

# CCIA Europe Response to the European Commission's Call for Evidence Strengthening the New Legislative Framework for a Greener and Smarter EU Market

September 2025

The Computer & Communications Industry Association (CCIA Europe) welcomes the opportunity to contribute to the European Commission's call for evidence on the revision of the New Legislative Framework (NLF).

CCIA Europe recognises that the NLF has been central to the success of the EU Single Market, providing a stable foundation for product regulations and supporting the free movement of goods across the EU. While the core principles of the NLF remain fit for purpose, targeted updates could further drive both economic growth and sustainability.

Accordingly, **CCIA Europe supports the third scenario (Legislative options)** set out in the call for evidence. The following suggestions outline how to achieve a modernised NLF.

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## I. Embrace digital solutions for product information

*As the Commission strives to reduce regulatory and administrative burdens while advancing climate objectives, digitalisation offers solutions with clear benefits for businesses and citizens.*

### Recommendations:

1. Allow digital means of retrieving and delivering product information
2. Enable the NLF's digital integration with a business-friendly Digital Product Passport
3. Keep a technology-neutral approach to digital information

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## II. Support sustainable business models without sacrificing product safety or consumer protection

*Unlocking the EU's circular economy potential should be one of the key pillars of the NLF revision. This would foster a vibrant and trusted EU market for second-hand goods while supporting circular economy business operators and goals.*

### Recommendations:

4. Introduce legal definitions of circular-economy business operators
5. Recognise the unique nature of second-hand products

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## III. Strengthen product safety and enforcement

*Boosting consumer trust in circular business models will depend on a competitive Single Market underpinned by a uniform and consistently enforced product safety framework.*

### Recommendations:

6. Resolve inconsistencies in market surveillance legislation
7. Strengthen the Consumer Protection Cooperation (CPC) Regulation

## Introduction

The Computer & Communications Industry Association (CCIA Europe) welcomes the opportunity to respond to the European Commission's call for evidence on the revision of the New Legislative Framework (NLF).

The NLF has long been a cornerstone of the EU Single Market, providing a stable foundation for product regulation and enabling the seamless free movement of goods across the European Union. This framework has been instrumental in strengthening the Single Market while upholding high standards of consumer trust and safety.

It is no coincidence that many recent pieces of legislation – such as the Low Voltage Directive<sup>1</sup> and the upcoming Toy Safety Regulation<sup>2</sup> – are aligned with the NLF to ensure a coherent, streamlined, and effective internal market. As such, CCIA Europe believes that the core principles of the NLF remain fit for purpose.

However, as the EU advances its green and digital transformations, the framework must evolve to keep pace. Targeted updates are needed to support circular-economy business models, and to ensure that the framework itself remains clear, proportionate, and future-proof. In particular, targeted amendments to improve the NLF should focus on:

- Embracing digital solutions for product information
- Supporting sustainable business models without sacrificing product safety or customer protection
- Strengthening product safety and enforcement

With these refinements, CCIA Europe is confident that the NLF can continue to thrive. A modernised framework will not only support the EU's digital and climate ambitions, but also foster innovation and strengthen Europe's competitiveness.

## I. Embrace digital solutions for product information

*As the Commission strives to reduce regulatory and administrative burdens while advancing climate objectives, digitalisation offers solutions with clear benefits for businesses and citizens.*

### 1. Allow digital means of retrieving and delivering product information

Digital solutions present a significant opportunity to advance sustainability and improve how product compliance with EU legislation is communicated.

Under the current NLF and related legislation, manufacturers are required to physically include compliance marks, safety labels, and regulatory information on a product's packaging and inside the box, often in multiple languages. This information is frequently discarded by consumers, which contributes to unnecessary paper waste and additional transport

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<sup>1</sup> Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (recast) Text with EEA relevance, available [here](#).

<sup>2</sup> Proposal for a Regulation of the European Parliament and of the Council on the safety of toys and repealing Directive 2009/48/EC, available [here](#).

emissions. Notably, the Commission's own 2022 evaluation<sup>3</sup> identified this very obligation as a shortcoming that requires further attention. The impact of this legally mandated paper waste runs directly counter to the objectives of the EU Green Deal on waste generation and the overall carbon footprint of companies operating in the Single Market.

A 2022 study by the Mobile & Wireless Forum and the E-Labelling Initiative<sup>4</sup> found that, in just one year, the paper used solely for EU compliance statements would stack up to at least the height of Mont Blanc, an imposing 4,800 metres. Factoring in the water used for the production of this paper, e-labelling could save 480 million litres every year – the equivalent of the entire domestic water supply of the Brussels Capital Region for four full days. The study notes that these estimates are highly conservative, as they only account for compliance communication required under EU law. They do not consider the additional paper required to meet other information obligations, which significantly increase the total volume.

