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► B REGULATION (EU) 2024/1781 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 13 June 2024

establishing a framework for the setting of ecodesign requirements for sustainable products,
amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive
2009/125/EC

(Text with EEA relevance)

(OJ L 1781, 28.6.2024, p. 1)

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► C1 Corrigendum, OJ L 90493, 7.8.2024, p. 1 (2024/1781)

► C2 Corrigendum, OJ L 90356, 28.4.2025, p. 1 (2024/1781)



**REGULATION (EU) 2024/1781 OF THE EUROPEAN
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CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter and scope

1. This Regulation establishes a framework for the setting of ecodesign requirements that products have to comply with to be placed on the market or put into service, with the aim of improving the environmental sustainability of products in order to make sustainable products the norm and to reduce the overall carbon footprint and environmental footprint of products over their life cycle, and of ensuring the free movement of sustainable products within the internal market.

This Regulation also establishes a digital product passport, provides for the setting of mandatory green public procurement requirements and creates a framework to prevent unsold consumer products from being destroyed.

2. This Regulation applies to any physical goods that are placed on the market or put into service, including components and intermediate products. However, it does not apply to:

- (a) food as defined in Article 2 of Regulation (EC) No 178/2002;
- (b) feed as defined in Article 3(4) of Regulation (EC) No 178/2002;
- (c) medicinal products as defined in Article 1(2) of Directive 2001/83/EC;
- (d) veterinary medicinal products as defined in Article 4(1) of Regulation (EU) 2019/6;
- (e) living plants, animals and micro-organisms;
- (f) products of human origin;
- (g) products of plants and animals relating directly to their future reproduction;
- (h) vehicles as referred to in Article 2(1) of Regulation (EU) No 167/2013, in Article 2(1) of Regulation (EU) No 168/2013 and in Article 2(1) of Regulation (EU) 2018/858, in respect of those product aspects for which requirements are set under sector-specific Union legislative acts applicable to those vehicles.

▼B*Article 2***Definitions**

For the purposes of this Regulation, the following definitions apply:

- (1) ‘product’ means any physical goods that are placed on the market or put into service;
- (2) ‘component’ means a product intended to be incorporated into another product;
- (3) ‘intermediate product’ means a product that requires further manufacturing or transformation such as mixing, coating or assembling to make it suitable for end-users;
- (4) ‘energy-related product’ means any product that has an impact on energy consumption during use;
- (5) ‘product group’ means a set of products that serve similar purposes and are similar in terms of use, or have similar functional properties, and are similar in terms of consumer perception;
- (6) ‘ecodesign’ means the integration of environmental sustainability considerations into the characteristics of a product and the processes taking place throughout the product’s value chain;
- (7) ‘ecodesign requirement’ means a performance requirement or an information requirement aimed at making a product, including processes taking place throughout the product’s value chain, more environmentally sustainable;
- (8) ‘performance requirement’ means a quantitative or non-quantitative requirement for or in relation to a product to achieve a certain performance level in relation to a product parameter referred to in Annex I;
- (9) ‘information requirement’ means an obligation for a product to be accompanied by information as specified in Article 7(2);
- (10) ‘supply chain’ means all upstream activities and processes of the product’s value chain, up to the point where the product reaches the customer;
- (11) ‘value chain’ means all activities and processes that are part of the life cycle of a product, as well as its possible remanufacturing;
- (12) ‘life cycle’ means the consecutive and interlinked stages of a product’s life, consisting of raw material acquisition or generation from natural resources, pre-processing, manufacturing, storage, distribution, installation, use, maintenance, repair, upgrading, refurbishment and reuse, and end-of-life;
- (13) ‘end-of-life’ means the life cycle stage that begins when a product is discarded and ends when the waste material of the product is returned to nature or enters another product’s life cycle;

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- (14) ‘environmental impact’ means any change to the environment, whether adverse or beneficial, wholly or partially resulting from a product during its life cycle;
- (15) ‘class of performance’ means a range of performance levels in relation to one or more product parameters referred to in Annex I, which is established based on a common methodology for the product or product group, ordered in such a way as to allow for product differentiation;
- (16) ‘remanufacturing’ means actions through which a new product is produced from objects that are waste, products or components and through which at least one change is made that substantially affects the safety, performance, purpose or type of the product;
- (17) ‘upgrading’ means actions carried out to enhance the functionality, performance, capacity, safety or aesthetics of a product;
- (18) ‘refurbishment’ means actions carried out to prepare, clean, test, service and, where necessary, repair a product or a discarded product in order to restore its performance or functionality within the intended use and range of performance originally conceived at the design stage at the time of the placing of the product on the market;
- (19) ‘maintenance’ means one or more actions carried out to keep a product in a condition where it is able to fulfil its intended purpose;
- (20) ‘repair’ means one or more actions carried out to return a defective product or waste to a condition where it fulfils its intended purpose;
- (21) ‘premature obsolescence’ means a product design feature or subsequent action or omission resulting in the product becoming non-functional or performing less well without such changes of functionality or performance being the result of normal wear and tear;
- (22) ‘durability’ means the ability of a product to maintain over time its function and performance under specified conditions of use, maintenance and repair;
- (23) ‘reliability’ means the probability that a product functions as required under given conditions for a given duration without an occurrence which results in a primary or secondary function of the product no longer being performed;
- (24) ‘environmental footprint’ means a quantification of the environmental impacts resulting from a product throughout its life cycle, whether in relation to a single environmental impact category or an aggregated set of impact categories based on the Product Environmental Footprint method established by Recommendation (EU) 2021/2279 or other scientific methods developed by international organisations, widely tested in collaboration with different industry sectors and adopted or implemented by the Commission in other Union law;

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- (25) ‘carbon footprint’ means the sum of greenhouse gas emissions and greenhouse gas removals in a product system, expressed as CO₂ equivalents and based on a life cycle assessment using the single impact category of climate change;
- (26) ‘material footprint’ refers to the total amount of raw materials extracted to meet final consumption demands;
- (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:
 - (i) carcinogenicity categories 1 and 2;
 - (ii) germ cell mutagenicity categories 1 and 2;
 - (iii) reproductive toxicity categories 1 and 2;
 - (iv) endocrine disruption for human health categories 1 and 2;
 - (v) endocrine disruption for the environment categories 1 and 2;
 - (vi) persistent, mobile and toxic or very persistent, very mobile properties;
 - (vii) persistent, bioaccumulative and toxic or very persistent, very bioaccumulative properties;
 - (viii) respiratory sensitisation category 1;
 - (ix) skin sensitisation category 1;
 - (x) hazardous to the aquatic environment — categories chronic 1 to 4;
 - (xi) hazardous to the ozone layer;
 - (xii) specific target organ toxicity — repeated exposure categories 1 and 2;
 - (xiii) 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;
- (28) ‘digital product passport’ means a set of data specific to a product that includes the information specified in the applicable delegated act adopted pursuant to Article 4 and that is accessible via electronic means through a data carrier in accordance with Chapter III;
- (29) ‘data carrier’ means a linear barcode symbol, a two-dimensional symbol or other automatic identification data capture medium that can be read by a device;

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- (30) ‘unique product identifier’ means a unique string of characters for the identification of a product that also enables a web link to the digital product passport;
- (31) ‘unique operator identifier’ means a unique string of characters for the identification of an actor involved in a product’s value chain;
- (32) ‘digital product passport service provider’ means a natural or legal person that is an independent third-party authorised by the economic operator which places the product on the market or puts it into service and that processes the digital product passport data for that product for the purpose of making such data available to economic operators and other relevant actors with a right to access those data under this Regulation or other Union law;
- (33) ‘unique facility identifier’ means a unique string of characters for the identification of locations or buildings involved in a product’s value chain or used by actors involved in a product’s value chain;
- (34) ‘destruction’ means the intentional damaging or discarding of a product as waste with the exception of discarding for the sole purpose of delivering the discarded product for preparing for reuse, including refurbishment or remanufacturing operations;
- (35) ‘customer’ means a natural or legal person that purchases, hires or receives a product for their own use whether or not acting for purposes which are outside their trade, business, craft or profession;
- (36) ‘consumer product’ means any product, excluding components and intermediate products, primarily intended for consumers;
- (37) ‘unsold consumer product’ means any consumer product that has not been sold including surplus stock, excess inventory and deadstock and products returned by a consumer on the basis of their right of withdrawal in accordance with Article 9 of Directive 2011/83/EU or, where applicable, during any longer withdrawal period provided by the trader;
- (38) ‘self-regulation measure’ means a voluntary agreement or a code of conduct, concluded by economic operators on their own initiative, which they are responsible for enforcing;
- (39) ‘making available on the market’ means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge;
- (40) ‘placing on the market’ means the first making available of a product on the Union market;
- (41) ‘putting into service’ means the first use, for its intended purpose, in the Union, of a product;

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- (42) ‘manufacturer’ means any natural or legal person that manufactures a product or that has a product designed or manufactured, and markets that product under their name or trademark;
- (43) ‘authorised representative’ means any natural or legal person established in the Union that has received a written mandate from the manufacturer to act on the manufacturer’s behalf in relation to specified tasks with regard to the manufacturer’s obligations under this Regulation;
- (44) ‘importer’ means any natural or legal person established in the Union that places a product from a third country on the Union market;
- (45) ‘distributor’ means any natural or legal person in the supply chain, other than the manufacturer or the importer, that makes a product available on the market;
- (46) ‘economic operator’ means the manufacturer, the authorised representative, the importer, the distributor, the dealer and the fulfilment service provider;
- (47) ‘independent operator’ means a natural or legal person that is independent of the manufacturer and is directly or indirectly involved in the refurbishment, repair, maintenance or repurposing of a product, and includes waste management operators, refurbishers, repairers, manufacturers or distributors of repair equipment, tools or spare parts, as well as publishers of technical information, operators offering inspection and testing services and operators offering training for installers, manufacturers and repairers of equipment;
- (48) ‘professional repairer’ means a natural or legal person that provides professional repair or maintenance services for a product, irrespective of whether that person acts within the manufacturer’s distribution system or independently;
- (49) ‘technical specification’ means a document that prescribes technical requirements to be fulfilled by a product, process or service;
- (50) ‘CE marking’ means a marking by which the manufacturer indicates that the relevant product is in conformity with the applicable requirements set out in Union harmonisation legislation providing for its affixing;
- (51) ‘conformity assessment’ means the process demonstrating whether the ecodesign requirements set out in the relevant delegated acts adopted pursuant to Article 4 have been fulfilled;
- (52) ‘conformity assessment body’ means a body that performs conformity assessment activities including calibration, testing, certification and inspection;
- (53) ‘notified body’ means a conformity assessment body notified in accordance with Chapter IX;

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- (54) ‘provider of an online marketplace’ means a provider of an intermediary service using an online interface which allows customers to conclude distance contracts with economic operators for the sale of products covered by delegated acts adopted pursuant to Article 4;
- (55) ‘dealer’ means a distributor or any other natural or legal person that offers products for sale, hire or hire purchase, or that displays products, to end users in the course of a commercial activity, including through distance selling; and includes any natural or legal person that puts a product into service in the course of a commercial activity;
- (56) ‘distance selling’ means the offer for sale, hire or hire purchase of products, online or through other means of distance sales, whereby the potential customer cannot physically access the product;
- (57) ‘product presenting a risk’ means a product that, by not complying with an ecodesign requirement set in or pursuant to this Regulation other than those listed in Article 71(1), could adversely affect the environment or other public interests protected by that requirement;
- (58) ‘product presenting a serious risk’ means a product presenting a risk for which, based on an assessment, the degree of the relevant non-compliance or the associated harm is considered to require rapid intervention by the market surveillance authorities, including cases where the effects of the non-compliance are not immediate.

