

EVALUATION OF ECODESIGN DIRECTIVE

MINUTES OF THE SECOND STAKEHOLDER MEETING

The second stakeholder meeting took place on 5th October with the participation of 86 stakeholders representing Member State authorities, industry, environmental and consumer groups and Ecodesign experts.

The meeting was organised in three sessions initiated by a presentations on the first findings of the study that were based on the, outcomes of the desk research, the stakeholders' survey and the interview programme.

All presentations are available for download from the dedicated website (http://cses.co.uk/ecodesign_evaluation). Each session was followed by a discussion with stakeholders, who provided feedback on the findings presented.

Welcome and introduction to the objectives of the evaluation study

Following a welcome by Kirsi Ekroth-Manssila, the Acting Head of DG ENTR's Unit for Sustainable Industrial Policy, and Mike Coyne of CSES made a brief presentation on the methodology of the study and the progress so far. He also referred to the changes in the timetable of the study. The updated timetable is as following:

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|---|---------------------------------------|
| ▪ Project start : | December 2010 |
| ▪ Inception Report : | 22nd February 2011 |
| ▪ First Progress Report | 15th April 2011 |
| ▪ First stakeholder meeting | 10th May 2011 |
| ▪ First findings and Recommendations Report | 6th August 2011 |
| ▪ Second stakeholder meeting | 5th October 2011 |
| ▪ Draft Final Report | Mid December 2011 |
| ▪ Third stakeholder meeting | Week of 16 th January 2012 |
| ▪ Final Report | 20th February 2012 |
- Presentation by CSES of the programme of the meeting and the expected contribution of stakeholders

Session 1: Effectiveness of the Ecodesign Directive

- Morten Larsen of Oxford Research and Achilleas Tsamis of CSES presented the findings of the evaluation in relation to the effectiveness of the Directive on the basis of the evidence collected so far. Emerging conclusions and remaining gaps were also highlighted.
- Additional presentations were made by stakeholders:
- Darcy Nicolle; United Technologies Corporation; EPEE: *Lessons learned of the Ecodesign Directive of the heating, cooling, air-conditioning and refrigeration industry.*
 - Carina Wiik; the Federation of Finnish Technology Industries: *Implementation Experiences of the EcoDesign Directive.*

A summary of the content is to be found in the PowerPoint Presentations available on the website.

- An open discussion followed (see notes below).

Session 2: Efficiency of Ecodesign Directive implementation and enforcement procedures

- Mike Coyne of CSES presented the findings of the evaluation in relation to the efficiency of the implementation and enforcement procedures.
- It was followed by two additional presentations by stakeholders.
 - Paul Weideon behalf of CLASP: *Monitoring, Verification and Enforcement Capabilities and Practices for the Implementation of the Ecodesign and Energy Labelling Directives in EU/EEA Member States.*
 - Estabaliz de la Calle of Ihobe agency from the Basque Country (Spain): *ErP Implementation and improvements in Spain and Basque Country.*

A summary of the content is to be found in the PowerPoint Presentations available on the website.

- An open discussion followed (see notes below).

Session 3 : Extension of the Directive

- Achilleas Tsamis (CSES) and Derek Light (OR) presented the work conducted by the evaluation team in relation to Task 4 of the evaluation including the initial results from the 5 case studies examined. He then described the remaining tasks.
- Two presentations by stakeholders
 - Göran Gabling; Swedish Chemicals Agency: *Information requirements on hazardous substances in products.*
 - Alexander Michael Warhurst; Friends of the Earth Europe; *Land Footprint, Water Footprint, Carbon Footprint– understanding of resource use of countries and companies; Indicators to be used in EU product policy – creation of mechanisms working through supply chains*
- A summary of the content is to be found in the PowerPoint Presentations available on the web site
- An open discussion followed (see notes below)

Closing session: Emerging findings - Concluding remarks

- Mike Coyne summarised the main conclusions of the meeting and the next steps of the study