Another study led by Oxera Consulting<sup>5</sup> likewise highlights how allowing digital means of retrieving and delivering product information would bring major beneficial effects for the environment and the Single Market. Indeed, it would lower trade barriers, increase cost efficiencies, and strengthen transparency for both consumers and authorities.

The economic benefits are equally strong. Oxera estimates that packaging needs to be updated for 30-35% of products every year. Moving product information to digital formats would streamline logistics and eliminate costly reprinting and repackaging, with significant savings for businesses, consumers, and the environment. In consumer electronics alone, for instance, EU compliance costs related to labelling are estimated at €797 million per year. Digital labelling could reduce these costs by around 15%, or nearly €120 million annually.

A simple amendment to the NLF could deliver the immediate benefits of digitalisation. CCIA Europe therefore firmly believes that the solution is to fully embrace digitalisation in the NLF. That's why we **recommend making digital means of retrieving and delivering product information the default**. Permitting the use of all digital formats would be a practical win for businesses, consumers, and the climate alike – allowing the EU to unlock immediate benefits and advancing its sustainability and competitiveness objectives.

## 2. Enable the NLF's digital integration with a business-friendly Digital Product Passport

While CCIA Europe supports the development of the Digital Product Passport (DPP) as a long-term solution, provided it is developed with business needs and realities in mind, the European Commission should set a practical timeline.

For example, the DPP for mobile phones and tablets will likely only take effect around 2030<sup>6</sup>. This reality creates an unnecessary and counterproductive five-year gap during which EU businesses and consumers will miss out on the clear benefits of digitalisation. In this case,

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<sup>3</sup> Evaluation of the new legislative framework, 2022, available [here](#).

<sup>4</sup> Mobile & Wireless Forum & E-Labelling Initiative, 'Why the European Union should adopt e-labelling', March 2022, available [here](#).

<sup>5</sup> Oxera Consulting, 'The economic impacts of Digital Product Passports in the EU', 24 March 2025, available [here](#).

<sup>6</sup> The Digital Product Passport (DPP) may be compulsory for mobile phones and tablets due to the review of their Ecodesign requirements, as planned in the ESPR and Energy Labelling Working Plan 2025-30 (available [here](#)).

deferring the switch to digital-by-default means five more years of avoidable transport emissions, unnecessary labelling and repackaging costs, and literal tonnes of paper waste.

In the longer term, the digital-by-default through the NLF would seamlessly pave the way for the DPP, which, if implemented correctly, would offer a harmonised, future-proof solution for delivering compliance information, supporting both the EU's sustainability and competitiveness agendas.

### 3. Keep a technology-neutral approach to digital information

To fully unlock the benefits of digitalisation, CCIA Europe recommends pairing the making of digital **means of retrieving and delivering product information as the new default with a** steadfast commitment to technology neutrality. The revised NLF should empower businesses to use the full spectrum of digital formats, including but not limited to QR codes, barcodes, radio frequency identification (RFID), and smart labels.

A technology-neutral approach is essential for creating a regulation that is both practical and future-proof. The ICT sector is defined by rapid innovation, and the solutions that are best-in-class today may be superseded by more efficient technologies tomorrow. Mandating a single format would risk locking the European industry into an outdated standard, stifling innovation and creating unnecessary costs when technologies evolve.

Moreover, a one-size-fits-all approach is ill-suited for the vast diversity of products on the market. A simple barcode may suffice and be cost-effective for one product, while a more complex device may benefit from an RFID tag to improve supply chain management and recycling processes.

Different products require different rules and technologies. **Giving companies the flexibility to choose the most appropriate and efficient digital tool for their specific products would respect market realities and avoid placing disproportionate burdens** on businesses.

By defining what information must be accessible – rather than prescribing how it must be delivered – policymakers can encourage innovation, ensure long-term relevance, and best support the EU's dual goals of sustainability and competitiveness.

## II. Support sustainable business models without sacrificing product safety or consumer protection

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*Unlocking the EU's circular economy potential should be one of the key pillars of the NLF revision. This would foster a vibrant and trusted EU market for second-hand goods while supporting circular economy business operators and goals.*

### 4. Introduce legal definitions of circular-economy business operators

CCIA Europe fully agrees that the NLF needs updating to address, among others, circularity challenges. Specifically, the NLF was designed for a linear 'take-make-dispose' economy and does not recognise or define key economic operators such as 'refurbishers,' 'remanufacturers,' or 'repairers.' Instead, the current framework forces these circular businesses into existing categories, such as 'manufacturer' or 'distributor.'

This ill-fitting approach is unworkable because it imposes obligations that are difficult, if not impossible, for them to fulfil. For example, a business that refurbishes imported electronics may be treated as the ‘manufacturer’ of a ‘new’ product. This would require them to conduct a fresh conformity assessment and assume full liability, even for components they did not produce. Similarly, a small, independent repairer might not have access to the original technical documentation or be able to take corrective action for a product they did not design, yet could still be held to the obligations of a distributor.