The definitions of ‘SMEs’, ‘small enterprises’ and ‘microenterprises’ in Article 2(1), (2) and (3), respectively, of Annex I to Commission Recommendation 2003/361/EC ⁽¹⁾ apply.

The definitions of ‘substance’ and ‘mixture’ in Article 3, points (1) and (2), respectively, of Regulation (EC) No 1907/2006 apply.

The definitions of ‘accreditation’ and ‘national accreditation body’ in Article 2, points (10) and (11), respectively, of Regulation (EC) No 765/2008 apply.

The definitions of ‘waste’, ‘hazardous waste’, ‘reuse’, ‘recovery’, ‘preparing for reuse’ and ‘recycling’ in Article 3, points (1), (2), (13), (15), (16) and (17), respectively, of Directive 2008/98/EC apply.

The definition of ‘harmonised standard’ in Article 2, point (1) (c), of Regulation (EU) No 1025/2012 applies.

The definitions of ‘contracting authorities’ in Article 2, point (1), of Directive 2014/24/EU and of ‘contracting entities’ in Article 4(1) of Directive 2014/25/EU apply. ‘Public contracts’ means contracts covered by Directives 2014/24/EU and 2014/25/EU.

⁽¹⁾ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).

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The definition of ‘processing’ in Article 3, point (2), of Regulation (EU) 2018/1807 of the European Parliament and of the Council ⁽²⁾ applies.

The definition of ‘consumer’ in Article 2, point (2), of Directive (EU) 2019/771 applies.

The definitions of ‘market surveillance’, ‘market surveillance authority’, ‘fulfilment service provider’, ‘online interface’, ‘corrective action’, ‘end user’, ‘recall’, ‘withdrawal’, ‘customs authorities’ and ‘release for free circulation’ in Article 3, points (3), (4), (11), (15), (16), (21), (22), (23), (24) and (25), respectively, of Regulation (EU) 2019/1020 apply.

Article 3

Free movement

1. Products shall only be placed on the market or put into service if they comply with the ecodesign requirements applicable to those products, set out in the delegated acts adopted pursuant to Article 4.

2. Member States shall not prohibit, restrict or impede the placing on the market or putting into service of products that comply with the performance requirements set out in delegated acts adopted pursuant to Article 4 for reasons of non-compliance with national performance requirements relating to product parameters referred to in Annex I covered by performance requirements included in such delegated acts.

Member States shall not prohibit, restrict or impede the placing on the market or putting into service of products that comply with the information requirements set out in delegated acts adopted pursuant to Article 4 for reasons of non-compliance with national information requirements relating to product parameters referred to in Annex I covered by information requirements included in such delegated acts.

3. Notwithstanding paragraph 2 of this Article, Member States shall not be precluded from setting minimum energy performance requirements in accordance with Article 5 of Directive (EU) 2024/1275 and system requirements in accordance with Article 13 of that Directive.

4. Member States shall not prohibit, restrict or impede the placing on the market or putting into service of products for which a delegated act adopted pursuant to Article 4(2) establishes that no performance requirements, no information requirements or neither performance nor information requirements are to be set for one or more specific product parameters referred to in Annex I, on the grounds of non-compliance with national requirements relating to such parameters.

⁽²⁾ Regulation (EU) 2018/1807 of the European Parliament and of the Council of 14 November 2018 on a framework for the free flow of non-personal data in the European Union (OJ L 303, 28.11.2018, p. 59).

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5. At trade fairs, exhibitions and similar events, Member States shall not prevent the showing of products that do not comply with requirements set in delegated acts adopted pursuant to Article 4, provided that a visible sign clearly indicates that such products do not comply with the requirements set in those delegated acts and that they are not for sale until they have been brought into conformity.

CHAPTER II

ECODESIGN REQUIREMENTS

*Article 4***Empowerments to adopt delegated acts**

1. The Commission is empowered to adopt delegated acts in accordance with Article 72 to supplement this Regulation by setting ecodesign requirements. Those delegated acts shall include at least the elements listed in Article 8. Such ecodesign requirements shall be set in accordance with Articles 5, 6 and 7 and Chapter III.

2. The empowerment referred to in paragraph 1 shall include the possibility of establishing that no performance requirements, no information requirements or neither performance nor information requirements are to be set for certain product parameters referred to in Annex I where a requirement related to those specific product parameters would have a negative impact on the ecodesign requirements considered for the product group concerned.

3. The empowerment referred to in paragraph 1 shall not include the possibility of adopting a delegated act that establishes that no ecodesign requirements are necessary for a product group.

4. In the delegated acts adopted pursuant to paragraph 1, the Commission shall provide economic operators with sufficient time to comply with the ecodesign requirements laid down in those delegated acts, particularly taking into consideration the needs of SMEs, in particular microenterprises. The date of application of a delegated act shall not be earlier than 18 months from its entry into force, except in duly justified cases for the whole act or for some specific requirements, or except in cases of partial repeal or amendment of delegated acts, where an earlier date of application may be set.

5. In the delegated acts referred to in paragraph 1 of this Article, the Commission shall supplement this Regulation by specifying the applicable conformity assessment procedures from either module A set out in Annex IV to this Regulation or one of the modules B to H1 set out in Annex II to Decision No 768/2008/EC, with the adaptations necessary in view of the product or ecodesign requirements concerned, in accordance with Article 43 of this Regulation.

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Where different conformity assessment modules in Annex II to Decision 768/2008/EC are to be used pursuant to other Union law for the same product, the module provided for in the delegated acts referred to in paragraph 1 shall be used for the ecodesign requirement concerned.

When this Regulation, where appropriate, applies to a product group in a manner complementary to a Regulation of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products (the ‘construction products Regulation’), the delegated act adopted pursuant to paragraph 1 shall specify the conformity assessment procedure, including, where appropriate, any systems provided for pursuant to a measure under the construction products Regulation, taking into account the characteristics of the product group, the relevant ecodesign requirements and the cost for economic operators.

6. The delegated acts adopted pursuant to paragraph 1 may, as appropriate in view of the specificities of the product group, include any of the following additional requirements:

- (a) where necessary for effective market surveillance:
 - (i) that manufacturers, their authorised representatives or importers keep the technical documentation and the EU declaration of conformity for a period other than the 10 years referred to in Article 27(3), Article 28(2), point (a), or Article 29(7), as applicable, after the relevant product has been placed on the market or put into service taking into account the nature of the product or ecodesign requirements concerned;
 - (ii) that economic operators provide, upon request, market surveillance authorities with the information set out in Article 36(2), second subparagraph, for a period other than 10 years referred to therein after the relevant product has been supplied;
 - (iii) that manufacturers, their authorised representatives or importers make parts of the technical documentation related to the relevant product digitally available to the Commission or market surveillance authorities without a request being necessary, in accordance with Article 36(3);
 - (iv) that supply chain actors comply with the obligations listed in Article 38.
- (b) that manufacturers, their authorised representatives or importers make available to the Commission information on the quantities of a product covered by the delegated acts referred to in paragraph 1 of this Article placed on the market or put into service, in accordance with Article 37(1);
- (c) where necessary in order to ensure energy-efficient usage of products or to develop future ecodesign requirements:
 - (i) that products be able to measure the energy they consume or their performance in relation to other relevant product parameters referred to in Annex I while in use, in accordance with Article 37(2);

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- (ii) that manufacturers, their authorised representatives or importers collect non-personal in-use data referred to in point (i) and report to the Commission in accordance with Article 37(4);
- (iii) that digital tools be used to calculate the performance of a product in relation to a product parameter referred to in Annex I, in accordance with Article 39(2);
- (d) in order to ensure transparency about conformity with ecodesign requirements, rules on markings indicating conformity with ecodesign requirements, for products not subject to the requirement to affix the CE marking before being placed on the market or put into service, in accordance with Article 47.

7. The first delegated act to be adopted under this Article shall not enter into force before 19 July 2025.

*Article 5***Ecodesign requirements**

1. In order to address environmental impacts and based on the product parameters referred to in Annex I, the ecodesign requirements in the delegated acts adopted pursuant to Article 4 shall be such as to improve the following product aspects ('product aspects') where those product aspects are relevant to the product group concerned:

- (a) durability;
- (b) reliability;
- (c) reusability;
- (d) upgradability;
- (e) repairability;
- (f) the possibility of maintenance and refurbishment;
- (g) the presence of substances of concern;
- (h) energy use and energy efficiency;
- (i) water use and water efficiency;
- (j) resource use and resource efficiency;
- (k) recycled content;
- (l) the possibility of remanufacturing;
- (m) recyclability;
- (n) the possibility of the recovery of materials;
- (o) environmental impacts, including carbon footprint and environmental footprint;
- (p) expected generation of waste.

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2. Ecodesign requirements shall, where relevant, ensure based on the product parameters referred to in Annex I that products do not become prematurely obsolete, for reasons that include design choices by manufacturers, the use of components which are significantly less robust than other components, the impeded disassembly of key components, unavailable repair information or spare parts, software that no longer works once an operating system is updated or software updates that are not provided.
3. The Commission shall select or develop tools or methodologies, as necessary, for the setting of ecodesign requirements.
4. Ecodesign requirements shall be set for a specific product group. They may be differentiated for any specific product that belongs to that specific product group.
5. Products whose sole purpose is to serve defence or national security shall be excluded from product groups.
6. The Commission may set ecodesign requirements also for those product groups or product aspects that have not been included in the working plan referred to in Article 18.
7. Where two or more product groups display one or more similarities allowing a product aspect to be effectively improved based on common information requirements or performance requirements, horizontal ecodesign requirements may be set for those product groups ('horizontal ecodesign requirements'). When considering whether to set horizontal ecodesign requirements, the Commission shall also take into account the positive effects of those requirements towards reaching the objectives of this Regulation, in particular the ability to cover a wide range of product groups in the same delegated act. The Commission may supplement the horizontal ecodesign requirements through the setting of ecodesign requirements for a specific product group.
8. An ecodesign requirement may cover products falling within the scope of a self-regulation measure included in the list contained in the implementing act adopted pursuant to Article 21(3), in the event that the self-regulation measure does not address the product aspects covered by that ecodesign requirement.
9. Ecodesign requirements shall include, as appropriate to improve the specific product aspects, either or both of the following:
 - (a) performance requirements as set out in Article 6;
 - (b) information requirements as set out in Article 7.
10. When preparing ecodesign requirements, the Commission shall ensure consistency with other Union law and shall:
 - (a) take into account:

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- (i) Union priorities for the climate, the environment, energy efficiency, resource efficiency and security, including a non-toxic circular economy, and other related Union priorities and targets;
 - (ii) relevant Union law, including the extent to which it addresses the relevant product aspects;
 - (iii) relevant international agreements;
 - (iv) self-regulation measures;
 - (v) relevant national environmental law;
 - (vi) relevant European and international standards;
- (b) carry out an impact assessment based on best available evidence and analyses, and where appropriate on additional studies and research results produced under Union funding programmes. The setting of ecodesign requirements concerning certain of the product aspects shall not be unduly delayed by uncertainties regarding the possibility of setting ecodesign requirements to improve other product aspects of that product. In the impact assessment, the Commission shall:
- (i) indicate the methodology used;
 - (ii) ensure that all product aspects are analysed and that the depth of analysis of the product aspects is proportionate to their significance for the product concerned;
 - (iii) ensure that interdependencies between the different product aspects are analysed;
 - (iv) set out the changes expected in terms of environmental impacts, including quantified as a carbon footprint and an environmental footprint whenever possible;
 - (v) analyse the availability of feedstock for the refurbishment sector, where appropriate;
 - (vi) analyse any relevant impacts on human health;
 - (vii) consider the minimum level of performance of a product or a product group needed to achieve in the future the Union's priorities as listed in point (a)(i);
- (c) take into consideration relevant technical information used as a basis for or derived from Union law or instruments, including Regulation (EC) No 66/2010, Directive 2010/75/EU, technical screening criteria adopted pursuant to Regulation (EU) 2020/852 and EU green public procurement criteria;
- (d) take into consideration the protection of confidential business information;

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- (e) take into account the views expressed by the Ecodesign Forum referred to in Article 19 and the Member States Expert Group referred to in Article 20.