Welcome and Introduction

Name and Organisation:	Issues mentioned:	Stakeholder Comment/Main points:	CSES response
Eduard Toulouse; ECOS	<p><i>General comment</i></p> <p><i>Energy Focus</i></p>	<p>The study indeed includes compilation of stakeholders' views and opinions, this has been done fairly. But the other part – desk research is disappointing; many studies not mention and some analyzed in a bit superficial way – this is very important part. The consequence is that some of the conclusions and statements are essentially based on stakeholders' opinions. The interview list is not necessary representative and if majority has opinion on something it does not mean this is true or that the creative solution cannot be found. This is the weakest part.</p> <p>In relation to the main issue concerning the focus on energy, there is a need to say whether the methodology in preparatory studies was biased in some way leading to an exaggerated focus on energy and the use-phase; there is a specific study revising the MEEP methodology; you could spare yourself the trouble of looking at that issue and not spend too much time on it; there are issues that can be solved. In the case of more general political discussion and drafting requirements and the focus on energy – this is true; you can provide examples: with all implementing measure, compare them to the conclusions of the preparatory studies; this is the problem how we translate environmental aspects into a legal requirement that is enforceable and can be checked and measured. There are problems with several aspects – recyclability, content of some substances, end-off life treatment, resource efficiency – consultants who undertook the preparatory studies do not have access to market data so they cannot suggest any requirements; it is a chicken and egg problem – if you do not have the measurement methods you cannot set the requirements, if you do not set the requirement nobody has an incentive to develop measurement methods. Yesterday (4/10/2011) there was a meeting of the Ecodesign Working Group where ideas were presented on how requirements can be based on the issues mentioned - recyclability, recycle content, end –of life, content of</p>	<p>Comments on desk research quality are taken into account. Nonetheless feedback from stakeholders is still an important source of information, especially given the wide range of areas covered. An important aim of the First Findings was precisely to report observations by particular stakeholders and open them to challenge. CSES asked for written comments on specific issues/gaps in the report, and for sources of specific studies referred to by ECOS.</p>

		substances. These examples could be mentioned in the study as it could be possible to set requirements on them.	
Hans Paul Siderius; Netherlands Agency for Sustainability and Innovation	<i>Energy Focus</i>	<p>On the issue of too great a focus on energy – this also reflects what is in your report – on that the one hand, stakeholders say that there are missed opportunities, that they think other environmental aspects are not taken to account; on the other hand in your own analysis of the methodology and processes you conclude that the methodology for energy using products is appropriate. I would like to confirm that the focus on energy is not a result of the methodology being inappropriate but of the choice of products and the initial scope of the directive. Indeed in all products that have been investigated the other environmental aspects have been looked at and found not to be significant. Ecodesign is not doing anything wrong and has not missed opportunities; the main parameter was energy efficiency, which has been a main point of the Directive.</p> <p>The report is a nice compilation of stakeholders’ views but it is weaker in data assessment and the analysis from the CSES point of view. It would be good to have more evaluation and opinion. There are too few instances of this in the report – that could be improved for the next draft.</p>	<p>Intention at this stage was to present information available from stakeholders. The analysis will be presented in the (draft) Final Report. Evidence is very necessary on which product categories (“Lots”) did see “missed opportunities” (i.e. opportunities to regulate on environmental impacts other than energy).</p>

Session 1 - Effectiveness of the Ecodesign Directive

Name and Organisation:	Issues mentioned:	Stakeholder Comment/Main points:	CSES response/action
Edmar Meuwissen; EUMEPS	<i>Methodology</i>	<p>If you look backwards for energy using products it might be quite clear what effectiveness is. But when evaluating Ecodesign generally and looking forward you should also look at the MEEuP methodology and the way that the work plan has been established, and also at the potential effectiveness of Ecodesign measures for new groups of products.</p> <p>It is important that the Ecodesign Directive has a clear methodology for defining effectiveness, especially for energy using products; that's still not very clear; we are already having difficulty in defining and collecting information about effectiveness for the current Ecodesign working plan Lots. This will be much more difficult for non-energy related products.</p>	<p>Methodology to be improved in the final report.</p>
Hans Paul Siderius; Netherlands Agency for Sustainability and Innovation	<i>Effectiveness of Ecodesign</i> <i>Effectiveness of</i>	<p>The report is unnecessarily negative about the impact of the Ecodesign Directive and in principle you can never check causality because it would require an experimental approach with a control group; the best you can do (and you did this) is to get time series data and to see whether there is a correlation between the measures and what you see on the market. One can only identify correlation but not causality because beside the Ecodesign Directive there are other measures (voluntary and obligatory) Energy – labeling, Eco - labeling, Green Procurement – you will never be able to identify what is the effect of what. This needs to be made clear because it gives a negative impression of the Ecodesign Directive.</p> <p>Data collection is one of the biggest issues in this policy area – it will not magically appear. It is an issue for the Commission to improve the situation and to get systematic data for future enforcement and the development of Ecodesign measures. Something must be done on data provision and monitoring because,</p>	<p>Comments will be taken into account for the next version of the report.</p>

