CCIA Europe Comments – Ecodesign for Sustainable Products (ESPR) Forum

Discussion paper on the first ESPR work plan and Energy Labelling Working Plan

March 2025

The Computer & Communications Industry Association (CCIA Europe) appreciates the opportunity to participate in the Ecodesign Forum and contribute to developing key aspects of the Ecodesign for Sustainable Products Regulation (ESPR), including the first ESPR work plan and the implementing acts covering important aspects of the regulation.

I. Ensure adequate timeframes to better inform the decision-making

Sufficient time should be taken for all actors to understand, analyse, and provide feedback on the proposed measures. This will ensure that the final requirements are comprehensive, well-informed, do not create duplications, and reflect market reality.

Recommendations:

1. Prioritise impact assessment and thorough research for effective ecodesign requirements
2. Ensure adequate time for stakeholders and industry participation
3. Allow sufficient time for market adjustment

II. Promote regulatory coherence

CCIA Europe supports a framework that achieves regulatory clarity, consistency, and harmonisation across the EU Single Market. This is crucial to enable effective compliance, foster innovation, and ultimately contribute to the ESPR's sustainability objectives.

Recommendations:

4. Tailor requirements at the product level for optimal effectiveness
5. Foster harmonisation across the EU Single Market
6. Clarify timeline and implementation of ecodesign rules for key energy-related products
7. Factor in global trade in ecodesign considerations

III. Leverage digital technologies to ensure ESPR success

If leveraged correctly, digital technologies, like the Digital Product Passport, will improve transparency, traceability, and compliance while giving consumers easy access to sustainability data and companies a single repository for product information.

Recommendations:

8. Unlock the full potential of the Digital Product Passport
9. Ensure a practical and effective Digital Product Passport

Introduction

The Computer & Communications Industry Association (CCIA Europe) appreciates the opportunity to participate in the Ecodesign Forum and contribute to the development of key aspects of the Ecodesign for Sustainable Products Regulation (ESPR),[1] including the first ESPR work plan and the delegated acts covering important aspects of the regulation.

CCIA welcomes the overarching objective of the Ecodesign Regulation to significantly improve the sustainability of products placed on the EU market. Our Members are deeply committed to developing and delivering products that not only meet the demands of a modern digital society but also drive progress toward a more sustainable future.

To ensure the ESPR's success in driving sustainable product design within the technology and ICT sector, the working plan should:

- Ensure that all parties have adequate time to design, review, implement, and engage in developing the requirements. This includes institutions shaping the regulations, stakeholders contributing their expertise, and the market, which needs time to adjust to the requirements before they are reassessed.
- Provide legal clarity, certainty, and consistency with the broader policy framework and across various requirements. This involves establishing common requirements for each product category across the entire EU Single Market, preventing market fragmentation. National requirements that duplicate or even contradict the EU's regulations should be avoided as they risk creating confusion and unnecessarily increasing compliance costs for businesses.
- Leverage digital technologies to support the success of the ESPR, including the Digital Product Passport (DPP) and other technologies.

I. Ensure adequate timeframes to better inform the decision-making

Sufficient time should be taken for all actors to understand, analyse and provide feedback on the proposed measures. This will ensure that the final requirements are comprehensive, well-informed, do not create duplications, and reflect market reality.

1. Prioritise impact assessment and thorough research for effective ecodesign requirements

The institutions have a daunting task as the requirements set through the working plan, together with the delegated acts, will have an important impact on the products that companies bring to the EU market. Therefore, careful preparation and inclusive stakeholder engagement are essential.

The institutions should conduct in-depth research, impact assessments, and cost-benefit analyses, ensuring that any proposed ecodesign requirements are well-founded and

[1] Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC, available here.

evidence-based. Rushing this process might lead to poorly designed regulations that create confusion and compliance challenges and ultimately undermine the ESPR's objectives.

2. Ensure adequate time for stakeholders and industry participation

Meaningful stakeholder participation is essential to guarantee effective and inclusive regulation. Stakeholders, and particularly industry representatives, bring valuable insights, data, and first-hand experience regarding the practical implications and feasibility of ecodesign requirements.

Providing sufficient time for stakeholders to engage in the ESPR process, share their expertise, and contribute to the development of the regulations is essential for ensuring that the final framework is as effective and practical as possible. This collaborative approach fosters trust and transparency and ultimately leads to better regulatory outcomes.

