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Please specify your sector:	Apparel and footwear | Electrical equipment | Computers, electronic and optical products | Food and beverages | Retail & wholesale trade | Other
Please specify:	
Please specify the type of product your organisation produces or represents:	Final product (used as it is)
Please indicate the level of market(s) you are active on:	Local market | Regional market | EU market | Non-EU market | Worldwide market
Ruler	
1. Challenges to making products sustainable 1.A To what extent do you agree that the following market-related explain why products sold in the EU are not more sustainable?	
a. Economic actors do not have adequate and reliable information on the sustainability of products	Agree
b. Products such as electronics become obsolete quickly because of technological innovations	Neutral
c. Some products are designed for shorter term use due to changing fashion trends	Neutral
d. Many products are not designed to be easily repaired or upgraded	Agree

e. Some products are designed to break down after a certain amount of time (planned obsolescence)	Disagree
f. Materials used in products are more and more complex and difficult to recycle	Neutral
g. Products do not sufficiently cover the costs of the harm that their production and use cause to the environment	Neutral
h. More sustainable products are often too expensive for households with lower incomes	Strongly agree
i. The cost of repairing a product is too high, in comparison with buying a brand new product	Agree
j. For electronics, as well as for fashion products, there are not enough places where products can be repaired	Agree
k. The quality of second hand goods cannot be guaranteed or is difficult to assess	Agree
1.B To what extent do you agree that the following policy-related statements explain why products sold in the EU are not more sustainable?: a. There is no harmonized set of requirements to foster the sustainable design of products placed on the EU market	Agree
b. There is no harmonized set of requirements to foster the sustainability of services provided in the EU	Strongly agree
c. Voluntary approaches, such as labelling, do not provide sufficient incentives for businesses to offer more sustainable products	Disagree
d. Diverging national rules and lack of a harmonized set of EU rules discourage large businesses, which operate across various EU Member States, from offering more sustainable products	Strongly agree
e. There are insufficient incentives to reward products based on their different sustainability performances	Agree

1.C Other relevant market or policy-related challenges to making products more sustainable in the EU (please specify) and/or other comments you may have:	European guidelines on sustainable design, and especially on design-for-recycling, would be a welcome contribution to circularity. Non-binding guidelines strike the right balance between facilitating harmonization across EU Member States and enabling market actors of different sizes to pursue innovation and product performance across different product categories. Please refer to our attached position paper for further detail.
2.A Design for sustainability - sustainability requirements for products In your view, how effective would the following measures be in achieving these objectives? Please rate the choices below from 1 to 5, with 1 denoting low preference and 5 high preference.	
a. Set binding rules detailing, at product group level, what actions producers are obliged to take to improve their products' durability, reusability, upgradability and reparability (for example, for electronic/ICT products, setting a minimum number of cycles during which the battery must function properly)	3
b. Require producers/importers to prove that the design of their products respects the following prioritization: (first preference) that the product is capable of being reused /repaired/shared; (second preference) that the product is capable of being remanufactured/refurbished/upgraded; (third preference) that the product is capable of being recycled	3
c. Require producers/importers to prove that they have assessed possible causes of failures and addressed them, with a view to optimising product durability	4
d. Require producers/importers to prioritise modular design of their products, so as to facilitate repair, remanufacture, upgrade and disassembly (for example, for ICT products, batteries, screens and back covers should be removable in less than a defined number of steps).	2

e. Require producers/importers to ensure information on repairability is provided on or with a product	3
f. Require producers/importers to ensure information on access to repair services is provided on or with a product	4
g. Require producers/importers to offer product guarantees, which could include "commitment to free repair as first remedy" in case of failures and a "commitment to upgrade the product periodically”	4
h. Require producers/importers to display a repairability score on their products, in line with harmonized requirements at EU level, to facilitate comparison of product repairability	4
i. Require producers/importers to establish a repair network for their products	2
j. Require producers/importers to ensure information on a product’s average expected lifespan is provided on or with a product	3
k. Require producers/importers to ensure information on the chemical content of a product is provided on or with a product	3
l. Ban the use of a substance or substances in a given product, should such substances be found to inhibit product recyclability	4
m. Require producers/importers to publish information on how they have prioritised materials that are safe and sustainable-by-design, and have substituted chemicals of concern with safer ones whenever possible	1
n. Require additional information to be made available on material sources, e.g. content in the product of critical raw materials and minerals from conflict-affected and high-risk areas	3