This legal ambiguity creates major legal uncertainty for the very businesses that are essential to the EU’s circular economy. To truly foster a thriving market for repair, reuse, and refurbishment, CCIA Europe believes that these **circular-economy operators must be provided with a clear and predictable legal framework, especially regarding their legal definition, obligations, and expectations.**

Clearly defining these roles would significantly reduce legal uncertainty, allowing businesses that extend product life cycles to better navigate existing regulations and make long-term investments with confidence. We believe this can be achieved through a two-step process:

1. Immediate action via the Blue Guide<sup>7</sup>: The fastest way to provide quick clarity would be through a targeted revision of the Blue Guide on the implementation of EU product rules. While not legally binding, the Blue Guide is an influential document heavily relied upon by market surveillance authorities. Adding specific sections and definitions for ‘refurbisher,’ ‘remanufacturer,’ and ‘repairer’ would provide immediate, practical guidance and help harmonise the approach of national authorities.
2. Long-term amendment of the NLF: Following the update to the Blue Guide, these new definitions and principles should be codified through the revision of the NLF itself. This would provide the necessary legal certainty and create a stable foundation for the circular economy to grow.

The Commission’s own evaluation has already identified the current obligation for physical documentation as burdensome. **There is no practical reason to delay this transition to the digital-by-default and legal certainty for circular business models.** An amendment to the Blue Guide, followed by a revision of the NLF, would provide a much-needed bridge, allowing companies to innovate and reduce their environmental footprint now. Indeed, introducing these clearer definitions would strengthen the second-hand market and contribute to the objectives of the forthcoming Circular Economy Act.

## 5. Recognise the unique nature of second-hand products

Beyond the lack of clear definitions for operators, another significant barrier to a thriving circular economy lies in the NLF’s core concept of ‘placing on the market’. The current framework was designed for a linear world, and its application to used goods is having a chilling effect on the EU’s second-hand market.

Under the current rules, any second-hand product is considered ‘placed on the market’ for the first time when it is imported into the EU, effectively treating it as if it were brand new. This creates an immediate and often insurmountable compliance challenge. A perfectly functional

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<sup>7</sup> Commission notice The ‘Blue Guide’ on the implementation of EU product rules 2022 (Text with EEA relevance) 2022/C 247/01, available [here](#).

and safe smartphone or laptop, refurbished in a market with comparable safety standards like the US or UK, suddenly becomes non-compliant upon entering the Union. This is because it may lack a CE mark, which was not required at its original point of sale, or it might not comply with rules that were enacted years after it was first manufactured, such as the EU's Common Charger<sup>8</sup> requirements.

This situation forces EU-based importers and refurbishers into an impossible position: they must either undertake a costly and complex full re-certification process to apply a CE mark to a product they did not design or manufacture, or simply not import the goods at all. The result is a restriction on the availability of affordable, high-quality second-hand electronics for European consumers and businesses, which ironically leads to increased demand for new products and more electronic waste, directly contradicting the EU's sustainability objectives.

To address this problem, CCIA Europe believes that **policymakers should introduce a clear and pragmatic distinction between new and second-hand products within the definition of 'placing on the market'**. This does not mean compromising on safety, but rather creating a more intelligent and proportionate regulatory path. This could involve several solutions:

1. A simplified compliance pathway: For used goods imported from markets where product safety regulations are demonstrably equivalent to the EU's, a simplified compliance or verification process could be established. This would ensure safety without imposing the full, disproportionate burden of a new conformity assessment.
2. Leveraging the Digital Product Passport (DPP): In the longer term, the DPP offers a powerful tool for transparency. It could be used to clearly indicate a product's second-hand status and its original region of origin, providing consumers and market surveillance authorities with the information they need without blocking the product from the market entirely.

By modernising this core definition, the EU can remove a major bottleneck to circularity, strengthen the second-hand market, and ensure that its product rules support, rather than hinder, the transition to more sustainable consumption.

### III. Strengthen product safety and enforcement

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*Boosting consumer trust in circular business models will necessarily depend on a competitive Single Market underpinned by a uniform and consistently enforced product safety framework.*

#### 6. Resolve inconsistencies in market surveillance legislation

A predictable and consistently enforced regulatory framework is the bedrock of a fair and competitive Single Market. For this reason, addressing the existing inconsistencies within the

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<sup>8</sup> Directive (EU) 2022/2380 of the European Parliament and of the Council of 23 November 2022 amending Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (Text with EEA relevance), available [here](#).  
Commission Delegated Regulation (EU) 2023/1717 of 27 June 2023 amending Directive 2014/53/EU of the European Parliament and of the Council as regards the technical specifications for the charging receptacle and charging communication protocol for all the categories or classes of radio equipment capable of being recharged by means of wired charging (Text with EEA relevance), available [here](#).