3. Allow sufficient time for market adjustment

Markets thrive on stability, gradual adaptation, and a predictable regulatory framework. Introducing new requirements for sustainable products inevitably disrupts established market dynamics, consumer preferences, and supply chain operations.

Consequently, a smooth transition requires sufficient time for consumers to become familiar with new product features, such as repairability and recycled content, and adjust their purchasing behaviours accordingly. Manufacturers would also need time to adjust their industrial processes – from design to manufacturing – to the new requirements.

Before considering new requirements or revisiting existing ones, suppliers and customers should be given sufficient time to implement the recently established standards. This ensures that sustainable products gain acceptance among market participants rather than facing resistance, preventing disruptions and enabling a gradual yet effective transition to a circular economy.

II. Promote regulatory coherence

CCIA supports a framework that achieves regulatory clarity, consistency, and harmonisation across the EU Single Market. This is crucial to enable effective compliance, foster innovation, and ultimately contribute to the ESPR's sustainability objectives.

4. Tailor requirements at the product level for optimal effectiveness

From design and manufacturing to lifecycles and material composition, a smartphone or a game controller is different from a dishwasher or a pair of trousers. As such, different products require different rules. CCIA believes that requirements should be set at the product level to account for these unique characteristics, including whether a product is primarily used in a business-to-business (B2B) or a business-to-consumer (B2C) context.

Given these complexities, it is crucial to consider how horizontal and vertical requirements will interact and understand how the Commission intends to resolve potential conflicts.

Establishing a clear hierarchy between the two is crucial to ensuring legal certainty and effectively addressing these potential challenges.

As such, applying the same requirements for very different products may lead to inefficiency, unnecessary burdens for businesses, or even unintended negative consequences.[2] CCIA believes that product-specific requirements would also aid a rapidly evolving sector, such as the ICT and tech sector, to continue innovating and conceiving new sustainable products for their customers. One-size-fits-all rules covering multiple products might also result in ambiguous interpretations and regulatory overlap with existing sectoral laws.[3]

5. Foster harmonisation across the EU Single Market

Ensuring consistency and harmonisation across the EU Single Market is crucial for creating a clear and efficient regulatory framework for businesses and consumers. Fragmented national approaches can create market distortions, higher compliance costs, and legal uncertainty, weakening the EU's global competitiveness. For example, the development of national repairability scoring systems in countries like France, Austria, and Belgium raises concerns about how they will align with the EU-wide repairability score. Without clarity, businesses may face overlapping or conflicting requirements, complicating compliance.

Additionally, the European Commission has yet to release the study on the feasibility and methodology of the ESPR repair scoring system, leaving businesses uncertain about its scope and implementation timeline. This lack of clarity is especially worrying given its potential connection and overlap with the Right to Repair Directive. To avoid regulatory fragmentation, the Commission must ensure transparency and clarify how the ESPR's repair scoring system will align with the Right to Repair rules.

6. Clarify timeline and implementation of ecodesign rules for key energy-related products

The ESPR will set the future of product-specific sustainability requirements, making transparency and industry involvement essential. The working plan mentions studies on displays, EV chargers, and mobile phones/tablets, which will guide future Ecodesign and Energy Labelling rules. However, there is limited clarity on the scope, methodology, and consultation process for these studies, as well as the timeline for publication and adoption of related regulations. To ensure that sustainability requirements are practical, effective, and reflective of market realities, businesses need early and structured engagement with policymakers.

Without full transparency on these studies, regulations risk failing to align with real-world technological and market conditions, leading to compliance challenges. To avoid this, stakeholders should have access to important information, including which contractors have been selected, how stakeholders will be involved, and the expected timeline for input

[2] For example, repairability requirements for a washing machine might be impractical for smaller ICT products, such as smartwatches.
[3] Such as the Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU) 2020/1828 (Right to Repair)

and review. Without this information, businesses risk facing requirements that are difficult or even impossible to implement.

7. Factor in global trade in ecodesign considerations

As the Ecodesign for Sustainable Products Regulation (ESPR) focuses on reparability and recyclability, it is important to avoid unintentionally restricting access to refurbished electronics in the EU. For example, many refurbished products imported into the EU may not meet retroactive reparability or recyclability requirements. If the ESPR's delegated acts do not address this, it could create barriers to the second-hand market, limiting the supply of refurbished products and increasing electronic waste.