2.B Responsibility for information, including Digital Product Passport One of the options considered for a new Sustainable Products legislative Initiative is the development of digital 'product passport(s)', which would provide producers and other key supply chain actors, consumers and market surveillance authorities with information relevant for ensuring the sustainable management of a product (maintenance, repair, remanufacturing, recycling, control of compliance, etc.). **2.B.1 In your opinion, what information should be collected as part of such a digital 'product passport'?**	
a. Economic actors at the origin of information (Manufacturer/Service provider/Retailer /Distributor/Recycler/ Providers of Repairability services)	Agree
b. List of materials and substances present in the product	Neutral
c. Quantities of materials and substances present in the product	Neutral
d. Recycled content of each material present in the product	Agree
e. Presence in the product of hazardous chemicals, and if so, their location	Agree
f. List of legislation and standards that the product complies with, or the technical specifications that it fulfils	Agree
g. Results of compliance tests against legislations, standards or technical specifications	Disagree
h. Expected lifespan of the product	Neutral
i. Information relevant for testing, disassembly, maintenance, repair or reassembly (e. g. test protocol, disassembly process and instructions, etc.)	Agree
j. Information on safe use and instructions, where applicable	Strongly agree

k. Information relevant to re-manufacture and spare parts (e.g. CAD technical drawings, 3D-printing files)	Disagree
l. Information on Product Environmental and/or carbon footprint, or other relevant sustainability characteristics	Neutral
m. Social conditions along the value chain (e.g. working and pay conditions; respect of human rights)	Agree
n. Information on the origin of product components	Neutral
o. Information on material sources (e.g. conflict-free materials, responsible mining etc.)	Neutral
p. Any possession of sustainability labels, such as the EU Ecolabel	Strongly agree
q. Information on how the product should be recycled and/or handled at the end of life	Agree
2.B.2 In your view, what are the biggest challenges to ensuring a successful establishment and implementation of digital product passport(s)? Please select your top preferences from the list below.	a. Managing confidential data (for example making sure that information is only available to those entitled to access it) | c. Managing the complexity of products and value chains and the quantity of data that is required to make such a passport effective | e. Ensuring the relevance and reliability of the information included in the passport
Ruler34	
2.C Avoidance of destruction of unsold durable goods The Commission intends to ban the destruction of unsold durable goods (e.g. home appliances, textiles, electronic equipment etc.)	
2.C.1 In your view, are there categories of products that should be excluded from this ban?	e. Counterfeit products | f. Products that pose a health or safety risk | g. Products that are not usable after a certain date
2.C.2 What additional measures should be taken to decrease the amount of unsold goods in the EU, thereby complementing this ban?	a. Selling damaged products at a discounted price | b. Fostering donation schemes | c. Fostering reconditioning and remanufacturing schemes | e. Fostering greater transparency by producers regarding their product return rates and unsold goods policies

2.D Circular business models **2.D.1 Circular business model types** 2.D.1.a The ways in which businesses operate strongly influence how products are produced and consumed. The table below presents several (non-exhaustive) categories of circular business models, together with a brief description of them. How effective do you think these models can be in terms of encouraging more sustainable production and consumption patterns? Please rate from 1 to 5, with 1 denoting low impact and 5 high impact.	
a. Product-service systems (i.e. users do not buy the product from manufacturers/owners but rather the service associated with the product, e.g. car leasing. This means that the manufacturer/owner is responsible for repairing and maintaining the product, thus incentivizing better reparability and potentially longer lifespan of the product)	5
b. Collaborative and sharing economy (i.e. where sharing of products replaces purchasing, e.g. for power tools or other products that consumers use only occasionally. As a result, less resources are used to satisfy the same needs)	5
c. Reverse logistics (i.e. where the reverse transport of products, from consumer to producer, is arranged in view of repair or reuse. e.g. beer bottles or old phones)	4
d. On-demand production (i.e. where the production of goods occurs only for those customers expressly requesting them, thus preventing overproduction and waste)	
2.D.1.b Other relevant circular business models not included in the list above (please specify):	A multitude of circular business models exist in addition to those included in the list above – illustrating the importance of facilitating innovative approaches and avoiding too rigid regulation. Among these are refill and modular product models, whereby customers purchase the durable component (base) of a product and subscribes to or regularly replaces consumable product refills. Other examples include aggregated repair/refurbishment services and donation programs.