EU's product safety and market surveillance frameworks is not just a technical exercise; it is crucial for ensuring a level playing field for all businesses.

A notable and problematic discrepancy exists between the Market Surveillance Regulation (MSR), a core component of the NLF, and the Product Liability Directive (PLD) regarding the responsibilities of economic operators. The MSR establishes a responsibility model where either an EU-based importer is held fully accountable for the compliance of products from non-EU manufacturers, or where an 'appointed representative' may be responsible for specific tasks that would normally befall the manufacturer.

By contrast, the newer PLD allows a non-EU producer to appoint an 'authorised representative' as their designated responsible person, who may not be the importer, for a variety of reasons, including different degrees of liability. While seemingly a minor difference, this divergence creates a significant compliance gap. It allows for a scenario where products can enter the EU market without a single entity in the supply chain that has both full control over the product and full liability, potentially leaving consumers exposed and putting compliant businesses that follow the stricter MSR model at a competitive disadvantage.

To resolve this, legal certainty is paramount. CCIA Europe believes that **aligning the MSR with the approach taken in the GPSR and the recently revised Product Liability Directive (PLD) is the most logical path forward**. This would establish a single, harmonised standard for economic operator responsibility across all key product legislation, clarifying obligations for all market participants and ensuring that every product sold in the EU has an identifiable and accountable entity responsible for its safety and compliance.

Additionally, it is crucial to recognise that the NLF was primarily designed with the distribution of tangible, physical goods in mind. However, the modern economy is increasingly digital. Software, firmware, and AI-powered functionalities are no longer niche products but are integral components of everything from smartphones to cars.

The **current framework needs to evolve to recognise the unique characteristics of how these digital products are developed, distributed, and updated** across the European market. Unlike a physical product that is manufactured and shipped, software can be distributed globally in an instant, updated continuously long after it has been 'placed on the market,' and involves a different set of supply chain actors.

Applying a framework built for hardware to the world of software without adaptation creates ambiguity regarding conformity, traceability, and market surveillance. Future-proofing the NLF means ensuring it is fit for the digital age, providing clarity for innovators, and ensuring safety and transparency for consumers of both physical and digital goods.

## 7. Strengthen the Consumer Protection Cooperation (CPC) Regulation

A well-designed regulatory framework is only as effective as its enforcement. While the NLF provides a solid foundation for product compliance, its success is being undermined by inconsistent and under-resourced enforcement, particularly in the context of global e-commerce. This creates an uneven playing field where compliant businesses, regardless of where they are based, are put at a significant competitive disadvantage against sellers who do not play by the EU rules.

Effective market surveillance is vital, but current resources are simply insufficient to monitor the vast and growing number of products entering the EU market, especially through online platforms. To deter this widespread non-compliance, a stronger and more collaborative approach to enforcement is urgently needed.

Therefore, CCIA Europe suggests accelerating **the revision of the Consumer Protection Cooperation (CPC) Regulation and, crucially, advocating for a significant increase in the resources allocated to the CPC Network**. The CPC Network is the key instrument for cross-border cooperation between national authorities, empowering them to tackle widespread infringements jointly. Bolstering this network with greater funding and more personnel would enhance collaborative enforcement efforts, ensuring that consumer protection and product safety laws are uniformly applied across the Single Market.

In this regard, many of CCIA Europe's member companies are not waiting for regulation but are already leading by example. They do this, for instance, by partnering with third-party providers who offer services to sellers that include appointing an EU-based responsible person, as required by the General Product Safety Regulation (GPSR)<sup>9</sup>. While these proactive measures demonstrate a commitment to a safe and compliant marketplace, they cannot replace the fundamental need for robust public enforcement that ensures all businesses, regardless of where they are based, adhere to the same high standards.

## Conclusion

The NLF has been instrumental in supporting the EU Single Market, but the framework now has to evolve to reflect the realities of a circular economy and the latest digital innovations. Ensuring legal clarity, harmonising responsibilities across regulations, and embedding digital tools will reduce compliance burdens and foster sustainability while maintaining the current high level of consumer safety that the NLF provides.

Therefore, the NLF review should prioritise simplification and resolve conflicts between safety, security, and sustainability requirements. Aligning regulatory frameworks, enhancing enforcement, and clarifying economic operators' roles should take the highest priority due to their contribution to a more efficient, fair, and transparent EU market – all to the benefit of both businesses and consumers alike.

## 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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<sup>9</sup> For example, eBay partners with third-party providers who offer GPSR-compliance services for sellers, including the appointment of an EU-based responsible person. More information [here](#).





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