The ESPR recognises the need for ecodesign requirements to avoid negatively impacting the affordability of second-hand products.[4] It also calls for an evaluation of its impact on the internal market, including the reuse and refurbishing sectors.[5] However, without provisions to account for imported refurbished goods, European consumers and refurbishers could face limited access to affordable, high-quality, second-hand devices. The Commission should ensure that the ESPR strikes a balance between sustainability goals and a thriving second-hand market, considering international trade dynamics to prevent fragmentation similar to the challenges seen with the Common Charger Directive.

III. Leverage digital technologies to ensure ESPR success

If leveraged correctly, digital technologies, like the Digital Product Passport, will improve transparency, traceability, and compliance while giving consumers easy access to sustainability data and companies a single repository for product information.

8. Unlock the full potential of the Digital Product Passport

The Digital Product Passport (DPP) can be a key tool for implementing the Ecodesign for Sustainable Products Regulation (ESPR), enhancing product transparency and traceability throughout its lifecycle. The DPP would support the EU's circular economy goals while also helping businesses streamline compliance with sustainability regulations by providing detailed information on repairability, recyclability, and environmental impact.

CCIA strongly believes in the potential of digital solutions like the DPP to contribute significantly to the EU's circular economy objectives. For example, if designed in the right way, the DPP could also digitalise the product information, such as repair and recycling instructions or safety warnings. When structured effectively while considering business needs, the DPP can support more sustainable business models, improve operational efficiency, and help both consumers and industry transition towards a circular economy.

[4] Article 5(11) letter c of the Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC, available here.
[5] Article 75(2) of the same Regulation.

9. Ensure a practical and effective Digital Product Passport

The Digital Product Passport (DPP) holds significant potential. However, to be truly effective, it must remain practical for the industry. Its design should enable businesses to manage product data efficiently and allow them to streamline compliance with constantly evolving regulations.

Furthermore, the DPP must enable companies to track materials and components throughout the product lifecycle. This is especially important as supply chains become increasingly complex and global. The DPP should also empower businesses to make data-driven decisions, such as optimising material use or identifying recycling opportunities, all while ensuring compliance with Ecodesign and Extended Producer Responsibility (EPR) regulations.

The system must also be flexible and decentralised to allow businesses to update product data efficiently. Companies should be able to maintain up-to-date product information in real time without the delays or costs associated with a centralised and overly regulated system. This decentralisation will enable businesses of all sizes, particularly small and medium enterprises (SMEs), to engage with the DPP without significant financial or operational burdens.

Moreover, the DPP could also help address concerns regarding product authenticity and counterfeiting. It is vital to establish mechanisms that ensure the correct DPP is linked to the right product. If the system were exploited by malicious actors, it could severely undermine confidence in the DPP, jeopardising its effectiveness. To preserve the credibility of the DPP, it is essential that the Commission develops a robust and secure verification system to ensure the accuracy of product data and protect the system from misuse.

Finally, horizontal considerations across product categories should be integrated when developing the DPP, particularly regarding the level of granularity of information. There should also be a commitment to reviewing all product and labelling legislation to assess where the DPP could be leveraged. This approach will help ensure consistency in its implementation, preventing fragmentation and unnecessary complexity for businesses. Reviewing existing product and labelling legislation will identify opportunities to streamline compliance, reduce duplication, and enhance the effectiveness of sustainability disclosures.

Conclusion

CCIA Europe appreciates the opportunity to participate in the Ecodesign forum and contribute to the development of the Ecodesign for Sustainable Products Regulation (ESPR). CCIA also remains committed to supporting the goals of fostering sustainability in products. To achieve these objectives, CCIA believes that it is essential to have a clear and well-aligned regulation that considers all stakeholders' perspectives, with sufficient time and transparency for meaningful input from businesses.

The success of the ESPR also relies on the strategic use of digital technologies, such as the Digital Product Passport (DPP), which CCIA believes can simplify compliance and enhance transparency if designed and implemented in the right way.

About CCIA Europe

The Computer & Communications Industry Association (CCIA) is an international, not-for-profit association representing a broad cross section of computer, communications, and internet industry firms.

As an advocate for a thriving European digital economy, CCIA Europe has been actively contributing to EU policy making since 2009. CCIA's Brussels-based team seeks to improve understanding of our industry and share the tech sector's collective expertise, with a view to fostering balanced and well-informed policy making in Europe.

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