11. Ecodesign requirements shall meet the following criteria:

- (a) there shall be no significant negative impact on the functionality of the product, from the perspective of the user;
- (b) there shall be no adverse effect on the health and safety of persons;
- (c) there shall be no significant negative impact on consumers in terms of the affordability of relevant products, also taking into account access to second-hand products, durability and the life cycle cost of products;
- (d) there shall be no disproportionate negative impact on the competitiveness of economic operators and other actors in the value chain, including SMEs, in particular microenterprises;
- (e) there shall be no proprietary technology imposed on manufacturers or other actors in the value chain;
- (f) there shall be no disproportionate administrative burden on manufacturers or other actors in the value chain, including SMEs, in particular microenterprises.

12. Ecodesign requirements shall be verifiable. The Commission shall identify appropriate means of verification for specific eco-design requirements, including direct checks of the product or on the basis of the technical documentation.

13. The Commission shall publish relevant studies and analyses, including the impact assessments referred to in paragraph 10, point (b), used in the setting of eco-design requirements.

14. For each product group concerned by eco-design requirements, the Commission shall determine, where relevant, which substances fall under the definition in Article 2(27), point (d), taking into account, at least, whether:

- (a) based on standard technologies, the substances make the reuse, or recycling process more complicated, costly, environmentally impactful, or energy- or resource-demanding;
- (b) the substances impair the technical properties or functionalities, the usefulness or the value of the recycled material coming from the product or products manufactured from that recycled material;
- (c) the substances negatively impact aesthetic or olfactory properties of the recycled material.

*Article 6***Performance requirements**

1. Products shall comply with performance requirements related to the product aspects, as laid down in the delegated acts adopted pursuant to Article 4.
2. The performance requirements shall be based on the relevant product parameters referred to in Annex I and shall, as appropriate, include either or both of the following:
 - (a) minimum or maximum levels in relation to a specific product parameter or a combination thereof;
 - (b) non-quantitative requirements that aim to improve performance in relation to one or more of such product parameters.
3. Performance requirements based on the product parameter referred to in Annex I, point (f), shall not restrict, for reasons relating primarily to chemical safety, the presence of substances in products.

However, the setting of performance requirements shall also, where appropriate, reduce significant risks to human health or the environment.

4. When setting performance requirements, the Commission shall follow the procedure set out in Annex II.

*Article 7***Information requirements**

1. Products shall comply with information requirements related to the product aspects, as laid down in the delegated acts adopted pursuant to Article 4.
2. The information requirements shall:
 - (a) include, as a minimum, requirements related to the digital product passport set out in Chapter III and requirements related to substances of concern set out in paragraph 5;
 - (b) as appropriate, also require products to be accompanied by:
 - (i) information on the performance of the product in relation to one or more of the product parameters referred to in Annex I, including a repairability score, a durability score, a carbon footprint or an environmental footprint;
 - (ii) information for customers and other actors on how to install, use, maintain and repair the product, in order to minimise its impact on the environment and to ensure optimum durability, on how to install third-party operating systems where relevant, as well as on collection for refurbishment or remanufacture, and on how to return or handle the product at end-of-life;

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- (iii) information for treatment facilities on disassembly, reuse, refurbishment, recycling, or disposal at end-of-life;
 - (iv) other information that could influence sustainable product choices for customers and the way the product is handled by parties other than the manufacturer in order to facilitate appropriate use, value-retaining operations and correct treatment at end-of-life;
- (c) be clear, easily understandable and tailored to the particular characteristics of the product groups concerned and the intended recipients of the information.

An information requirement may be set for a specific product parameter irrespective of whether a performance requirement is set for that specific product parameter.

Where a delegated act contains horizontal ecodesign requirements, point (a) of this paragraph shall not apply.

3. Information requirements based on the product parameter set out in Annex I, point (f), shall not concern the labelling of substances or mixtures for reasons relating primarily to their hazards to health or the environment.

4. When setting the information requirements referred to in paragraph 2, point (b)(i), the Commission shall, where appropriate in view of the specificity of the product group, determine classes of performance.

The Commission may base the classes of performance on single parameters or on aggregated scores. Such classes of performance may be expressed in absolute terms or in any other form that enables potential customers to choose the best performing products.

Those classes of performance shall correspond to significant improvements in performance levels.

Where classes of performance are based on parameters in relation to which performance requirements are set, the lowest class shall correspond to the minimum performance required at the time when the classes of performance start to apply.

5. Unless otherwise provided for under paragraph 6, point (b), the information requirements shall make it possible to track the substances of concern, throughout the life cycle of the products concerned, unless such tracking is already possible pursuant to information requirements laid down in another delegated act adopted pursuant to Article 4 covering the products concerned, and shall include at least the following:

- (a) the name or numerical code of the substances of concern present in the product, as follows:
 - (i) name in the International Union of Pure and Applied Chemistry (IUPAC) nomenclature, or another international name when IUPAC name is not available;

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- (ii) other names, including usual name, trade name, abbreviation;
- (iii) European Community (EC) number, as indicated in the European Inventory of Existing Commercial Chemical Substances (EINECS), the European List of Notified Chemical Substances (ELINCS) or the No Longer Polymer (NLP) list or the number assigned by the European Chemicals Agency (ECHA), if available and appropriate;
- (iv) the Chemical Abstract Service (CAS) name and number, if available;
- (b) the location of the substances of concern within the product;
- (c) the concentration, maximum concentration or concentration range of the substances of concern, at the level of the product, its relevant components, or spare parts;
- (d) relevant instructions for the safe use of the product;
- (e) information relevant for disassembly, preparation for reuse, reuse, recycling and the environmentally sound management of the product at end-of-life.

The Commission may, where appropriate for the product group concerned, set thresholds for when the information requirement regarding substances of concern is to apply.

6. Where the Commission sets out information requirements in a delegated act adopted pursuant to Article 4, it shall, where relevant:

- (a) lay down dates of application of such information requirements referred to in the first subparagraph of paragraph 5, differentiating between substances of concern where necessary;
- (b) provide duly justified exemptions for substances of concern or information elements from such information requirements referred to in the first subparagraph of paragraph 5, based on the technical feasibility or relevance of tracking substances of concern, the existence of analytical methods to detect and quantify them, the need to protect confidential business information or in other duly justified cases; substances of concern within the meaning of Article 2(27), point (a), shall not be exempted if they are present in products, their relevant components or spare parts in a concentration above 0,1 % weight by weight; and
- (c) ensure consistency with existing information requirements under Union law and minimise the administrative burden, including through appropriate technical solutions.

7. Information requirements shall indicate the manner in which the required information is to be made available. Where a digital product passport is available, the required information shall be provided therein and shall, where necessary, also be provided in one or more of the following forms:

- (a) on the product itself;

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- (b) on the product's packaging;
- (c) on a label referred to in Article 16;
- (d) in a user manual or other documentation accompanying the product;
- (e) on a free access website or application.

Information that makes it possible to track substances of concern pursuant to paragraph 5 shall be given either on the product or be accessible through a data carrier included on the product.

8. The information to be supplied pursuant to information requirements shall be provided in a language which can be easily understood by customers, as determined by the Member State on whose market the product is to be made available or in which it is to be put into service.

*Article 8***Content of the delegated acts**

The delegated acts adopted pursuant to Article 4 shall specify at least the following elements:

- (a) the definition of the product group or groups covered, including the list of commodity codes as set out in Annex I to Council Regulation (EEC) No 2658/87 ⁽³⁾ and product descriptions;
- (b) the ecodesign requirements for the product groups covered;
- (c) where relevant, the product parameters referred to in Annex I for which the Commission states that no ecodesign requirements are necessary, pursuant to Article 4;
- (d) the test, measurement or calculation standards or methods to be used pursuant to Article 39(1);
- (e) where relevant, requirements for the use of digital tools pursuant to Article 39(2);
- (f) where relevant, the transitional methods, the harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, or the common specifications to be used;
- (g) the format, manner and order in which the information necessary for the verification of compliance is to be made available;
- (h) the conformity assessment module to be used pursuant to Article 4 (5); where the module to be applied is different from the module set out in Annex IV, the factors leading to the choice of that module;

⁽³⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

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- (i) the requirements concerning information to be provided by manufacturers, including on the elements of the technical documentation that are necessary to enable the verification of compliance of the product with the ecodesign requirements;
- (j) where relevant, any additional information requirements under Articles 36 and 37;
- (k) the duration of the transitional period during which Member States are to permit the placing on the market or putting into service of products which comply with the national measures in force in their territory on the date of entry into force of the delegated act adopted pursuant to Article 4;
- (l) the date for the review of the delegated act adopted pursuant to Article 4, taking into consideration, among other aspects:
 - (i) the characteristics of the product group and its market;
 - (ii) the need to adapt the requirements to make products more sustainable;
 - (iii) Union policy objectives;
 - (iv) technical progress; and
 - (v) availability of methods.

CHAPTER III

DIGITAL PRODUCT PASSPORT*Article 9***Digital product passport**

1. The information requirements shall provide that products can only be placed on the market or put into service if a digital product passport is available in accordance with the applicable delegated acts adopted pursuant to Article 4 and with Articles 10 and 11. The data in the digital product passport shall be accurate, complete and up to date.
2. The requirements related to the digital product passport laid down in the delegated acts adopted pursuant to Article 4 shall, as appropriate for the product groups covered, specify the following:
 - (a) the data to be included in the digital product passport pursuant to Annex III;
 - (b) one or more data carriers to be used;
 - (c) the layout in which the data carrier is to be presented and its positioning;
 - (d) whether the digital product passport is to be established at model, batch or item level, and the definition of such levels;

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- (e) the manner in which the digital product passport is to be made accessible to customers before they are bound by a contract for sale, hire or hire purchase, including in the event of distance selling;
- (f) the actors that are to have access to data in the digital product passport and to what data they are to have access;
- (g) the actors that are to create a digital product passport or update the data in a digital product passport and what data they may introduce or update;
- (h) the detailed arrangements for introducing or updating data;
- (i) the period during which the digital product passport is to remain available, which shall correspond to at least the expected lifetime of a specific product.

