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# Ecodesign for Sustainable Products Regulation (*ESPR*)

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Daniela Brunsó Welker

Product Stewardship

BASF ESPAÑOLA S.L.

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Paint &  
Coatings



EXPOSICIÓN  
PROGRAMA CIENTÍFICO  
TECHFOCUS



20-21 noviembre

**2024**

La Farga de L'Hospitalet Barcelona





# Agenda

## ■ Presentation of core elements of the ESPR

- Ecodesign Approach & Requirements
- Digital Product Passport
- Substances of Concern
- ESPR Working Plan & Product Priorities
- ESPR Timeline







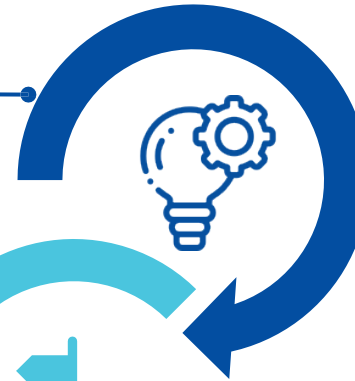
# Core elements of the ESPR

# ESPR establishes a framework legislation

**ESPR =  
framework  
legislation**

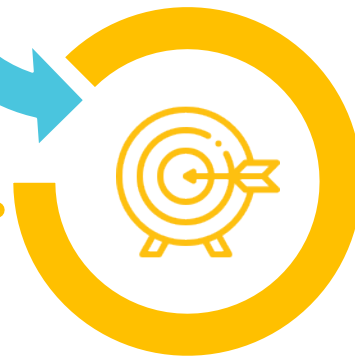
It does not set  
specific measures.  
Rather, it enables  
their later  
adoption

Framework legislation



Regularly updated  
**multiannual working  
plans** setting out priorities

Product-specific measures  
based on detailed impact  
assessment



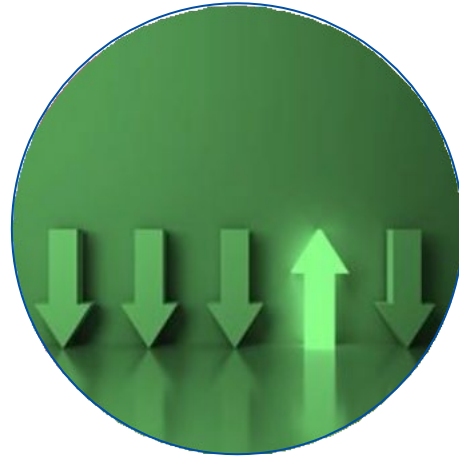


# ESPR sets a new sustainability & ecodesign approach



## Broad scope

Moving beyond energy-related products to a **wide product scope**



## New sustainability & ecodesign aspects

e.g. **performance requirements** - durability, CO<sub>2</sub> footprint, recycled content



## Horizontal measures

Common ecodesign requirements for products with similarities



## Strong focus on product information

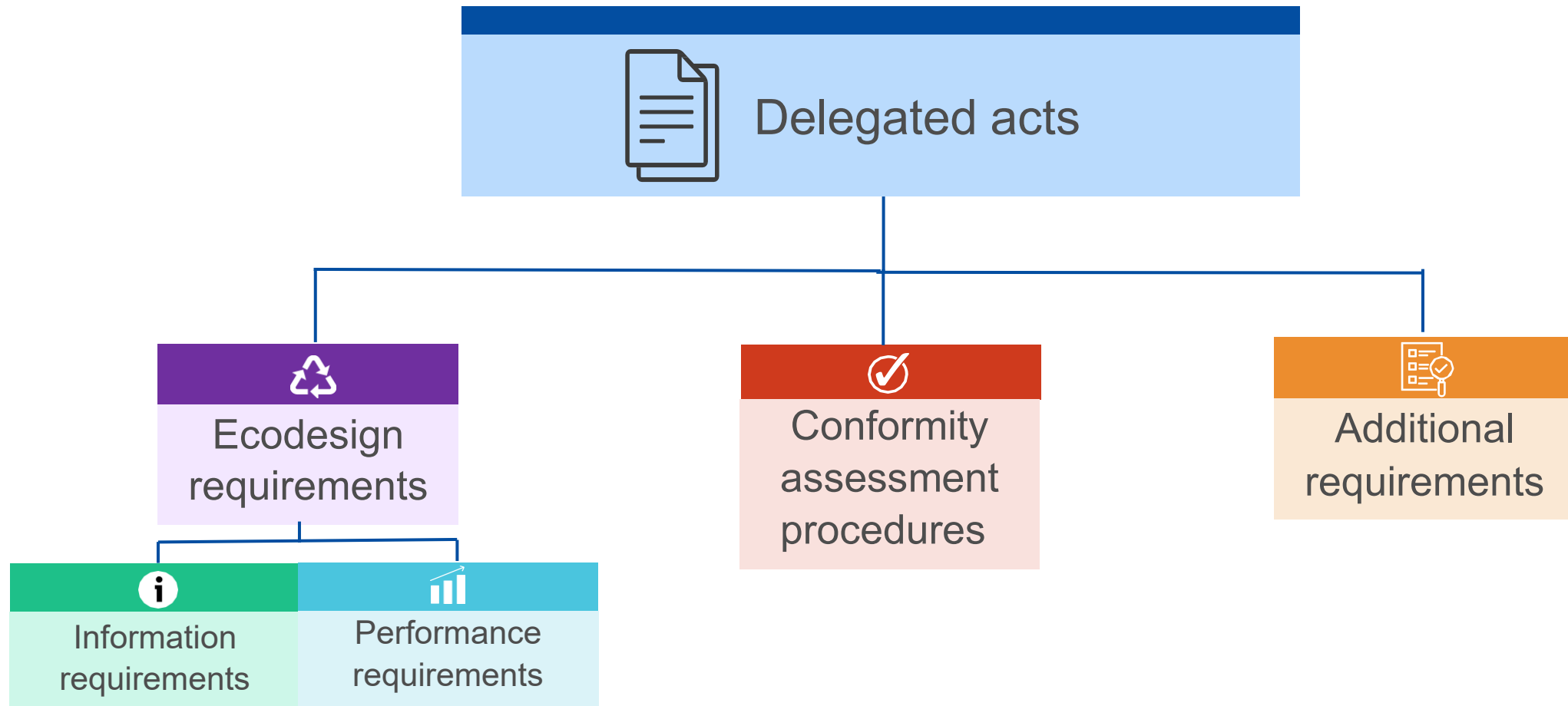
**Digital Product Passport**, labels & information requirements