	<i>Ecodesign – data collection</i>	even if measures are in place, the next study will run into the same problems of data being not available. Data is essential and it is for the Commission to develop a structural approach which could be used for enforcement.	
Glen Boyd Finlay Dale; Euralarm	<i>Effectiveness of Ecodesign – energy focus</i>	Broader environmental considerations - we should not boil the ocean. We should focus on energy efficiency, do it properly and try to solve things within this scope.	Comments will be taken into account. There is no unanimous view on that.
Gunnar Olsen, EEB/Inforce	<i>Effectiveness of Ecodesign</i>	It is early days to have a good assessment of effectiveness as the measures have only just come to force- this needs to be stressed in the report. There is strong evidence of the effect of standby mode regulation – there is a study on this matter; Causality: it is also early days and If you look at the studies on effects of the early Labelling Directive.	CSES to contact EEB to get access to the report
Michael Faber; Bundesverband Großhandel	<i>Extension of the Directive</i>	It is not a good idea to look at other measures to integrate into the Ecodesign Directive, as there is a conflict between Ecodesign Directive and e.g. Directive on Energy Performance of Buildings. If we look on Ecodesign as a systems approach there is a conflict with the Buildings Directive – suggestion that existing products should be examined and their efficiency potential but this should not be extended to other products where they have to be examined as a system because this is the point of the Buildings Directive.	Comments on construction products and issues for the Ecodesign are already reflected in the report but there are diverging views.
Eduard Toulouse; ECOS	<i>Rebound effect</i>	Rebound effect – CSES could drop this part for a simple reason – the direct rebound effect is when the consumer is aware of something being efficient and decides to use it more, but Ecodesign Regulations are invisible to the consumers (except from light bulbs).	CSES agrees that it does not expect to find any evidence on the rebound effect and will not investigate further.
	<i>Effectiveness of the Ecodesign Directive:</i>	Assessment of the 11 Implementing Measures - sometimes there is a confusion between 3 types of statement and they should be better distinguished. The first is the introduction presenting the background – we know this already and	CSES will summarise the presentation of baseline and invest additional time on

	<p><i>General comment</i></p> <p><i>Effectiveness of the Ecodesign Directive</i></p>	<p>it could be shortened</p> <p>Second level of the analysis in the report attempting to assess the Directive based on real market data - there are huge gaps. It could be better to present data from different countries where similar requirements have been imposed (fridges –US, where there are interesting graphs on the price of products).</p> <p>Third level is the adequacy of the requirements or the level of the ambition which is based on theoretical assumptions (in impact assessments). CSES could give an opinion in more systematic way and not mix all levels together. ECOS intends to help in filling data gaps.</p>	<p>information from 3rd countries.</p>
<p>Ines Oehme; Federal Environment Agency Germany</p>	<p><i>Impact on Innovation</i></p> <p><i>Benchmarks</i></p>	<p>Regarding innovation, the drive for it is more Energy labeling and there is too much expected from the Ecodesign Directive (products banned from the market). The Federal Environment Agency already made a proposal that some parts of the Ecodesign Directive could be improved to promote innovation. The life-cycle cost approach which was mentioned in the presentation - article 15 paragraph 5 just provides that the life-cycle costs need not to be higher than the base case. There is a need to have a longer term perspective and more pressure for innovation. This needs to affect how requirements develop and it should also be included in the methodology for assessing efficiency;</p> <p>The role of benchmarks should be increased. Preparatory studies should provide more information on benchmarks which could serve as target valuse – this would provide a longer time frame and clear guidance for industry on the necessary changes they can expect.</p>	<p>Consideration of the impacts on innovation is something that needs further development</p>

Kristi Fagerlund; Norwegian Water Recourses and Energy Directorate	<i>Efficiency of implementation</i> <i>Use of Primary Energy Factor in MEEuP</i>	Against using the primary energy factor for the electricity in the MEEuP; the regulations should apply to the product itself not to whole energy supply system – it can have severe consequences for nations and Member States. Reminder of the Roadmap 2015 and suggestion that CSES look on consequences of the proposed electricity supply systems on Member States.	There is already reference on this issue in the report. The stakeholders are requested to provide evidence of suggested negative impacts to support development of this section.
Peter Nielsen; Danish Energy Agency	<i>Effectiveness of the Directive -</i> <i>Rebound effect</i>	CSES should look at what preparatory studies have shown on potential cost-effective energy savings and what you actually find in Implementing Measures. There is an obvious gap. Decisions and Measures are usually weaker than preparatory studies suggest is possible. Support opinion of ECOS on rebound effect.	CSES will look in greater detail into this aspect.