3. The requirements referred to in paragraph 2 shall:

- (a) ensure that actors along the value chain can easily access and understand product information relevant to them;
- (b) facilitate the verification of product compliance by competent national authorities; and
- (c) improve the traceability of products along the value chain.

4. When setting the requirements related to the digital product passport, the Commission may exempt product groups from the requirement to have a digital product passport where:

- (a) technical specifications of the digital product passport are not available in relation to the essential requirements included in Articles 10 and 11; or
- (b) other Union law includes a system for the digital provision of information related to a product group which the Commission considers achieves the objectives referred to in paragraph 3, points (a) and (b).

Article 10

Requirements for the digital product passport

1. A digital product passport shall comply with the following essential requirements:

- (a) it shall be connected through a data carrier to a persistent unique product identifier;
- (b) the data carrier shall be physically present on the product, its packaging or on documentation accompanying the product, as specified in the applicable delegated act adopted pursuant to Article 4;

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- (c) the data carrier and the unique product identifier shall comply with one or more of the standards referred to in Annex III, second paragraph, or equivalent European or international standards until the references of harmonised standards are published in the *Official Journal of the European Union*;

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- (d) all data included in the digital product passport shall be based on open standards, developed with an interoperable format, and shall be, as appropriate, machine-readable, structured, searchable, and transferable through an open interoperable data exchange network without vendor lock-in, in accordance with the essential requirements set out in this Article and Article 11;

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- (e) personal data relating to customers shall not be stored in the digital product passport without their explicit consent in compliance with Article 6 of Regulation (EU) 2016/679;
- (f) the data included in the digital product passport shall refer to the product model, batch or item as specified in the delegated act adopted pursuant to Article 4;
- (g) the access to data included in the digital product passport shall be regulated in accordance with the essential requirements set out in this Article and Article 11 and with the specific access rights at product group level as specified in the applicable delegated act adopted pursuant to Article 4.

The Commission is empowered to adopt delegated acts in accordance with Article 72 to amend Annex III, first paragraph, point (c), and second paragraph in light of technical and scientific progress by replacing the standards or adding other European or international standards with which the data carriers, the unique operator identifiers and the unique facility identifiers are to comply for the purposes of meeting the conditions set out in this Article.

2. Where other Union law requires or allows the inclusion of specific data in the digital product passport, those data may be included in the digital product passport pursuant to the applicable delegated act adopted pursuant to Article 4.

3. The economic operator placing the product on the market shall:

- (a) provide dealers and providers of online marketplaces with a digital copy of the data carrier or the unique product identifier, as relevant, to allow them to make the data carrier or the unique product identifier accessible to potential customers where they cannot physically access the product;
- (b) provide the digital copy referred to in point (a) or a webpage link free of charge promptly and in any event within five working days of receiving a request to do so.

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4. The economic operator, when placing the product on the market, shall make available a back-up copy of the digital product passport through a digital product passport service provider.

*Article 11***Technical design and operation of the digital product passport**

The technical design and operation of the digital product passport shall comply with the following essential requirements:

- (a) the digital product passport shall be fully interoperable with other digital product passports required by delegated acts adopted pursuant to Article 4 in relation to the technical, semantic and organisational aspects of end-to-end communication and data transfer;
- (b) customers, manufacturers, importers, distributors, dealers, professional repairers, independent operators, refurbishers, remanufacturers, recyclers, market surveillance authorities and customs authorities, civil society organisations, trade unions and other relevant actors shall have free of charge and easy access to the digital product passport based on their respective access rights set out in the applicable delegated act adopted pursuant to Article 4;
- (c) the digital product passport shall be stored by the economic operator responsible for its creation or by digital product passport service providers;
- (d) where a new digital product passport is created for a product that already has a digital product passport, the new digital product passport shall be linked to the original digital product passport or passports;
- (e) the digital product passport shall remain available for the period specified in delegated acts adopted pursuant to Article 4, including after an insolvency, a liquidation or a cessation of activity in the Union of the economic operator responsible for the creation of the digital product passport;
- (f) the rights to introduce, modify or update data in the digital product passport shall be restricted based on the access rights specified in delegated acts adopted pursuant to Article 4;
- (g) data authentication, reliability and integrity shall be ensured;
- (h) digital product passports shall be designed and operated so that a high level of security and privacy is ensured and fraud is avoided.

If the digital product passport is stored pursuant to point (c) of the first subparagraph or otherwise processed by digital product passport service providers, those digital product passport service providers shall not sell, reuse or process such data, in whole or in part, beyond what is necessary for the provision of the relevant storing or processing services, unless specifically agreed with the economic operator placing the product on the market or putting it into service.

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The Commission is empowered to adopt delegated acts in accordance with Article 72 to supplement this Article by setting out the requirements that digital product passport service providers are to comply with in order to become such providers, and, where appropriate, a certification scheme to verify compliance with such requirements, and by setting out the requirements that those service providers are to comply with when providing digital product passport services.

The Commission may adopt implementing acts setting out procedures to issue and verify the digital credentials of economic operators and other relevant actors that have access rights to data included in the digital product passport. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 73(3).

*Article 12***Unique identifiers**

1. The unique operator identifiers referred to in Annex III, first paragraph, points (g) and (h), and the unique facility identifiers referred to in Annex III, first paragraph, point (i), shall comply with the standards referred to in Annex III, first paragraph, point (c), and second paragraph, or equivalent European or international standards, until the references of harmonised standards are published in the *Official Journal of the European Union*.

2. Where a unique operator identifier referred to in Annex III, first paragraph, point (h), is not yet available, the economic operator that creates or updates the digital product passport shall request a unique operator identifier on behalf of the relevant actor and shall provide that actor with full details of the unique operator identifier once issued.

Before issuing a request as referred to in the first subparagraph, the economic operator that creates or updates the digital product passport shall seek confirmation from that relevant actor that no unique operator identifier exists.

3. Where a unique facility identifier referred to in Annex III, first paragraph, point (i), is not yet available, the economic operator that creates or updates the digital product passport shall request a unique facility identifier on behalf of the actor responsible for the relevant location or building and shall provide that actor with full details of the unique facility identifier once issued.

Before issuing a request as referred to in the first subparagraph, the economic operator that creates or updates the digital product passport shall seek confirmation from the relevant actor that no unique facility identifier exists.

4. The Commission is empowered to adopt delegated acts in accordance with Article 72 to supplement this Regulation by establishing rules and procedures related to the life cycle management of unique identifiers and of data carriers. In particular, those delegated acts shall:

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- (a) establish rules for organisations wishing to become an issuing agency for unique identifiers and data carriers; and
- (b) establish rules for economic operators wishing to create their own unique identifiers and data carriers without relying on an issuing agency for unique identifiers and data carriers.

5. The delegated acts adopted pursuant to paragraph 4 shall set out:

- (a) the criteria to become an issuing agency for unique identifiers and data carriers;
- (b) the role of an issuing agency for unique identifiers and data carriers;
- (c) the rules to ensure that unique identifiers and data carriers are reliable, verifiable and unique globally;
- (d) the rules on creating, maintaining, updating, and withdrawing unique identifiers and data carriers;
- (e) the rules related to data management.

6. When establishing the rules and procedures as referred to in paragraph 4, the Commission shall:

- (a) seek to ensure interoperability between different approaches;
- (b) take into account relevant existing technical solutions and standards;
- (c) ensure that the rules and procedures established remain, to the largest extent possible, technologically neutral.

Article 13

Digital product passport registry

1. By 19 July 2026, the Commission shall set up a digital registry (the ‘registry’) which stores in a secure manner at least the unique identifiers.

In the case of products intended to be placed under the customs procedure ‘release for free circulation’, the registry shall store the commodity code.

The registry shall store the unique identifiers for batteries as referred to in Article 77(3) of Regulation (EU) 2023/1542 of the European Parliament and of the Council ⁽⁴⁾.

The Commission shall manage the registry and shall ensure that the data stored in the registry are processed securely and in compliance with Union law, including applicable rules on the protection of personal data.

⁽⁴⁾ Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC (OJ L 191, 28.7.2023, p. 1).

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2. The Commission shall, in the delegated acts adopted pursuant to Article 4, specify any other data which, in addition to being included in the digital product passport, are to be stored in the registry, taking into account at least the following criteria:

- (a) the need to allow for the verification of the authenticity of the digital product passport;
- (b) the relevance of information for improving the efficiency and effectiveness of market surveillance checks and customs controls;
- (c) the need to avoid a disproportionate administrative burden for economic operators and customs authorities.

3. In relation to its responsibility to set up and manage the registry and the processing of any personal data that might result from that activity, the Commission shall be regarded as controller as defined in Article 3, point (8), of Regulation (EU) 2018/1725.

4. The economic operator placing the product on the market or putting it into service shall upload, in the registry, the data referred to in paragraphs 1 and 2.

5. Upon the uploading by the economic operator of the data referred to in paragraphs 1 and 2 in the registry, the registry shall automatically communicate to that economic operator a unique registration identifier associated with the unique identifiers uploaded in the registry for a specific product in accordance with paragraph 4. That communication by the registry shall not be deemed to be proof of compliance with this Regulation or other Union law.

The Commission shall adopt an implementing act specifying the implementation arrangements for the registry, including for the communication of the unique registration identifier referred to in the first subparagraph.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 73(3).

6. The Commission, competent national authorities and customs authorities shall have access to the registry for the purposes of carrying out their duties pursuant to Union law.

Article 14

Web portal for data in the digital product passport

The Commission shall set up and manage a publicly accessible web portal allowing stakeholders to search for and compare data included in digital product passports. The web portal shall be designed to guarantee that stakeholders can search for and compare the data in a manner that is consistent with their respective access rights specified in the delegated acts adopted pursuant to Article 4.



Article 15

Customs controls relating to the digital product passport

1. Any person intending to place a product covered by a delegated act adopted pursuant to Article 4 under the customs procedure ‘release for free circulation’ shall provide or make available to customs authorities the unique registration identifier of that product referred to in Article 13(5).

The first subparagraph of this paragraph shall apply from the moment the registry is operational.

2. Customs authorities may release a product for free circulation only after having verified as a minimum that the unique registration identifier referred to in Article 13(5) and the commodity code provided or made available to them correspond to the data stored in the registry.

The verification referred to in the first subparagraph of this paragraph shall take place electronically and automatically via the interconnection referred to in paragraph 3. It shall apply from the moment that interconnection is operational.

The release for free circulation shall not be deemed to be proof of compliance with this Regulation or other Union law.

3. The Commission shall interconnect the registry with the EU Customs Single Window Certificates Exchange System (EU CSW-CERTEX), thus enabling the automated exchange of information with the national customs systems through the EU Single Window Environment for Customs established by Regulation (EU) 2022/2399.

That interconnection shall be operational within four years of the date of entry into force of the implementing act referred to in Article 13(5).

4. The Commission and the customs authorities may retrieve and use the data included in the digital product passport and the registry for carrying out their duties pursuant to Union law, including risk management, customs controls and release for free circulation in accordance with Regulation (EU) No 952/2013.

5. This Article is without prejudice to Regulation (EU) No 952/2013 and Chapter VII of Regulation (EU) 2019/1020 and any other Union law.

CHAPTER IV

LABELS

Article 16

Labels

1. Where the information requirements indicate that information is to be included in a label pursuant to Article 7(7), point (c), the delegated acts adopted pursuant to Article 4 shall specify:

(a) the content of the label;

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- (b) the layout of the label, ensuring visibility and legibility;
- (c) the manner in which the label is to be displayed to customers including in the event of distance selling, taking into account the requirements set out in Article 32 and the implications for the relevant economic operators;
- (d) where appropriate, electronic means for generating labels.