2.D.2 Challenges What in your view are the main barriers to successful deployment of more circular business models in the EU? Please rate from 1 to 5, with 1 denoting low importance and 5 high importance?: a. The profitability of these business models i	4
b. The initial investment costs and financial capital required to establish such business models are too high	4
c. Banks and investors are often unwilling to provide the credit and funding necessary to initially establish these business models	3
d. There is a lack of demonstrable success stories or largescale projects demonstrating the business case for such business models	4
e. There is a lack of tools and methods to measure (longterm) benefits of circularity for businesses, including the financial benefits	5
f. There is insufficient proof of adequate consumer demand for these business models	5
g. Consumer awareness of and responsiveness to these business models are insufficient	4
h. There is a lack of training for entrepreneurs/potential entrepreneurs in how circular business models operate	2
i. There is a lack of the technical skills necessary to perform the functions required by these business models (repair; maintenance etc.)	4
j. These business models are more difficult for SMEs to adopt, e.g. given the initial investment costs	4
k. A clear regulatory framework to support such business models is missing	4

2.D.3 Enabling circular business models Taking as examples the models mentioned above, how in your view can the EU best enable or regulate circular business models?	
Please select the business model(s) for which you wish to provide a response, then indica	1. Product-service systems | 2. Collaborative and sharing economy | 3. Reverse logistics | 4. On-demand production
2.D.3.a Product-service systems: please select your top preferences (max 5) from the list below	a. Provide guidelines on the various EU funding instruments, opportunities and support mechanisms available to foster the creation of circular business models | b. Strengthen maintenance and repair obligations for producers (such as on the ease of separating product parts; the availability of spare parts etc.) to encourage the adoption of these business models | f. Require large producers, who offer repair and other services 'in-house', to provide repair training programmes to independents, as well as training certification | i. Introduce obligatory take-back schemes, to ensure products at end of life are less likely to become waste and can e.g. be reused or remanufactured | k. Prioritize circularity as a criteria or as part of a reward system in use of public finances, e.g. by giving priority to circular business models in financing schemes and in formulation of public tenders
2.D.3.b Collaborative and sharing economy: please select your top preferences (max 5) from the list below	a. Provide guidelines on the various EU funding instruments, opportunities and support mechanisms available to foster the creation of circular business models | b. Strengthen maintenance and repair obligations for producers (such as on the ease of separating product parts; the availability of spare parts etc.) to encourage the adoption of these business models | f. Require large producers, who offer repair and other services 'in-house', to provide repair training programmes to independents, as well as training certification | i. Introduce obligatory take-back schemes, to ensure products at end of life are less likely to become waste and can e.g. be reused or remanufactured | k. Prioritize circularity as a criteria or as part of a reward system in use of public finances, e.g. by giving priority to circular business models in financing schemes and in formulation of public tenders