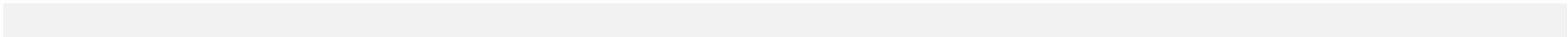
Session 2 - Efficiency of the Ecodesign Directive

Name and Organisation:	Issues mentioned:	Stakeholder Comment/Main points:	CSES/ Commission response/action	Expected time to be addressed:
Matteo Rigamonti, EUROFER	<i>MEEuP</i>	Review of the methodology for the energy using products is ongoing. EUROFER have several reservations about the MEEUP methodology but the report is not solving our issues. What should be acknowledged in MEEuP is product recyclability and this should be considered properly in the methodology.	Point on recyclability of metals already stated in the relevant section of the report.	
Ines Oehme; Federal Environment Agency Germany	<i>Preparatory studies and resources</i>	<p>In the Eco-label case, different consultants prepared the preparatory studies and of course quality differs. Now this has been shifted to the JRC and it became obvious that the quality increased and its execution as well.</p> <p>An Agency should supervise the process but also subcontract other special specialised institutes for work on products where it has no experience and where external expertise could bring a valuable contribution. We should focus the work of contractors on specific products groups.</p>	CSES will re-examine the issue of the possible use of an Agency or permanent technical support from JRC in the context of the ecodesign.	Draft final report
Christine Beunen; CEPMC	<p><i>Coverage of construction products</i></p> <p><i>Standards</i></p>	<p>The EPB Directive is referred to in the report but the Construction Product Regulation, which offers the possibility to have environmental indicators over the whole life cycle, is not mentioned; Evidence on how the CPR is working is available inside the Commission.</p> <p>CEPMC would like to raise the importance of standards for our industry, because in the Ecodesign Directive there has been no real life-cycle coverage of the environmental impact; we have put in place a lot of work on standardisation and sustainability in construction and it has provided a whole list of indicators that have not been applied in the</p>	CSES has looked into the issues of the construction sector and complex systems (e.g. buildings). Additional background on the content of the key existing standards (e.g. indicators, consideration of socio-economic impacts) is of course useful.	Draft final report

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		<p>Ecodesign area.</p> <p>Parts of the standards are published already, the others will be published early next year and they are covering all aspects - environmental, social and economic aspects are covered. CSES should consider the CPR legislation.</p>	<p>Stakeholders are asked to indicate other product groups where issues of complex products and systems arise.</p>	
<p>Stephane Arditi; EEB</p>	<p><i>Effectiveness of the Ecodesign Directive</i></p> <p><i>Focus on energy</i></p>	<p>There is an EEB study that provides clear examples of the gaps between preparatory studies and implementing measures.</p> <p>On another statement made by CSES – it is mentioned that there is some evidence coming from JCR that measures promoting energy efficiency generally also promote better performance in other areas. We would be very happy to have such evidence but we have clear cases, particularly now with IT appliances being under discussion and with all the initiatives taken by the Commission on raw materials and the resource efficiency roadmap of DG Environment, that tend to show that there is a huge potential which is still untapped in the Ecodesign Directive.</p> <p>Looking at the final document on washing machines, it states that the end of life requirement for Ecodesign purposes is to be included in the WEEE Directive, while in the WEEE Directive it is explicitly said that end of life requirements should be addressed under the Ecodesign Directive – at the end of day nothing is covered; yesterday the EP voted through an article meaning that by 2014 mandatory end of life requirements should be incorporated in the Ecodesign process</p> <p>EEB study on IT appliances available.</p>	<p>In the last meeting it was stated that there had been a study on the relation between concentration on energy and some other environmental aspects. We have tried to identify the evidence for this without success. Remark has stayed to be challenged but will have to be removed.</p> <p>EEB is kindly requested to provide its study on gaps between prep studies and implementing measures, as well as evidence on ErPs with untapped potential on material efficiency (e.g. IT appliances) or any trade-off between energy efficiency and other environmental impacts such as the use of raw</p>	<p>Draft final report</p>

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			materials for some ErPs .	
Carlos Lopez; Swedish Energy Agency	<i>General comment</i> <i>Coherence with other policy tools</i> <i>General comments</i>	<p>There is a fundamental problem with the specification of the study as it is very focused on the Ecodesign Directive and on energy efficiency and misses the whole of labelling policy and use of Public Procurement or the Eco-label.</p> <p>There is lack of coordination within the Commission – a lack of involvement of other DGs; we would like to have more involvement of all the relevant DGs of the Commissions .</p> <p>The consultants should not endlessly aim to identify evidence and ensure that all stakeholders are represented in the same way. CSES should trust in their own knowledge and give clearer suggestions. There is a long list of wishes in the report and there is a need to prioritize.</p>	<p>The technical specifications for the evaluation study primarily cover the Ecodesign Directive. Synergies with other policy instruments certainly maximize the impacts of the Directive, but this investigation is a secondary objective of the study, given the limited time and resources.</p>	<p>Draft final report</p>
Hans Paul Siderius; Netherlands Agency for Sustainability and Innovation	<i>General Comment</i>	<p>There are too many questions asked in the list provided. There should be clear priorities set on what are important aspects that should be evaluated (3-5 questions sent out to stakeholders)</p>	<p>CSES will circulate a reduced list of questions after the meeting, but would still welcome observations on any of the questions in the longer list.</p>	<p>List already sent</p>
Eduard Toulouse; ECOS	<i>General comment</i>	<p>We can see several issues concerning the implementation of the Ecodesign Directive; CSES should highlight the main problems and give suggestions how they could be solved in current situation or if they require modification of the legislation (and what modification it</p>	<p>CSES intend to do this in the final report; The focus of the meeting was on validating the observations already made</p>	<p>Draft final report</p>