2. Where an information requirement entails the inclusion in a label of the class of performance, the layout of the label referred to in paragraph 1, point (b), shall be clear and easily understandable, and shall enable customers to easily compare product performance in relation to the relevant product parameter and to choose better performing products.

3. For energy-related products that are subject to energy labels established pursuant to Regulation (EU) 2017/1369, where information on a relevant product parameter, including on classes of performance referred to in Article 7(4) of this Regulation, cannot be incorporated in the energy label, and provided such information is considered to be more relevant and comprehensive than the information covered by the energy label, the Commission, after assessing the risk of confusion for customers, the administrative burden for economic operators and the best way to communicate that particular information, may, if appropriate, require the establishment of a label in accordance with this Regulation instead of the energy label established pursuant to Regulation (EU) 2017/1369.

4. When setting the information requirements referred to in paragraph 1, the Commission shall, where appropriate, require that the label include data carriers or other means to allow customers to access additional information on the product, including means allowing access to the digital product passport.

5. The Commission shall adopt implementing acts establishing common requirements for the layout of the labels required pursuant to Article 7(7), point (c).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 73(3).

Article 17

Mimicking labels

Products that bear or are accompanied by labels that are likely to mislead or confuse customers or potential customers by mimicking the labels provided for in Article 16 or products that are accompanied by any other information which is likely to mislead or confuse customers or potential customers with regard to the labels provided for in that Article shall not be placed on the market or put into service.



CHAPTER V

PRIORITISATION, PLANNING AND CONSULTATION

*Article 18***Prioritisation and planning**

1. When prioritising products to be covered by ecodesign requirements, the Commission shall analyse the potential contribution of those products to achieving Union climate, environmental and energy efficiency objectives, taking into account the following criteria:

- (a) the potential for improving the product aspects without entailing disproportionate costs, taking into account in particular:
 - (i) the absence or insufficiency of Union law, or failure of market forces or of self-regulation measures to address the objective properly; and
 - (ii) the disparity in the performance of products available on the market that have equivalent functionality in relation to the product aspects;
- (b) the volume of sales and trade of those products within the Union;
- (c) the distribution across the value chain of the climate and environmental impacts, energy use, resource use and waste generation concerning those products;
- (d) the need to regularly review and adapt delegated acts adopted pursuant to Article 4 in light of technological and market developments.

The Commission shall also strive to assess the potential contribution of those products to the functioning of the internal market and to the Union's economic resilience.

2. When prioritising aspects to be covered by horizontal ecodesign requirements, the Commission shall take into consideration the benefits of covering a wide range of products and product groups in the same delegated act in relation to reaching the objectives of this Regulation.

3. The Commission shall adopt a working plan and make it publicly available, together with the relevant preparatory documents ('working plan'). The working plan shall set out a list of product groups which are to be prioritised for the setting of ecodesign requirements and the estimated timelines for their setting. That list shall include product aspects and product groups which are to be considered priorities for the setting of horizontal ecodesign requirements, as well as the unsold consumer products, if any, in relation to which the introduction of a prohibition of destruction by economic operators is to be considered, based on the consolidated information provided pursuant to Article 26 and any other available evidence.

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The Commission shall in particular consider the inclusion of electrical and electronic equipment when it first identifies the products, if any, in relation to which it will consider introducing a prohibition of destruction by economic operators.

The working plan shall cover a period of at least three years and shall be regularly updated.

When adopting or updating the working plan, the Commission shall take into account the criteria set out in paragraphs 1 and 2.

4. The Commission shall present to the European Parliament a draft of the working plan before the adoption of the working plan.

5. In the first working plan, which shall be adopted by 19 April 2025, the Commission shall prioritise the following product groups:

- (a) iron and steel;
- (b) aluminium;
- (c) textiles, in particular garments and footwear;
- (d) furniture, including mattresses;
- (e) tyres;
- (f) detergents;
- (g) paints;
- (h) lubricants;
- (i) chemicals;
- (j) energy related products for which ecodesign requirements are to be set for the first time or for which existing measures adopted pursuant to Directive 2009/125/EC are to be reviewed under this Regulation; and
- (k) information and communication technology products and other electronics.

If any of the product groups referred to in the first subparagraph is not included in the first working plan or if any other product group is included, the Commission shall provide a justification for its decision in that working plan.

6. Where there is an absence of adequate performance requirements and information requirements concerning the environmental footprint and carbon footprint of cement under the construction products Regulation, the Commission shall set ecodesign requirements for cement in a delegated act adopted pursuant to Article 4 not earlier than 31 December 2028 and not later than 1 January 2030.

7. The Commission shall inform the European Parliament and the Council annually of the progress made in the implementation of the working plan.

▼B*Article 19***Ecodesign Forum**

The Commission shall establish an Ecodesign Forum as an expert group with a balanced and effective participation of experts designated by Member States and of all parties having an interest in the product or product group in question.

The Ecodesign Forum shall contribute in particular to:

- (a) preparing ecodesign requirements;
- (b) preparing working plans;
- (c) examining the effectiveness of the established market surveillance mechanisms;
- (d) assessing self-regulation measures; and
- (e) assessing the prohibition of the destruction of unsold consumer products additional to those listed in Annex VII.

*Article 20***Member States Expert Group**

The Commission shall establish a Member States Expert Group as a subgroup of the Ecodesign Forum, composed of experts designated by the Member States.

Those experts shall contribute in particular to:

- (a) preparing ecodesign requirements;
- (b) assessing self-regulation measures;
- (c) exchanging information and best practices on measures to enhance compliance with this Regulation;

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- (d) setting priorities with regard to unsold consumer products in relation to which the introduction of a prohibition of destruction by economic operators is to be considered under Article 18(3), in particular electrical and electronic equipment when first identifying those unsold consumer products.

▼B*Article 21***Self-regulation measures**

1. Economic operators may submit to the Commission a self-regulation measure setting ecodesign requirements for products not falling within the scope of a delegated act adopted pursuant to Article 4 or not included in the working plan. Those operators shall provide evidence that the criteria referred to in paragraph 3 of this Article are fulfilled.

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2. The self-regulation measure submitted pursuant to paragraph 1 shall contain the following information:

- (a) a list of the economic operators that are signatories to the self-regulation measure;
- (b) the ecodesign requirements applicable to products covered by the self-regulation measure;
- (c) a detailed, transparent and objective monitoring plan, with clearly identified responsibilities for industry and independent inspectors, including the criteria set out in Annex VI, point 6;
- (d) rules on information to be reported by signatories and on testing and inspections;
- (e) rules on the consequences of the non-compliance of a signatory that include provisions whereby, if the signatory has not undertaken sufficient corrective action within three months, it is removed from the signatories of that self-regulation measure; and
- (f) a note explaining how the self-regulation measure submitted pursuant to paragraph 1 improves the environmental sustainability of products in line with the objectives of this Regulation more quickly or at lesser expense than a delegated act adopted pursuant to Article 4; that note shall be supported by evidence, consisting of a structured technical, environmental and economic analysis, justifying the ecodesign requirements and objectives of the self-regulation measure, and assessing the impacts of those ecodesign requirements.

The signatories of the self-regulation measure shall keep the information referred to in this paragraph up-to-date and available on a publicly and freely accessible website.

The signatories of the self-regulation measure shall, without delay, notify the Commission of any changes to the self-regulation measure, in particular any changes concerning them.

3. The Commission shall assess the submitted self-regulation measure, and, where necessary, shall seek scientific advice from Union decentralised agencies. In the assessment, the Commission shall verify whether the following criteria are fulfilled:

- (a) the self-regulation measure is submitted by at least two economic operators;
- (b) the market share in terms of volume of the signatories to the self-regulation measure in relation to the products covered by that measure is at least 80 % of units placed on the market or put into service;
- (c) the self-regulation measure contributes to improving the environmental sustainability of products in line with the objectives of this Regulation and to ensuring the free movement in the internal market more quickly or at a lesser expense than a delegated act adopted pursuant to Article 4 and consists of ecodesign requirements that are necessary to achieve the objectives of this Regulation;

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- (d) the self-regulation measure complies with the criteria set out in Annex VI;
- (e) the self-regulation measure is in line with Union law and international trade commitments of the Union.

The Commission shall adopt an implementing act containing a list of self-regulation measures which fulfil the criteria of this Article. That implementing act shall be adopted in accordance with the advisory procedure referred to in Article 73(2).

4. The Commission may at any point in time request the signatories to a self-regulation measure listed in an implementing act adopted pursuant to paragraph 3, second subparagraph, to submit, within an appropriate period of time, a revised and updated version of that measure in view of relevant market or technological developments relating to the product group concerned. Where the Commission has reason to believe that the criteria set out in this Article are no longer fulfilled, the signatories shall submit a revised and updated version of that measure within three months of the request made by the Commission.

5. Once a self-regulation measure has been listed in an implementing act adopted pursuant to paragraph 3, second subparagraph, the signatories of that measure shall report to the Commission, at regular intervals set out in that implementing act, on the progress made towards achieving the objectives of the self-regulation measure and to demonstrate that the criteria set in paragraph 3 remain fulfilled.

The independent inspector referred to in Annex VI, point 6, shall notify the Commission of the lack of compliance of a signatory.

Progress reports, including compliance reports made by the independent inspector, and notifications about lack of compliance and corresponding corrective action shall be made available by the signatories on a publicly accessible website.

6. Where the Commission considers that a self-regulation measure listed in an implementing act adopted pursuant to paragraph 3, second subparagraph, no longer fulfils the criteria set out in this Article or where the signatories of the self-regulation measure concerned did not meet the deadline referred to in paragraph 4, it shall delete that measure from the list referred to in paragraph 3 by means of implementing acts. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 73(2).

Where a self-regulation measure has been deleted from the list referred to in paragraph 3, the Commission may set ecodesign requirements applicable to the product covered by that self-regulation measure in a delegated act adopted pursuant to Article 4.

*Article 22***Small and medium-sized enterprises**

1. In the context of programmes from which SMEs, in particular micro-enterprises, can benefit, the Commission shall ensure there are initiatives which help those enterprises to integrate environmental sustainability, including energy efficiency, into their value chain.

2. When adopting delegated acts pursuant to Article 4, the Commission shall, where appropriate, accompany those delegated acts with digital tools and guidelines covering specificities of SMEs, in particular micro-enterprises, active in the product sector or product group sector concerned, in order to facilitate the compliance with this Regulation by those enterprises. When drafting those guidelines, the Commission shall consult organisations that represent SMEs.

3. Member States shall take appropriate measures to help SMEs, in particular microenterprises, comply with the ecodesign requirements set out in delegated acts adopted pursuant to Article 4. Member States shall consult organisations that represent SMEs on the kind of measures SMEs consider useful.

Those measures shall at least include ensuring the availability of one-stop shops or similar mechanisms to raise awareness of ecodesign requirements and create networking opportunities for SMEs, in particular microenterprises, to adapt to ecodesign requirements.

In addition, without prejudice to applicable State aid rules, such measures may include:

- (a) financial support, including by providing fiscal advantages and investing in physical and digital infrastructure;
- (b) access to finance;
- (c) specialised management and staff training;
- (d) organisational and technical assistance.

