

EFFECTIVENESS OF THE ECO DESIGN DIRECTIVE: An industry point of view

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Sigrid Linher, Environment Manager, ORGALIME



Parameters for effectiveness

- Functioning of the Internal Market
- Competitiveness of industry
- Environmental improvements and other benefits, i.e.: for the consumer
- Practical workability



Functioning of the Internal Market

Means of a Regulation

Helps better harmonisation of regulated environmental aspects (i.e.: energy efficiency) – no national divergences reported for national legislation, however: national divergences in market surveillance

Environmental aspects that are not subject of IMs

Two shortcomings:

- 1. No application of art.15.6:** None of the IMs spells out that no requirement is necessary for certain eco design parameters
- 2. Aspects other than energy efficiency:**
 - continue to be addressed in **other EU legislation** (i.e.: WEEE recast, RoHS recast, REACH)
 - these other legislations **do not apply ErP criteria**

ErP is the stated framework for all environmental aspects, but reality differs:

Where is the promised holistic approach?



Competitiveness of EU industry

Does the Directive create (new) market opportunities?

1. Higher performing products often have **higher purchase price**, but: **investment costs**
2. **Market does not yet respond sufficiently**
3. **Market surveillance**
 - Concerns on qualification of laboratories and Member States dedicated resources
 - Unclear if there will be one database used by Member States for reporting of activities, such as it is the case in area of safety
 - Support tools for SMEs needed
4. **Link to Green Public Procurement of concern**
 - Not always science based
 - Trend to promote best performing (eco label) instead of socio economic approach to support necessary massive market diffusion

Does it promote innovation?

Stimulates competition with Non-EU manufacturers



Environmental objectives

Energy efficiency improvements	<ol style="list-style-type: none">1. Will consumer change behaviour: Buy new instead of repairing?2. EU legislation promotes different objectives – Examples: ErP: energy efficiency WEEE/RoHS: reuse of appliances, phase out of substances relevant for energy performance
Other environmental benefits	Other environmental aspects than energy efficiency mostly not addressed in ErP-IMs
Benefits for the consumer	<ol style="list-style-type: none">1. Better performing products available: higher purchase price, but lower energy cost2. Support measures are neither consistent nor predictable (financial crisis impacted Member States support programmes for energy efficiency)



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Workability

State of implementation 2005 –2011:

- 35 preparatory studies
- 11 IMs
- 4 voluntary agreements

1. ErP is broad
2. ErP procedure works more quickly than ordinary legislative procedure

Preparatory work

1. Demanding for all actors involved, though still fairly quick
2. Positive example of transparency and Better Regulation in general
3. Reported difficulties in definition of scope of IMs

Targeted product groups

1. The more ErP shifts from mass products to complex products/systems or even processes, the more complex the process
ErP seems less fit for systems, industrial equipment or processes



Conclusions

Parameter	Assessment of effectiveness
Internal market	Means of Regulation: Yes Implementation: Improvements possible
Competitiveness	Too early in the process to evaluate
Environmental objectives & consumer benefits	Too early in the process to evaluate
Workability	Established framework procedures: Mainly yes Implementation: Partly , but: problems for B2B

1. Picture is not homogeneous:

Different product groups - different conclusions possible

2. Early in process:

- Not the moment to further extend the scope
- Not the moment to re-open whole framework
- But time to gain further experience



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