# Key product aspects under ESPR

## Article 5 – Ecodesign requirements

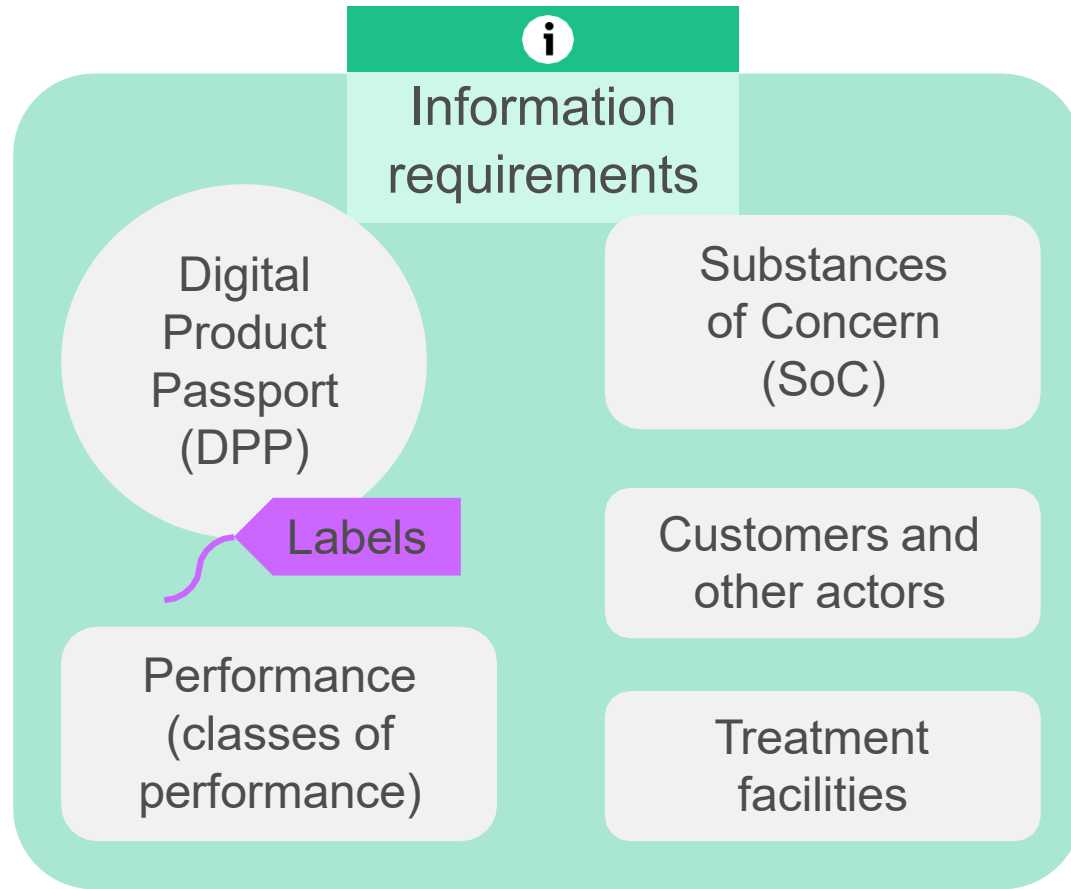


# Art. 4 – Empowerment

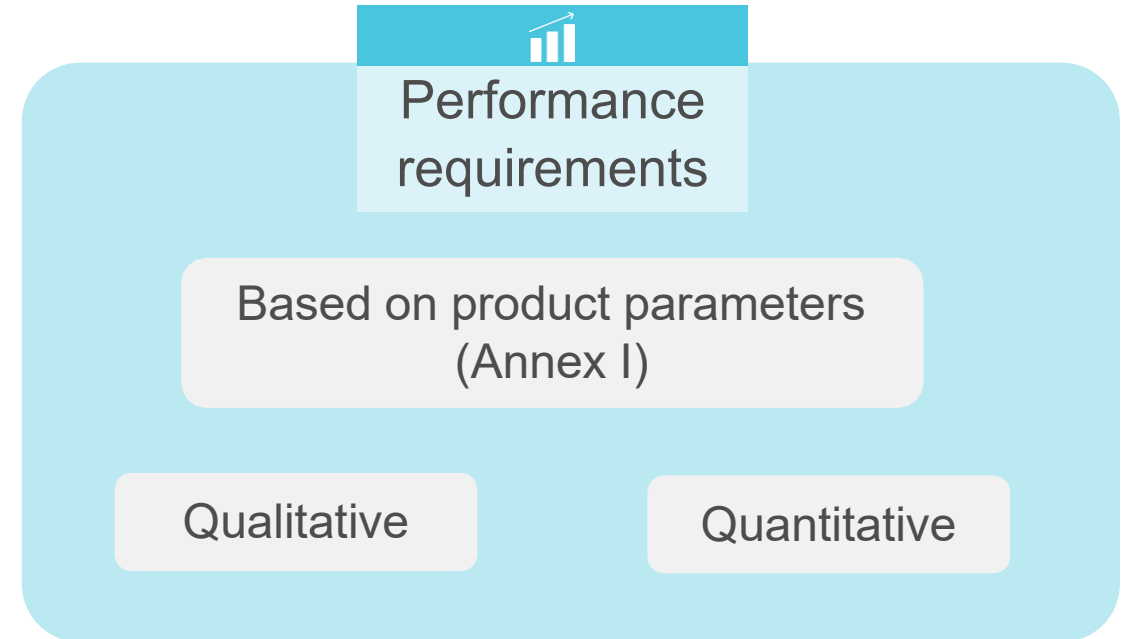


# Ecodesign requirements

Product specific or horizontal



**Horizontal requirements**  
When two or more product groups display similarities allowing a product aspect to be effectively improved based on common information or performance requirements





# ESPR is adding new tools



## Mandatory Green Public Procurement

Mandatory GPP criteria to be set for contracting authorities or contracting entities



## Prevention of destruction of unsold consumer goods

Transparency requirements for those discarding unsold goods, and possibility to ban destruction for relevant product groups

Ban on destruction of **apparel** and **footwear** after 2 years



## Market surveillance and customs controls

Strong focus on controls of regulated products, incl. planned market surveillance activities

Support to common projects and investments

# What is the Digital Product Passport?

- DPP is an integral part of ESPR
- The DPP will simplify digital access to product-specific information related to sustainability, circularity, and legal compliance.
- It will set data access Ecodesign requirements for products, complementing the physical Ecodesign requirements.
- The DPP-system shall build on existing best practices at international level, while also allowing the possibility of using new technologies and approaches.



**Digital Product Passport**



# SoC in the ESPR

Twofold approach with different scope and different boundaries:

- Information requirements and display → TRACKING of all SoCs (a, b, c and d) to enable information flow (B2B and to consumers) and to waste management operators (recyclers, preparation for reuse, etc) to improve management of SoCs including via digital product passport (DPP) or other systems such as labels, tags, etc.
- By default, all SoCs are tracked – DA to define thresholds and exemptions where relevant
- Performance requirements → RESTRICTIONS for sustainability reasons on:
  - Focusing on impact on ecodesign criteria in Art 5(1): durability, resource use, presence of substances of concern, possibility of recycling, possibility of remanufacturing, environmental footprint ...
  - ESPR should NOT provide for the restriction of substances based primarily on chemical safety, as done under other Union legislation. Union legislation on chemicals already provides for the restrictions of substances or mixtures related to safety or risk, where needed.