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		requires).	and on accessing further substantial and solid evidence	



Session 3 – Extension of the Directive

Name and Organisation:	Issues Mentioned:	Stakeholder Comment/Main points:	CSES/ Commission response/action
<p>Hans Paul Siderius; Netherlands Agency for Sustainability and Innovation</p>	<p><i>Assessment of appropriateness of using Ecodesign requirements</i></p>	<p>There is a fundamental problem with this part of the study. It was suggested that it would be difficult to extend the Ecodesign Directive to three product groups. However, the main argument is that input or process considerations are expected to have greater impacts than elements that can be covered by product focused requirements. This implicitly assumes that the Ecodesign Directive cannot set input measures. This is not true. You can look at the Directive's Annexes. Annex 2 specifically mentions the quantities of a given material incorporated in the product as an environmental aspect for which specific Ecodesign requirements can be set. Also Annex 2 refers to the Ecodesign parameters in Annex 1. Annex 1 refers to raw material selection, manufacturing and so on. As I see it:</p> <ul style="list-style-type: none"> • The Ecodesign Directive could set input (material) requirements as well as process requirements on products; • There is then the issue of whether these requirements can be enforced. Well, this is not an issue that is specific to the Ecodesign Directive. <p>Consultants will run into the same issues for other regulations or as suggested in the draft report, similar questions will arise for process requirements. You will have the same issues, of how to measure, verify and enforce. Ecodesign seems to be getting the blame, where the fundamental problems lie in another aspect.</p> <p>One of the last slides of the presentation by CSES mentioned 'we need to look at further products and have a list of priorities or a list of product groups that could be included or where it could be extended'. This is not the main bottleneck or problem. The main bottlenecks are the issues of measurement, verification and enforcement. Can we for example monitor and enforce in the case of products</p>	<p>CSES is required by the terms of reference to present a list of additional products to the Commission for consideration as well as the potential issues that need to be taken into account if an extension is to take place. This list will be discussed during the third stakeholder meeting for validation and additional comments. If it clearly appears that no product can be identified that is a suitable candidate for Ecodesign in the coming years, a scope extension may not lead to any new product requirements and therefore be useless.</p> <p>The final step will be to consider whether there is a good reason to extend the Ecodesign Directive, under what circumstances and with what necessary changes.</p> <p>The capacity to set requirement and the expected enforceability should be taken into consideration</p>

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		coming out of a factory in China? These issues need to be addressed before they can be tackled by the Ecodesign Directive or other measures. This is the fundamental question.	in the analysis even if it is not specific to the Ecodesign Directive. At this stage CSES needs to know if there are any omissions or mistakes in the analysis of the case studies in terms of facts presented or judgements made.
Ton Pluijmer; Flooring Industry Association	<i>General comment</i> <i>Appropriateness of extension</i>	The consultants know that there are problems with the data. The conclusions are very valid and I agree with their conclusions. All the things that the Ecodesign Directive aims to achieve are already covered by existing regulations. Of course these are not all in place, but some dangerous substances are now in the mandate of e.g. REACH. The DC350 on sustainable buildings (expected October 20 th) will finalise the voting on category rules, which will put in place the reporting requirements for Environmental Product Profiles, which can only be done when LCAs are completed. The flooring industry is defined by standardisation, which covers laminates, carpets and others, which already have EPPs in place and are published. These will be updated. It would be better to leave these processes in place and not interfere with them, even if people think that progress is slow. In fact they are already well underway. If there is duplication or if these processes are disturbed, energy will be wasted and they won't be as effective. We should use our energy in the world of REACH and the Construction Products Directive. Let standardisation and other processes be completed. .	CSES would welcome input to correct any mistakes/omissions. Inputs relating to the use of standards and EPPs will be taken into account in the subsequent stages.
Eduard	<i>Appropriateness of setting</i>	We fully support the Netherlands comments. We have to distinguish two issues.	Comments are taken into account and CSES intends to pay greater

