

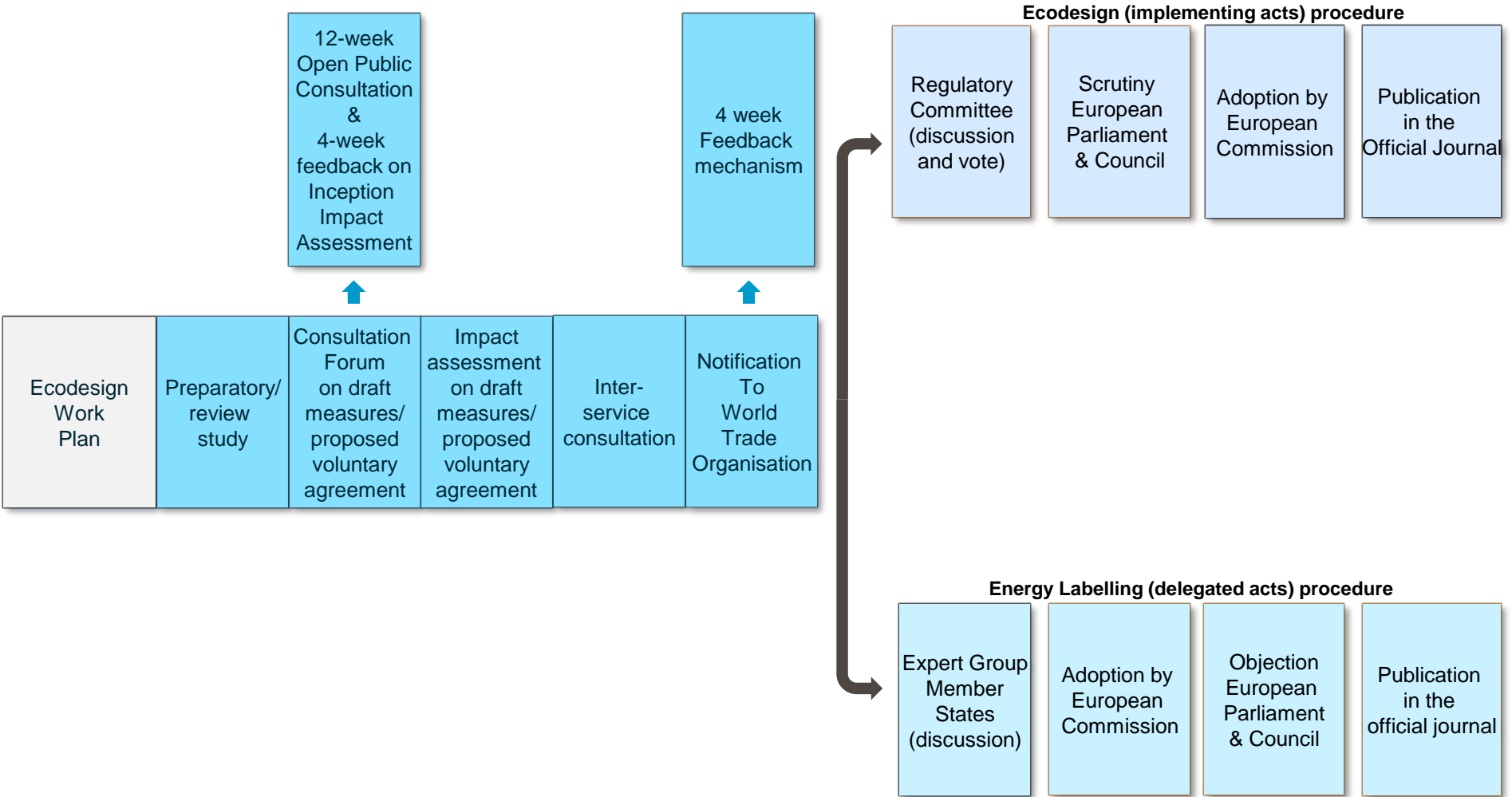
# Implementation of Ecodesign Requirements in Europe

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- 2 Framework Directives set the general procedure and roles
  - Ecodesign
  - Energy Labelling
- A harmonised methodology to policy development
  - Methodology review study about to be launched
  - Considering better integration of resource efficiency aspects
- Also, Work Plans adopted for 3-4 years periods - priorities
- Preparatory Studies define for each product what the appropriate policy tool(s) would be

# Procedural Steps – the Policy Pathway





- Europe follows a policy-making process, which involves stakeholders, and can take from 2-5 years depending on the product
- That process is completed, and the Commission conducts an internal 'Concurrence' process
- The WTO is then notified
- The Member States then meet and vote on the measure, and can make minor amendments
- Parliament and Council hold a scrutiny period
- The final measure adopted by the Commission, and becomes law 20 days after its published in the European Journal



- **Publication Date** – date it appears in Official Journal of the European Union (OJEU)
- Date of **Entry into Force** - 20 days after Publication in the OJEU
- **Effective Date** – when the requirements take effect; this can be more than one date
  
- For example, for lighting:
  - Publication Date is expected to be 5 December 2019
  - So “Entry into Force” will be 25 December 2019
  - And Effective Date is already known, 1 September 2021

(1) Question on **placing on the market** and/or putting into service as used in Article 3 of the Ecodesign Directive and its implementing Regulations.

Article 2 of the Directive defines '**placing on the market**' as *making a product available for the first time on the Community market with a view to its distribution or use within the Community, whether for reward or free of charge and irrespective of the selling technique* and 'putting into service' as the first use of a product for its intended purpose by an end-user in the Community.



# Problem this can create

- OJEU publication – sets out the effective date, usually 1-3 years
- Retailers can sell old stock indefinitely, as long as it was ‘placed on the market’ prior to the effective date
  - Retailers could run promotions to clear old stock
  - Some retailers have stock-piled e.g., with incandescent lamps – five years after phase-out
- Uncertainty for market surveillance representatives, walk into a store and don’t know whether a product is legal
- Bottom line: CLASP would encourage South Africa to consider a limit on the sale of old stock to avoid this problem in European

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# Thank you. Any questions?

For more information visit [www.clasp.ngo](http://www.clasp.ngo) or contact:

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