CHAPTER VI

DESTRUCTION OF UNSOLD CONSUMER PRODUCTS*Article 23***General principle of prevention of destruction**

Economic operators shall take necessary measures which can reasonably be expected to prevent the need to destroy unsold consumer products.

*Article 24***Disclosure of information on unsold consumer products**

1. Economic operators that discard unsold consumer products directly or have unsold consumer products discarded on their behalf shall disclose:

- (a) the number and weight of unsold consumer products discarded per year, differentiated per type or category of products;
- (b) the reasons for discarding products, and where applicable, the relevant derogation under Article 25(5);
- (c) the proportion of discarded products delivered, whether directly or through a third party, to undergo each of the following activities: preparing for reuse, including refurbishment and remanufacturing, recycling, other recovery including energy recovery, and disposal operations in accordance with the waste hierarchy as defined by Article 4 of Directive 2008/98/EC;
- (d) measures taken and measures planned for the purpose of preventing the destruction of unsold consumer products.

Economic operators shall disclose the information referred to in the first subparagraph in a clear and visible manner at least on an easily accessible page of their website. Economic operators that are subject to the obligation to publish the sustainability reporting in their management report pursuant to Article 19a or 29a of Directive 2013/34/EU may also include that information in that sustainability reporting.

Economic operators shall disclose the information referred to in the first subparagraph on an annual basis and shall include as part of that information the unsold consumer products discarded during the preceding financial year. They shall make the information for each year publicly available. That first disclosure shall cover unsold consumer products discarded during the first full financial year during which this Regulation is in force.

This paragraph shall not apply to micro and small enterprises.

This paragraph shall apply to medium-sized enterprises from 19 July 2030.

2. With the exception of when the information is available to the competent national authority on the basis of another legal act, the economic operators shall, at the request of the Commission or a competent national authority, provide all the information and documentation necessary to demonstrate the delivery and reception of the discarded products as disclosed pursuant to paragraph 1, point (c), of this Article, and, where relevant, the information necessary to demonstrate the applicability of a derogation under Article 25(5). Such information and documentation shall be provided in paper or electronic form within 30 days of receipt of the request.

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3. The Commission shall adopt implementing acts setting out the details and format for the disclosure of the information referred to in paragraph 1, including the delimitation of product types or categories and how such information is to be verified.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 73(3).

The first such implementing act shall be adopted by 19 July 2025.

*Article 25***Destruction of unsold consumer products**

1. From 19 July 2026, the destruction of unsold consumer products as listed in Annex VII shall be prohibited.

This paragraph shall not apply to micro and small enterprises.

This paragraph shall apply to medium-sized enterprises from 19 July 2030.

2. Economic operators that are not subject to the prohibition referred to in paragraph 1 shall not destroy unsold consumer products supplied to them with the purpose of circumventing that prohibition.

3. The Commission is empowered to adopt delegated acts in accordance with Article 72 in order to amend Annex VII:

- (a) to add new products, in order to take account of the environmental impacts of their destruction;
- (b) to update the entries within product groups, in order to align them to modifications of their respective commodity codes or descriptions that are made in Annex I to Regulation (EEC) No 2658/87, where necessary.

4. When preparing a delegated act to be adopted pursuant to paragraph 3, point (a), the Commission shall:

- (a) assess the prevalence and environmental impacts of the destruction of certain unsold consumer products;
- (b) take into account the information disclosed by economic operators pursuant to Article 24(1);
- (c) carry out an impact assessment based on best available evidence and analyses, and on additional studies as necessary.

That delegated act shall specify its date of application and, where appropriate, any tiered measures or transitional measures or periods.

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5. The Commission shall adopt delegated acts in accordance with Article 72 to supplement this Regulation by setting out derogations from the prohibition of destruction of unsold consumer products listed in Annex VII where it is appropriate for any of the following reasons:

- (a) health, hygiene and safety reasons;
- (b) damage caused to products as a result of their handling, or detected after products have been returned, which cannot be repaired in a cost-effective manner;
- (c) unfitness of products for the purpose for which they are intended, taking into account, where applicable, Union and national law and technical standards;
- (d) non-acceptance of products offered for donation;
- (e) unsuitability of products for preparing for reuse or for remanufacturing;
- (f) unsaleability of products due to infringement of intellectual property rights, including counterfeit products;
- (g) destruction is the option with the least negative environmental impacts.

Those delegated acts may also, where relevant, provide that the prohibition to destroy unsold consumer products referred to in paragraph 1 of this Article or the disclosure obligation set out in Article 24 apply to micro and small enterprises where there is sufficient evidence that such enterprises could be used to circumvent that prohibition or that obligation.

The first delegated act referred to in the first subparagraph shall be adopted by 19 July 2025.

Article 26

Consolidated information on the destruction of unsold consumer products

By 19 July 2027 and every 36 months thereafter, the Commission shall publish on its website consolidated information on the destruction of unsold consumer products, including the following elements:

- (a) the prevalence of the destruction of specific groups of unsold consumer products per year, on the basis of the information disclosed by economic operators pursuant to Article 24(1);
- (b) the comparative environmental impacts resulting from destruction of unsold consumer products per product group.



CHAPTER VII

OBLIGATIONS OF ECONOMIC OPERATORS

*Article 27***Obligations of manufacturers**

1. When placing products covered by a delegated act adopted pursuant to Article 4 on the market or putting them into service, manufacturers shall ensure that:

- (a) those products have been designed and manufactured in accordance with the performance requirements set out in the delegated acts adopted pursuant to Article 4;
- (b) those products are accompanied by the information required under Article 7 and the delegated acts adopted pursuant to Article 4; and
- (c) a digital product passport is available in accordance with Article 9 and the delegated acts adopted pursuant to Article 4, including a back-up copy of the most up-to-date version of the digital product passport stored by a digital product passport service provider in accordance with Article 10(4).

2. Before placing a product covered by a delegated act adopted pursuant to Article 4 on the market or putting it into service, manufacturers shall carry out the conformity assessment procedure specified in that delegated act, or have it carried out on their behalf, and draw up the required technical documentation.

Where compliance of a product covered by a delegated act adopted pursuant to Article 4 with the applicable requirements has been demonstrated by that procedure, manufacturers shall draw up an EU declaration of conformity in accordance with Article 44 and affix the CE marking in accordance with Article 46. However, where the Commission has specified alternative rules pursuant to Article 4(6), point (d), the manufacturer shall affix conformity marking in accordance with those rules.

3. Manufacturers shall keep the technical documentation and the EU declaration of conformity for 10 years after a product covered by a delegated act adopted pursuant to Article 4 has been placed on the market or put into service, unless a different period has been specified in that delegated act.

4. Manufacturers shall ensure that procedures are in place to ensure that products covered by a delegated act adopted pursuant to Article 4 which are part of a series production remain in conformity with the applicable requirements. Changes in the production process, product design or in characteristics, as well as changes in harmonised standards, common specifications or other technical specifications by reference to which product conformity is declared or through the application of which its conformity is verified, shall be adequately taken into account by manufacturers and, in the event they find that the product's conformity is affected by such changes, manufacturers shall carry out a reassessment in accordance with the applicable conformity assessment procedure as referred to in paragraph 2, or have that reassessment carried out on their behalf.

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5. Manufacturers shall ensure that their products covered by a delegated act adopted pursuant to Article 4 bear a type, batch or serial number or other element allowing their identification, or, where the size or nature of the product does not so allow, that the required information is provided on the packaging or in a document accompanying the product.

6. For products covered by a delegated act adopted pursuant to Article 4, manufacturers shall indicate their name, registered trade name or registered trade mark, postal address at which, and electronic means of communication through which, they can be contacted:

- (a) on the public part of the digital product passport, where applicable; and
- (b) on the product or, where that is not possible, on its packaging, or in a document accompanying the product.

The address shall indicate a single point where the manufacturer can be contacted. The contact details shall be clear, understandable and legible.

7. Manufacturers shall ensure that a product covered by a delegated act adopted pursuant to Article 4 is accompanied by instructions in digital format concerning the product ('digital instructions') in a language that can be easily understood, as determined by the Member State concerned. Digital instructions shall be clear, understandable and legible and include at least the information set out in Article 7(2), point (b)(ii), as specified in that delegated act.

However, manufacturers shall provide in paper, in a concise format, safety information and the instructions relevant for the health and safety of customers and other relevant actors.

When providing the digital instructions, the manufacturer shall include them in the digital product passport and make them accessible through the corresponding data carrier, or, where the digital product passport is not applicable, indicate on the product, or, where that is not possible, on its packaging or in an accompanying document, how to access the digital instructions.

The manufacturer shall present the digital instructions in a format that makes it possible to download and save them on an electronic device so that the user can access them at all times and shall make them accessible online during the expected lifetime of the product, but in any event for at least 10 years after the placing on the market or putting into service of the product.

Where the customer so requests at the time of the purchase, or up to six months after that purchase, the manufacturer shall provide the digital instructions in a paper format, free of charge, within one month of receiving the request.

The delegated acts adopted pursuant to Article 4 may specify that certain information forming part of the digital instructions is also to be provided in paper format.

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8. Manufacturers that consider or have reason to believe that a product covered by a delegated act adopted pursuant to Article 4 that they have placed on the market or put into service is not in conformity with the requirements set out in that delegated act shall without undue delay take the necessary corrective action to bring that product into conformity, or to immediately withdraw or recall it, if appropriate.

Manufacturers shall immediately inform the market surveillance authorities of the Member States in which they made the product available or put it into service of the suspected non-compliance and of any corrective action taken.

9. Manufacturers shall make publicly available communication channels such as a telephone number, electronic address or dedicated section of their website, taking into account the accessibility needs of persons with disabilities, in order to allow customers to submit complaints or concerns regarding the potential non-conformity of products.

Manufacturers shall keep a register of complaints and concerns as long as it is necessary for the purposes of this Regulation, but no longer than five years after they have been submitted and make the register available at the request of a market surveillance authority.

10. Manufacturers shall, for products covered by a delegated act adopted pursuant to Article 4, further to a reasoned request from a competent national authority, provide all the information and documentation necessary to demonstrate the conformity of those products, including the technical documentation, in a language that can be easily understood by that authority. That information and documentation shall be provided in paper or electronic form, as soon as possible and in any event within 15 days of receipt of a request by that authority.

Manufacturers shall cooperate with the competent national authority regarding any corrective action taken to remedy any case of non-compliance with the requirements set out in the applicable delegated act adopted pursuant to Article 4.

*Article 28***Authorised representatives**

1. A manufacturer may, by a written mandate, appoint an authorised representative.

The obligations laid down in Article 27(1) and the drawing up of technical documentation shall not form part of the authorised representative's mandate.

2. An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to do at least the following:

- (a) keep the EU declaration of conformity and technical documentation at the disposal of the national market surveillance authorities for 10 years after a product covered by a delegated act adopted pursuant to Article 4 has been placed on the market or put into service unless a different period has been specified in that delegated act;

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- (b) cooperate with the competent national authorities, at their request, on any measures taken with regard to cases of non-compliance of the product covered by the authorised representative's mandate;
- (c) further to a reasoned request from a competent national authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of a product, in a language that can be easily understood by that authority as soon as possible and in any event within 15 days of receipt of such a request; and
- (d) terminate the mandate if the manufacturer acts contrary to its obligations under this Regulation.