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		<p>industry is made up of 3000 companies and 50,000 employees; a small player. The meat industry is much bigger, and is more likely to be heard. It is not practical or fair that the pollution attributed to the animal during its life is linked to the leather sector. Because we cannot influence pollution from cows. We are too small an industry and we count for nothing in relation to the main process of production which is the production of meat. We would welcome the EU looking into where the system boundaries start in the different sectors in the supply chain.</p> <p>Finally the use of fertilisers which also an issue. There is not much that can be done with regard to this as we cannot influence fertiliser use.</p> <p>The case study explains quite well where the problems are.</p> <p>I have a couple of questions:</p> <ul style="list-style-type: none"> • Could there be an alternative policy to Ecodesign, such as labelling? • What is the importance of standards in terms of their role in implementing the requirements of the Ecodesign Directive in the different categories? 	<p>issues that might come up with a possible extension and to have some form of benchmark. It is a project focused specifically on the Ecodesign Directive.</p>
<p>Peter Kunze; European Automobile Manufacturers Association ACEA</p>	<p><i>Appropriateness of extension to Cars</i></p>	<p>Passenger cars are already heavily regulated particularly during the use phase e.g. CO2. You can see what we have implemented, there is CO2 labelling available. If you implement, Ecodesign requirements in addition to what we already have, this will equate to double regulation.</p> <p>The consultants' conclusions are fine, given that we are covered already by existing regulations. We fully support this.</p> <p>The additional improvements that could be made as identified in your study is</p>	<p>CSES has to look at the extension to means of transport as part of the Terms of Reference.</p> <p>As stated above, objective of case studies is to find lessons; Interested in the issues and logic for extension and not specific products. However, the 5 non</p>

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		<p>something that we can keep an eye on. If you look at the use phase we are already covered and we have a long history of Ecodesign actions in the industry, we have more than 10 years of Directive on End-of-life Vehicle's requirements in place. We found out that this process (recycling) represents less than 1% in our complete life cycle. Please keep this in mind for passenger cars if an extension is considered.</p>	<p>energy related sectors covered by the case studies were initially spotted as the ones with the greatest potential for Ecodesign. The 5 products were chosen on the basis of a methodology presented in the first stages of the study with no comments made at that stage on the appropriateness of the selection.</p>
<p>Hans Paul Siderius; Agency (Energy and Climate Change) the Netherlands</p>	<p><i>General comment on approach of study</i></p>	<p>This is going a step too far given the limited resources you have for this study. It is definitely not in the interest of the Ecodesign Directive to compare it with labelling or energy labelling or whatever, when the fundamental question is the capacity to measure and verify impacts and to discover ways of doing this. Suggest that you should not waste time on issues like whether a tax incentive would be better than Ecodesign etc. Because in the end if the right tools to measure the impact etc. are not available, not much can be done.</p> <p>The other thing is that everyone knows that if a product is on a list, the EU may be considering regulation. The reactions of industry are understandable since the case studies do place emphasis on particular products and this increases the chances of their being caught by the Commission in the coming years.</p> <p>The case studies are fine, but we need to find which aspects and issues from the products in the case studies should be part of the scope of the Ecodesign Directive in relation to EuP and ErP. And we should do this without referring to</p>	<p>Agree that this is an evaluation of the Ecodesign Directive and not of the range of policy instruments. Nevertheless asking what are the relative strengths of the Ecodesign Directive as a policy instrument is very much an issue for the evaluation.</p> <p>The Terms of Reference for the evaluation did require consideration of specific products in order to highlight concrete issues, but agree that the emphasis should be on the issues this analysis has revealed rather</p>

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		specific products but rather specific aspects. We need to find aspects rather than identify specific products and find creative solutions. These need to come first and the products need to be in the background. This would lead to a more useful discussion on the extension. Otherwise you have a discussion on whether this product should be added or not, and at this stage it is much too early.	than the products themselves. This was the intention all along. However, it is also understood from the Terms of References that if no product can be identified which could be a potential candidate for Ecodesign in the coming years, then the usefulness of a scope extension may be doubtful.
Peter Kunze; ACEA	<i>Cars</i>	There is already a detailed evaluation underway by DG Clima which is looking at cars. There is no way with all your efforts that you can attain what they are doing. They have a full budget and it is the only thing they are looking at. So you need to question the relevance of the case study in this study.	Will try to take the conclusions of that study on board.
Gonzalez-Quijano Gustavo; COTANCE	<i>General Comment</i>	It is too superficial to say 'which products are on the list or not'. Industry wants to promote products based on their environmental strengths compared to what is being done outside of the EU. We want to know what Ecodesign can bring to the leather sector. But I am concerned because I cannot recommend it to my sector as it does not fulfil its purpose. The Commission needs to improve it. Maybe then it could be extended. But do not fit in new products at this time as it would make the situation worse.	As suggested earlier the objective is not to propose the extension to specific products.
Carlos Lopez; Swedish Energy Agency	<i>Improvement of report's content</i>	It seems that the 4 or 5 products that were chosen do not tell whether it is worthwhile to extend the Directive or not. We recommend that you look into more ways of doing it like the idea of evaluating aspects and drawing information from the Ecolabel or Nordic Ecolabel where that has been a lot of work in drawing out environmental aspects, problems and solutions for non-energy using	CSES did put forward the list of products to the stakeholders during the previous meeting and we did not hear any specific objections. Therefore CSES moved forward on the basis that there are