# SoC in the ESPR

(27) 'substance of concern' means a substance that:

- (a) meets the criteria laid down in Article 57 of **Regulation (EC) No 1907/2006** and is identified in accordance with Article 59(1) of that Regulation;
- (b) is classified in **Part 3 of Annex VI to Regulation (EC) No 1272/2008** in one of the following hazard classes or hazard categories:
  - carcinogenicity categories 1 and 2, germ cell mutagenicity categories 1 and 2, reproductive toxicity categories 1 and 2, endocrine disruption for human health categories 1 and 2, endocrine disruption for the environment categories 1 and 2, persistent, mobile and toxic or very persistent, very mobile properties, persistent, bioaccumulative and toxic or very persistent, very bioaccumulative properties, respiratory sensitisation category 1, skin sensitisation category 1, chronic hazard to the aquatic environment categories 1 to 4, hazardous to the ozone layer, specific target organ toxicity – repeated exposure categories 1 and 2, specific target organ toxicity – single exposure categories 1 and 2;
- (c) is regulated under **Regulation (EU) 2019/1021**; or
- (d) **negatively affects the reuse and recycling of materials in the product in which it is present;**



An example would be the ban on halogenated flame retardants under Regulation 2019/2021 laying down ecodesign requirements for electronic displays



# ESPR Working Plan

- WP minimum of 3 years, covering ecodesign requirements, including horizontal requirements, and the possible prohibition of destruction of unsold consumer goods.
- First working plan to be adopted in the first 9 months of ESPR implementation and include:

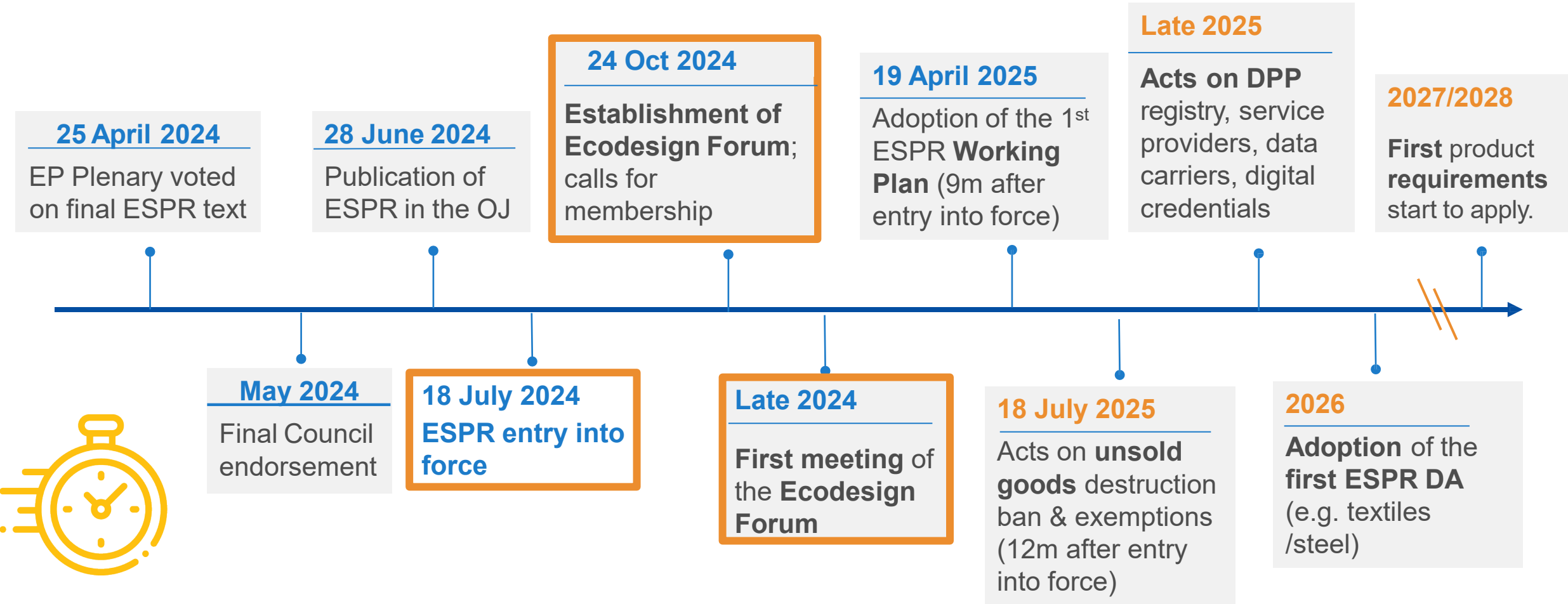
## INTERMEDIATE PRODUCTS

- Iron and Steel
- Aluminum

## FINAL PRODUCTS

- Textiles (in part. garments & footwear)
  - Furniture, including mattresses
  - Tyres
  - Detergents
  - Paints
  - Lubricants
  - Chemicals
  - Energy related products
  - Information & communication technology products and other electronics
- Justification must be provided for inclusion or exclusion of products.

# ESPR: timeline & milestones







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