*Article 29***Obligations of importers**

1. Importers shall, with regard to products covered by a delegated act adopted pursuant to Article 4, only place on the market products that comply with the requirements set out in the applicable delegated acts.

2. Before placing a product covered by a delegated act adopted pursuant to Article 4 on the market, importers shall ensure that:

- (a) the appropriate conformity assessment procedure has been carried out by the manufacturer and that the manufacturer has drawn up the technical documentation;
- (b) the product is accompanied by the information required under Article 7 and the delegated acts adopted pursuant to Article 4; and
- (c) a digital product passport is available in accordance with Article 9 and the delegated acts adopted pursuant to Article 4, including a back-up copy of the most up-to-date version of the digital product passport stored by a digital product passport service provider in accordance with Article 10(4).

The importer shall further ensure that a product covered by a delegated act adopted pursuant to Article 4 bears the required CE marking referred to in Article 45, where applicable, in accordance with the rules and conditions referred to in Article 46, or the alternative conformity marking as laid down in a delegated act adopted pursuant to Article 4(6), point (d), and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in Article 27(5) and (6).

Where importers consider or have reason to believe that a product is not in conformity with the requirements set out in the applicable delegated acts adopted pursuant to Article 4, they shall not place the product on the market or put it into service until it has been brought into conformity.

3. For products covered by a delegated act adopted pursuant to Article 4, importers shall indicate their name, registered trade name or registered trade mark, postal address at which and electronic means of communication through which they can be contacted:

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- (a) on the public part of the digital product passport, where applicable; and
- (b) on the product or, where that is not possible, on the packaging, or in a document accompanying the product.

The contact details shall be clear, understandable and legible.

4. Importers shall ensure that a product covered by a delegated act adopted pursuant to Article 4 is accompanied by digital instructions in a language that can be easily understood, as determined by the Member State concerned. Such instructions shall be clear, understandable and legible and include at least the information set out in Article 7(2), point (b)(ii), as specified in the delegated acts adopted pursuant to Article 4. The obligations laid down in Article 27(7) fourth and fifth subparagraphs, shall apply *mutatis mutandis*.

5. Importers shall ensure that, while a product is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements set out in the applicable delegated act adopted pursuant to Article 4.

6. Importers that consider or have reason to believe that a product covered by a delegated act adopted pursuant to Article 4 that they have placed on the market is not in conformity with the requirements set out in that delegated act shall without undue delay take the necessary corrective action to bring that product into conformity, or to immediately withdraw or recall it, if appropriate.

Importers shall immediately inform the market surveillance authorities of the Member States in which they made the product available of the suspected non-compliance and of any corrective action taken.

7. Importers shall keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities and ensure that the technical documentation can be made available to those authorities, upon request, for 10 years after a product covered by a delegated act adopted pursuant to Article 4 has been placed on the market or put into service, unless a different period has been specified in that delegated act.

8. Importers shall, for products covered by a delegated act adopted pursuant to Article 4, further to a reasoned request from a competent national authority, provide all the information and documentation necessary to demonstrate the conformity of those products, including the technical documentation, in a language that can be easily understood by that authority. That information and documentation shall be provided in paper or electronic form, as soon as possible and in any event within 15 days of receipt of a request by that authority.

Importers shall cooperate with the competent national authority regarding any corrective action taken to remedy any case of non-compliance with the requirements set out in the applicable delegated act adopted pursuant to Article 4.

*Article 30***Obligations of distributors**

1. When making a product covered by a delegated act adopted pursuant to Article 4 available on the market, distributors shall act with due care in relation to the requirements set out in the applicable delegated acts.

2. Before making a product covered by a delegated act adopted pursuant to Article 4 available on the market, distributors shall verify that:

- (a) the product bears the CE marking in accordance with Articles 45 and 46 or the conformity marking adopted in accordance with Article 4(6), point (d), and, where relevant, is labelled or is linked to a digital product passport in accordance with that delegated act;
- (b) the product is accompanied by the required documents and by digital instructions in a language that can be easily understood by customers, as determined by the Member State concerned, and that such instructions are clear, understandable and legible and include at least the information set out in Article 7(2), point (b) (ii), as specified in the delegated act adopted pursuant to Article 4; the obligations laid down in Article 27(7), fourth and fifth subparagraphs, shall apply *mutatis mutandis*; and
- (c) the manufacturer and the importer have complied with the requirements set out in Article 27(5) and (6) and Article 29(3).

3. Where distributors consider or have reason to believe that a product, before making it available on the market, is not in conformity, or its manufacturer is not complying, with the requirements set out in the applicable delegated acts adopted pursuant to Article 4, they shall not make the product available on the market until the product has been brought into conformity or the manufacturer complies.

Distributors shall ensure that, while a product is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements set out in the applicable delegated acts adopted pursuant to Article 4.

4. Distributors that consider or have reason to believe that a product which they have made available on the market is not in conformity with the requirements set out in the applicable delegated acts adopted pursuant to Article 4 shall ensure that the necessary corrective action to bring that product into conformity, to withdraw or recall it, if appropriate, is taken.

Distributors shall immediately inform the market surveillance authorities of the Member States in which they made the product available of the suspected non-compliance and of any corrective action taken.

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5. Distributors shall, further to a reasoned request from a competent national authority, provide all the information and documentation to which they have access and that is necessary to demonstrate the conformity of a product. That information and documentation shall be provided in paper or electronic form, within 15 days of receipt of a request by that authority.

Distributors shall cooperate with the competent national authority regarding any corrective action taken to remedy any case of non-compliance with the applicable delegated act adopted pursuant to Article 4.

*Article 31***Obligations of dealers**

1. Dealers shall ensure that their customers and potential customers have access to any relevant information accompanying products, as required by the delegated acts adopted pursuant to Article 4, including in the event of distance selling.

2. Dealers shall ensure that the digital product passport is easily accessible for customers and potential customers, including in the event of distance selling, as set out in Article 9(2), point (e), and specified in the applicable delegated acts adopted pursuant to Article 4.

3. Dealers shall, including in the event of distance selling:

- (a) display to customers and potential customers, in a visible manner, the labels provided in accordance with Article 32(1), point (b) or (c);
- (b) make reference to the information included on the labels provided in accordance with Article 32(1), point (b) or (c), in visual advertisements or in technical promotional material for a specific model, in accordance with the applicable delegated acts adopted pursuant to Article 4; and
- (c) not provide or display other labels, marks, symbols or inscriptions that are likely to mislead or confuse customers and potential customers with regard to the information included on the label regarding ecodesign requirements.

*Article 32***Obligations related to labels**

1. Where a delegated act adopted pursuant to Article 4 requires products to have a label as referred to in Article 16, the economic operators placing the products on the market or putting them into service shall:

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- (a) ensure that products are accompanied, for each individual unit and free of charge, by printed labels in accordance with that delegated act;
- (b) provide printed labels or digital copies of the label to the dealer free of charge, promptly and in any event within 5 working days of the dealer's request; and
- (c) ensure that their labels are accurate, and provide technical documentation sufficient to enable the accuracy of their labels to be assessed.

2. Where a delegated act adopted pursuant to Article 4 requires products to have a label as referred to in Article 16, the economic operators making the products available or putting them into service shall:

- (a) make reference to the information included on the label in visual advertisements or in technical promotional material for a specific model, in accordance with the applicable delegated acts adopted pursuant to Article 4;
- (b) not provide or display other labels, marks, symbols or inscriptions that are likely to mislead or confuse customers or potential customers with regard to the information included on the label regarding ecodesign requirements.

*Article 33***Obligations of fulfilment service providers**

Fulfilment service providers shall ensure that, for products that they handle that are covered by a delegated act adopted pursuant to Article 4, the conditions during warehousing, packaging, addressing or dispatching do not jeopardise the products' compliance with that delegated act.

*Article 34***Cases in which obligations of manufacturers apply to importers and distributors**

Importers or distributors shall be considered manufacturers for the purposes of this Regulation where they:

- (a) place a product covered by a delegated act adopted pursuant to Article 4 on the market under their name or trademark; or
- (b) modify such a product already placed on the market in a way that affects compliance with the requirements set out in the applicable delegated acts adopted pursuant to Article 4.

*Article 35***Obligations of providers of online marketplaces and online search engines**

1. The general obligations provided for in Articles 11 and 30 of Regulation (EU) 2022/2065 shall apply for the purposes of this Regulation.

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Without prejudice to the general obligations referred to in the first subparagraph, providers of online marketplaces shall cooperate with the market surveillance authorities, at the request of those authorities and in specific cases, to facilitate any action taken to eliminate or, if that is not possible, to mitigate the non-compliance of a product that is or was offered for sale online through their services.

2. As far as powers conferred by Member States in accordance with Article 14 of Regulation (EU) 2019/1020 are concerned, Member States shall confer on their market surveillance authorities the power, for all products covered by a relevant delegated act adopted pursuant to Article 4, to order a provider of an online marketplace to act against one or more specific items of content referring to a non-compliant product, including by removing them. Such content shall be considered to be illegal content within the meaning of Article 3, point (h), of Regulation (EU) 2022/2065. Market surveillance authorities may, in accordance with Article 9 of Regulation (EU) 2022/2065, issue such orders.

3. Providers of online marketplaces shall establish a single contact point for the purposes of direct communication with Member States' market surveillance authorities in relation to compliance with this Regulation.

That single contact point may be the same contact point as that referred to in Article 22(1) of Regulation (EU) 2023/988 of the European Parliament and of the Council⁽⁵⁾ or Article 11(1) of Regulation (EU) 2022/2065.

Article 36

Information obligations of economic operators

1. When making a product covered by a delegated act adopted pursuant to Article 4 available on the market through distance selling, economic operators shall ensure that the product offer clearly and visibly provides at least the following information:

- (a) the name, registered trade name or registered trade mark of the manufacturer, as well as the postal and electronic address where the manufacturer can be contacted;
- (b) in the event that the manufacturer is not established in the Union, the name, postal and electronic address and telephone number of the economic operator established in the Union within the meaning of Article 4(2) of Regulation (EU) 2019/1020; and
- (c) information allowing the identification of the product, including a picture of it, its type and any other product identifier.

⁽⁵⁾ Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC (OJ L 135, 23.5.2023, p. 1).

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2. Economic operators shall, upon a reasoned request, provide the market surveillance authorities with:

- (a) the name of any economic operator that has supplied them with a product falling within the scope of a delegated act adopted pursuant to Article 4;
- (b) the name of any economic operator to whom or to which they have supplied such products, as well as the quantities and exact models of such products.

Economic operators shall ensure that they are able to provide the information referred to in the first subparagraph for 10 years after they have been supplied with the relevant products and for 10 years after they have supplied such products, unless a different period has been specified in the delegated act referred to in paragraph 1. That information shall be provided in paper or electronic form within 15 days of receipt of a request by the market surveillance authority.

3. When requiring manufacturers, their authorised representatives or importers to make parts of the technical documentation related to the relevant product digitally available pursuant to Article 4(6), point (a) (iii), the Commission shall take into account the following criteria:

- (a) the need to facilitate the verification by market surveillance authorities of compliance of manufacturers, their authorised representatives and importers with the applicable requirements; and
- (b) the need to avoid a disproportionate administrative burden for economic operators, in particular for SMEs.

The Commission shall specify the manner in which the relevant parts of the technical documentation are to be made available. Where the digital product passport is available, technical documentation shall be made available through it.