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		products.	<p>always limitations. Furthermore, we believe the analysis has revealed some basic issues and these have been reflected in the debate at the Stakeholder meeting.</p> <p>The work of labels will be examined.</p>
Edmar Meuwissen; EUMEPS	<i>Dialogue with industry</i>	Supporting the other industry comments, Ecodesign does not move industry towards a more sustainable position that creates jobs for Europe. There should be more of a dialogue with European industry; there is a lack open dialogue with political partners, to discuss the real improvements together with industry, to reach better environmental regulation and properties, without hurting it compared to industry globally. We want to strengthen European industry and at the same time make it more sustainable.	Comments to be taken into consideration
European Apparel and Textiles Organisation	<i>Methodology - Role of alternatives</i>	One of the points of the studies is that for non-ErP one should seek alternatives when there are difficulties with the Ecodesign approach. What do you mean by that and what do you have in mind?	CSES is looking at the feasibility of an extension of the Ecodesign Directive not at alternative regulatory and other approaches.
Ines Oehme; Federal Environment Agency Germany	<i>Focus on energy and coverage of other environmental aspects</i>	Regarding the scope of the Directive, it is correct that so far energy is the most important environmental impact category, so it's ok that the scope is concentrated on energy but the opportunity to increase the scope should not be missed given that it is a comprehensive product directive. There are some indicators that have not been very well investigated e.g. we want to regulate boilers but their carbon monoxide and other emissions have not been investigated, so this is one example where all the impacts have not been covered.	Comment to be taken into consideration.

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	<p><i>MEEuP Methodology</i></p> <p><i>Environmental Impacts</i></p>	<p>Another example is noise pollution from air conditioners. So there should be a more systematic coverage of outdoor / indoor air emissions / noise pollution etc.</p> <p>An improved methodology will help with this along with political goals. We need to work on the methodology, so far it's just a first step and other things have been discussed such as recyclability. So there is still a need to work on the methodology.</p> <p>There are questions of significance for the Directive if you look at the environmental impacts mentioned in the environmental action programmes. It is not always easy to determine the most important impacts, so there will always be something left for political discussion. Scientific methods cannot determine this exactly. We need to improve the process for the methods to help us make these decisions.</p>	
<p>Peter Nielsen</p> <p>Danish Energy Agency</p>	<p><i>Focus on energy and coverage of other environmental aspects</i></p>	<p>Regarding missed opportunities, often what one finds is a function of what one is looking for. And this is a function of competence or qualifications of the consultants that conduct the preparatory study. The European Commission's selection of consultants determines the quality of the reports in the end. Certain studies result in nothing. So this is another dimension of missed opportunities.</p>	<p>This point it already made in the report.</p>
<p>Ton Pluijmer;</p> <p>Flooring Industry Association</p>	<p><i>Standardisation</i></p>	<p>We are surprised how little standardisation has been discussed. It is widespread through the sectors e.g. carbon footprints, the presentation regarding land use etc.</p> <p>The building industry is looking at cradle to grave issues and sustainable building. They are making progress. Interfering with other things does not make it quicker or better.</p>	<p>Some comments have indicated that standardisation is not moving fast enough. On the other hand, we have had developments recently that have intended to address that. Can anyone comment on the basis of experience where there are</p>

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			particular problems or where they are not being dealt with effectively or it has been suggested that the New Approach methodology could be used.
Maria Sandqvist; Swedish Association of Energy Industries	<i>Efficiency of Ecodesign - Role of Standardisation</i>	<p>The Association made a study into how to make the Ecodesign Directive could work better, we presented it last time and we also sent it in. The study looked at how to improve the implementation procedure, make the process more predictable and transparent. We also need better market surveillance and we mention standardisation. It is an advantage to use standardisation and to create an alternative route to create a more predictable way of putting Implementing Measures in place. A huge example is the area of product safety where standards make it easier for industry but also for authorities in the area of market surveillance. And there we have a huge area of standards which have been used and improvements made e.g. electricity safety where Europe is the best in the world. The beautiful thing with the New Approach is that you make the policy makers enter into a dialogue with industry and with a clear set of policy requirements but you leave it up to the standards to produce technical specifications. Also on conformity, if you use a standard, the Commission must accept it as a harmonised standard. But just because the technical specifications are set by business, it doesn't mean you leave it to industry. It means that you have a process with a dialogue with actors supported by a process that business is used to working with. This is more beneficial and transparent. By doing it through an alternative route, those sectors that want detailed regulation can still have it if they want to. It should be possible for sectors that prefer the New Approach to do it this way. Finally, industry wants the authorities to participate in standardisation. Because the authorities have the responsibility to represent common goals. If you are going to have market surveillance it is better if you know the standard. Also industry needs to move towards higher quality. What</p>	<p>Issue of adoption of typical New Approach approach was examined and the majority of stakeholders were against. Still, need to be further considered.</p>