2.D.3.c Reverse logistics: please select your top preferences (max 5) from the list below	a. Provide guidelines on the various EU funding instruments, opportunities and support mechanisms available to foster the creation of circular business models | e. Investigate the feasibility of harmonization at EU level of the certification of competence for professional repairers and other professionals involved in circular businesses | f. Require large producers, who offer repair and other services 'in-house', to provide repair training programmes to independents, as well as training certification | i. Introduce obligatory take-back schemes, to ensure products at end of life are less likely to become waste and can e.g. be reused or remanufactured | k. Prioritize circularity as a criteria or as part of a reward system in use of public finances, e.g. by giving priority to circular business models in financing schemes and in formulation of public tenders
2.D.3.d On-demand production: please select your top preferences (max 5) from the list below	a. Provide guidelines on the various EU funding instruments, opportunities and support mechanisms available to foster the creation of circular business models | d. Develop tools and methods to better measure the (long-term) benefits and financial viability of circular business models | i. Introduce obligatory take-back schemes, to ensure products at end of life are less likely to become waste and can e.g. be reused or remanufactured | j. Facilitate market access for circular innovations by decreasing administrative burden for new circular business models, e.g. by speeding up approval procedures for novel products and application to existing funding schemes, where appropriate | k. Prioritize circularity as a criteria or as part of a reward system in use of public finances, e.g. by giving priority to circular business models in financing schemes and in formulation of public tenders
2.E Incentives for circularity Regulatory, market and reputational incentives are necessary to encourage more sustainable production and consumption patterns. The Commission is examining what the most effective measures in this respect are, and how products can be rewarded based on their sustainability performance. In your view, how important are the following measures? Please rate the choices below from 1 to 5, with 1 denoting low preference and 5 high preference.	

a. Modulation of fees on the sustainability of products under Extended Producer Responsibility schemes (e.g. producers who place products that are more easily recyclable on the EU market pay reduced fees)	3
b. Recognizing voluntary commitments by producers to increase the sustainability of their products	4
c. Making better use of standardisation to promote sustainability	3
d. Increasing transparency on the performance of products as regards sustainability, for instance by identifying different levels of sustainability performance at EU level	3
e. Better use and promotion of voluntary sustainability labels, such as the EU Ecolabel	5
f. Improving access to finance for the production and consumption of more sustainable products	5
g. Developing and implementing mandatory Green Public Procurement criteria and targets	5
Ruler46	
2.F Measures to make sustainable products the norm: other comments Other comments you may have relating to any of the sections covered in 'Question 2 – Measures to make sustainable products the norm':	EU guidance on sustainable design, information and recyclability can foster innovations and circularity across the Single Market. Mandatory design/ information requirements should be developed only where strictly necessary, as they risk becoming outdated and stifling innovation. Industry-led development of standards should take precedence. New requirements should be developed in close cooperation with affected industry to ensure feasibility, efficiency, effectiveness and proportionality.

3. Compliance with and enforcement of sustainability requirements for products 3.A Compliance with requirements and enforcement of sustainable product policy are crucial for achieving results. Enforcement can be carried out via market surveillance within the EU Single Market and via customs checks at its borders. Market surveillance is the responsibility of the Member States and was the object of the recently revised Regulation (EU) 2019/1020 of 20 June 2019 on market . How do you think the European surveillance and compliance of products Commission could contribute further to this dimension? Please rate from 1 to 5 each action presented in the table, with 1 denoting low importance and 5 high importance.	
a. Set verification targets for the products deemed most likely to be non-compliant (e.g. electronic gadgets)	3
b. Support Member States in the distribution of surveillance tasks per product category (e.g. Member State A responsible for construction materials; Member State B for heating & cooling equipment etc.)	4
c. Require third-party certification or inspection to simplify the work of Member State enforcement authorities	3
d. Accompanying measures from the European Commission to Member States (e.g. guidance, support etc.)	5
e. Create a central reporting point/website to enable consumers to provide feedback on products that do not meet their sustainability requirements	3
3.B According to your experience with the Ecodesign Directive (if any), are there any market surveillance issues related to the current Directive that you think need to be considered in a future Ecodesign legislation?	Market surveillance processes are a time intensive activity for enforcement agencies and affected companies alike. In certain occasions, the same products were assessed by different MSAs in Europe. The set up of a confidential, centralized portal where MSAs could log the products they have verified would avoid duplication of efforts and allow MSAs to focus their work in a more efficient manner.

If you wish to add further information, comments or suggestions (relevant to the scope of this Public Consultation), please do so here:	Please refer to the attached position paper
If you wish to upload a supporting file, please do so here	