only. Requirements should be put in place only after an impact assessment and cost/benefit analysis have been conducted to ensure that the new requirements will be proportionate and will contribute to the circular economy.

Eurovent and transparency

When assessing position papers, are you aware whom you are dealing with?

Eurovent's structure rests upon democratic decision-making procedures between its members and their representatives. The more than 1.000 organisations within the Eurovent network count on us to represent their needs in a fair and transparent manner. Accordingly, we can answer policy makers' questions regarding our representativeness and decisions-making processes as follows:

<p>1. Who receives which number of votes?</p> <p>At Eurovent, the number of votes is never determined by organisation sizes, country sizes, or membership fee levels. SMEs and large multinationals receive the same number of votes within our technical working groups: 2 votes if belonging to a national Member Association, 1 vote if not. In our General Assembly and Eurovent Commission ('steering committee'), our national Member Associations receive two votes per country.</p>	<p>2. Who has the final decision-making power?</p> <p>The Eurovent Commission acts as the association's 'steering committee'. It defines the overall association roadmap, makes decisions on horizontal topics, and mediates in case manufacturers cannot agree within technical working groups. The Commission consists of national Member Associations, receiving two votes per country independent from its size or economic weight.</p>
<p>3. How European is the association?</p> <p>More than 90 per cent of manufacturers within Eurovent manufacture in and come from Europe. They employ around 150.000 people in Europe largely within the secondary sector. Our structure as an umbrella enables us to consolidate manufacturers' positions across the industry, ensuring a broad and credible representation.</p>	<p>4. How representative is the organisation?</p> <p>Eurovent represents more than 1.000 companies of all sizes spread widely across 20+ European countries, which are treated equally. As each country receives the same number of votes, there is no 'leading' country. Our national Member Associations ensure a wide-ranging national outreach also to remote locations.</p>

Check on us in the [European Union Transparency Register](#) under identification no. 89424237848-89.

We are Europe's Industry Association for Indoor Climate (HVAC), Process Cooling, and Food Cold Chain Technologies – thinking 'Beyond HVACR'

Eurovent is Europe's Industry Association for Indoor Climate (HVAC), Process Cooling, and Food Cold Chain Technologies. Its members from throughout Europe represent more than 1.000 companies, the majority small and medium-sized manufacturers. Based on objective and verifiable data, these account for a combined annual turnover of more than 30bn EUR, employing around 150.000 people within the association's geographic area. This makes Eurovent one of the largest cross-regional industry committees of its kind. The organisation's activities are based on highly valued democratic decision-making principles, ensuring a level playing field for the entire industry independent from organisation sizes or membership fees.

Eurovent's roots date back to 1958. Over the years, the Brussels-based organisation has become a well-respected and known stakeholder that builds bridges between the manufacturers it represents, associations, legislators and standardisation bodies on a national, regional and international level. While Eurovent strongly supports energy efficient and sustainable technologies, it advocates a holistic approach that also integrates health, life and work quality as well as safety aspects. Eurovent holds in-depth relations with partner associations around the globe. It is a founding member of the ICARHMA network, supporter of REHVA, and contributor to various EU and UN initiatives.