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		we need is legislation that is predictable and transparent and then industry can develop the products.	
Emilien Gasc ANEC (represents consumers in the standardisation process)	<i>Standardisation</i>	The problem with standardisation is that it is mainly decided by national bodies that represent industry in their countries. The good thing with the Ecodesign Directive at the moment is that it rests with Member State voting. Even for Ecolabel the Parliament and the Council still have scrutiny rights. So how can you move towards standardisation and still guarantee democratic representation.	Comments reflected to a certain extent in the report but will be taken into further consideration
Ton Pluijmer; Flooring Industry Association	<i>Standardisation</i>	Sometimes there is a lack of interest from consumer bodies. It is right that all stakeholders participate, consumers, government, test houses etc. – we have had the experience of seeing consumer bodies come and say well this is too specific and they have stopped participating. The lack of interest is a problem for consumer bodies in many cases. It is not a fact that the processes are not open and groups other than industry cannot participate in standardisation work.	Comment to be taken into consideration
Emillien Glasc; ANEC (represents consumers in the standardisation process)	<i>Standardisation</i>	There is a minimum of consumer representation as far as Ecodesign is concerned and this is supported by the Commission. When it comes to standardisation it often depends on the country. Of course, environmental and consumer NGOs are not as rich as industry. It's not a lack of interest but a lack of funding.	Comment to be taken into consideration

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Maria, Sandqvist; Swedish Association of Energy Industries	<i>Standardisation</i>	If you have a standard it gives you a presumption of conformity and the Commission will welcome it as a harmonised standard. Also, consumer organisations are welcome at a national level.	The question of the use of New Approach approach is already examined in the report and there are very mixed responses. Still it will be further considered
Gonzalez-Quijano Gustavo; COTANCE	<i>Standardisation</i>	The leather industry has limited resources and does not have funding for participating in the standard bodies.	Comment to be taken into consideration
Nivano Kentaro; CANON (industry)	<i>General comment</i> <i>Market surveillance and Enforcement</i>	The EUP Directive has been driven by hard work from the industry and Commission and is successful. It takes time and is not perfect, but it is going in the right direction and we should not change from right to left tomorrow. Labels, innovation education and other incentives could help improve market surveillance. Some of the contributions from Ecolabel could improve market surveillance. Industry is happy to contribute but we must go in the right direction.	Comments already reflect in the report but will be taken into further consideration
Stephane Arditi; EBB	<i>Effectiveness-Impact on Innovation</i>	Ecodesign has not been designed to be a marketing tool - we have to be clear about the objective of the policy. There are other policy instruments that promote innovation. But there are examples where it does offer some support compared to evidence from the past where there was a flat line e.g. televisions improving through Ecodesign and labelling. Perhaps it does not provide breakthrough innovations but it does help to deploy innovations.	Comments already reflect in the report but will be taken into further consideration

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Carl Johan Dalhammar; Lund University	<i>Effectiveness-Impact on Innovation</i>	<p>When you evaluate innovation effects, e.g. when you look at the Swedish experience of technology procurement, there are a lot of indirect effects, and it is not easy to assess. There are as mentioned other policy instruments to promote innovation, to promote genuine innovation with frontrunners. Of course an instrument like this helps in different ways but it's not easy to isolate the effects of an instrument.</p>	<p>Comments already reflect in the report but will be taken into further consideration</p>
Mark Goedkoop PRE Consultants		<p>Apart from policy measures, what companies are putting in in terms of innovation is obvious and is one of the contributing factors for developing innovation. To look over the ocean, in the US, to compete on environmental issues, 100 companies invested €100,000 a year in a common measurement tool to compete on innovative products.</p> <p>They will develop new rules and informal standards. Europe is struggling with the LCA approach which is a more open process and leaves room for interpretation which shows that they are not a real standard.</p> <p>You need to look at the positive side and see what USA is doing regarding their sustainability consortium. Also a clothing consortium of 25 companies will also come together to throw in large amounts money to be able to compete on environmental standards and will provide good rules amongst themselves.</p>	<p>This information will be considered. More information on the examples mentioned will be sought.</p>
Goran Gambling; Swedish Chemical Association	<i>Textiles case study</i>	<p>We do not agree with the textiles case study. We think that the production phase and the use of chemicals and pesticides should be mentioned in the analysis of textiles. The production phase and the use of resources should be used. It is quite clear that you can create residues of pesticides in cotton etc.</p>	<p>Point to be examined further.</p>