Article 37

Monitoring and reporting obligations of economic operators

1. When requiring manufacturers, their authorised representatives or importers to make available to the Commission information on the quantities of a product pursuant to Article 4(6), point (b), the Commission shall take into account the following criteria:

- (a) the availability of evidence concerning the market penetration of the relevant product and which is necessary to facilitate the review of delegated acts adopted pursuant to Article 4 applicable to that product;
- (b) the need to avoid a disproportionate administrative burden for economic operators, in particular for SMEs; and
- (c) the usefulness of the information required and the proportionality of that requirement.

The Commission shall specify the period to which the information referred to in the first subparagraph is to relate. That information shall be differentiated per product model.

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The Commission shall specify the means through which the relevant information is to be made available and how frequently such information is to be made available.

The Commission shall ensure that the information made available is processed securely and in compliance with Union law.

2. When requiring that a product be able to measure the energy it consumes or its performance in relation to other relevant product parameters referred to in Annex I while in use, pursuant to Article 4(6), point (c)(i), the Commission shall take into account the following criteria:

- (a) the usefulness of in-use data for end users to understand and manage the energy use or performance of the product;
- (b) the technical feasibility of recording in-use data;
- (c) the need to avoid a disproportionate administrative burden for economic operators, in particular for SMEs; and
- (d) the need to ensure that no data allowing the identification of individuals or allowing the inference of individuals' behaviour are collected.

3. Products covered by a requirement set pursuant to Article 4(6), point (c), shall where appropriate, in line with the criteria in paragraph 2 of this Article, record the in-use data and make such data visible to the end user.

4. When requiring manufacturers, their authorised representatives or importers to collect non-personal in-use data referred to in paragraph 2 of this Article and report such data to the Commission, pursuant to Article 4(6), point (c)(ii), the Commission shall take into account the following criteria:

- (a) the usefulness of non-personal in-use data for the Commission when reviewing ecodesign requirements or assisting market surveillance authorities with statistical information for their risk-based analysis; and
- (b) the need to avoid a disproportionate administrative burden for economic operators, in particular for SMEs.

5. The requirements referred to in paragraph 4 may in particular consist of:

- (a) collecting non-personal in-use data if they can be accessed remotely via the internet, following explicit consent being given by the end user to make those data available; and
- (b) reporting those data to the Commission at least once a year.

Where reporting is required pursuant to point (b) of the first subparagraph, those data shall include, where available, the identification number of the model as registered in the product database referred to in Article 12(1) of Regulation (EU) 2017/1369 and, if relevant to their performance, general geographical information on the products.

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6. The Commission shall specify, in the relevant delegated act, the details and format for reporting the non-personal in-use data as referred to in paragraph 4.

7. The Commission shall periodically assess the non-personal in-use data received pursuant to paragraph 4 and shall, where appropriate, publish aggregated datasets.

*Article 38***Requirements on supply chain actors**

When specified in the delegated act adopted pursuant Article 4, supply chain actors shall:

- (a) provide, upon request and free of charge, manufacturers, notified bodies and competent national authorities with available relevant information related to the products they supply or the services they provide;
- (b) allow, in the absence of information referred to in point (a), manufacturers to assess the products they supply or the services they provide and give access to relevant documents or facilities to those manufacturers; and
- (c) enable notified bodies and competent national authorities to verify the accuracy of relevant information related to their activities.

CHAPTER VIII

CONFORMITY OF PRODUCTS*Article 39***Test, measurement and calculation methods**

1. For the purposes of compliance and verification of compliance with ecodesign requirements, tests, measurements and calculations shall be carried out using harmonised standards or other reliable, accurate and reproducible methods that take into account the generally recognised state-of-the art methods. Such methods shall fulfil the requirements for test, measurement and calculation methods set out in the relevant delegated acts adopted pursuant to Article 4.

2. When setting the requirement to use digital tools pursuant to Article 4(6), point (c)(iii), the Commission shall take into account the following criteria:

- (a) the need to ensure the harmonised application of calculation methods; and
- (b) the need to minimise the administrative burden imposed on economic operators.

Digital tools shall be freely accessible for economic operators.

*Article 40***Prevention of circumvention and worsening of performance**

1. Economic operators shall not engage in any behaviour that undermines the compliance of products with this Regulation regardless of whether that behaviour is of a contractual, commercial, technical or other nature.

2. Products falling within the scope of a delegated act adopted pursuant to Article 4 shall not be placed on the market or put into service if they are designed to alter their behaviour or properties when they are tested in order to reach a more favourable result for any of the product parameters regulated in the applicable delegated acts adopted pursuant to Article 4.

For the purposes of this paragraph, products designed to be able to detect that they are being tested and which automatically alter their performance in response and products pre-set to alter their performance at the time of testing shall be considered to be products designed to alter their behaviour or properties when they are tested.

3. Economic operators that place on the market or put into service a product covered by a delegated act adopted pursuant to Article 4 shall not prescribe instructions specific to testing that alter the behaviour or the properties of the product in order to reach a more favourable result for any of the product parameters regulated in the applicable delegated acts adopted pursuant to Article 4.

For the purposes of this paragraph, instructions leading to a manual alteration of the product, before a test, that alters the performance of the product shall be considered to be instructions specific to testing that alter the behaviour or the properties of the product.

4. Products falling within the scope of a delegated act adopted pursuant to Article 4 shall not be placed on the market or put into service if they are designed to alter their behaviour or properties within a short period after being put into service, leading to a worsening of their performance in relation to any of the product parameters regulated in the applicable delegated acts adopted pursuant to Article 4, or their functional performance from the perspective of the user.

5. Software or firmware updates shall not lead to the worsening of product performance beyond acceptable margins specified in the applicable delegated acts adopted pursuant to Article 4 in relation to any of the product parameters regulated in those delegated acts or the functional performance from the perspective of the user when measured with the test method used for the conformity assessment, except where the customer explicitly consents prior to the update to such worsening of performance. No change shall occur as a result of rejecting the update.

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Software or firmware updates shall in no circumstances lead to the worsening of product performance as referred to in the first subparagraph of this paragraph to the extent that the product becomes non-compliant with the requirements set out in delegated acts adopted pursuant to Article 4 applicable at the time of the placing on the market or putting into service of the product.

*Article 41***Presumption of conformity**

1. Tests, measurement or calculation methods referred to in Article 39 which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with the requirements set out in that Article and with test, measurement and calculation requirements set out in delegated acts adopted pursuant to Article 4 to the extent that those requirements are covered by such harmonised standards or parts thereof.

2. Digital product passports which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with the requirements set out in Articles 10 and 11 to the extent that those requirements are covered by such harmonised standards or parts thereof.

3. Products which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union* shall be presumed to be in conformity with ecodesign requirements set out in delegated acts adopted pursuant to Article 4 to the extent that those requirements are covered by such harmonised standards or parts thereof.

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4. Products covered by a delegated act adopted pursuant to Article 4 which have been awarded the EU Ecolabel pursuant to Regulation (EC) No 66/2010 shall be presumed to comply with the ecodesign requirements set out in that delegated act to the extent that those requirements are covered by the EU Ecolabel criteria established pursuant to Article 8 of that Regulation.

▼B*Article 42***Common specifications**

1. The Commission may adopt implementing acts establishing, for products covered by delegated acts adopted pursuant to Article 4, common specifications covering ecodesign requirements, the essential requirements for digital product passports referred to in Articles 10 and 11 or the test, measurement or calculation methods referred to in Article 39.

Those implementing acts shall only be adopted where the following conditions are fulfilled:

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- (a) the Commission has requested, pursuant to Article 10(1) of Regulation (EU) No 1025/2012, one or more European standardisation organisations to draft a harmonised standard for an ecodesign requirement, for an essential requirement for digital product passports referred to in Articles 10 and 11 of this Regulation or for a test, measurement or calculation method referred to in Article 39 of this Regulation; and:
 - (i) the request has not been accepted;
 - (ii) the harmonised standard addressing that request is not delivered within the deadline set in accordance with Article 10(1) of Regulation (EU) No 1025/2012; or
 - (iii) the harmonised standard does not comply with the request; and
- (b) no reference to harmonised standards for an ecodesign requirement, for an essential requirement for digital product passports referred to in Articles 10 and 11 of this Regulation or for a test, measurement or calculation method referred to in Article 39 of this Regulation is published in the *Official Journal of the European Union* in accordance with Regulation (EU) No 1025/2012 and no such reference is expected to be published within a reasonable period.

The implementing acts referred to in the first subparagraph of this paragraph shall be adopted in accordance with the examination procedure referred to in Article 73(3).

2. Before preparing the draft of the implementing acts referred to in paragraph 1 of this Article, the Commission shall inform the committee referred to in Article 22 of Regulation (EU) No 1025/2012 that it considers that the conditions in paragraph 1 of this Article are fulfilled.

3. When preparing the draft of the implementing acts referred to in paragraph 1, the Commission shall take into account the views of the Ecodesign Forum and of the Member States Expert Group as well as of any other relevant bodies, and shall duly consult all relevant stakeholders.

4. Test, measurement and calculation methods referred to in Article 39 which are in conformity with common specifications established by implementing acts referred to in paragraph 1 of this Article or parts thereof shall be presumed to be in conformity with the requirements set out in that Article and with test, measurement and calculation requirements set out in delegated acts adopted pursuant to Article 4 to the extent that those requirements are covered by such common specification or parts thereof.

5. Products within the scope of this Regulation which are in conformity with common specifications established by implementing acts referred to in paragraph 1 of this Article or parts thereof shall be presumed to be in conformity with ecodesign requirements, with the essential requirements for digital product passports referred to in Articles 10 and 11 or with the requirements for test, measurement or calculation methods referred to in Article 39 set out in the applicable delegated acts adopted pursuant to Article 4 to the extent that those requirements are covered by those common specifications or parts thereof.

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6. Where a harmonised standard is adopted by a European standardisation organisation and proposed to the Commission for the purpose of publishing its reference in the *Official Journal of the European Union*, the Commission shall assess the harmonised standard in accordance with Regulation (EU) No 1025/2012.

When references of a harmonised standard are published in the *Official Journal of the European Union*, the Commission shall repeal the implementing acts referred to in paragraph 1 or the parts thereof which cover the same ecodesign requirements, essential requirements for digital product passports and requirements for test, measurement or calculation methods.

7. Where a Member State or the European Parliament considers that a common specification does not entirely satisfy the ecodesign requirements, the essential requirements for digital product passports and requirements for the test, measurement or calculation methods, it shall inform the Commission thereof by submitting a detailed explanation. The Commission shall assess that detailed explanation and, if appropriate, may amend the implementing act establishing the common specification in question.

*Article 43***Conformity assessment**

1. When specifying the applicable conformity assessment procedure pursuant to Article 4(5), the Commission shall consider the following criteria:

- (a) whether the module concerned is appropriate to the type of product and to the relevant ecodesign requirements, and proportionate to the public interest pursued;
- (b) the nature of the risks entailed by the product and the extent to which conformity assessment corresponds to the nature and degree of those risks; and
- (c) where third party involvement is mandatory, the need for the manufacturer to have a choice between quality assurance and product certification modules set out in Annex II to Decision No 768/2008/EC.

2. Records and correspondence relating to the conformity assessment shall be drawn up in an official language of the Member State where the notified body involved in a conformity assessment procedure referred to in paragraph 1 is established, or in a language accepted by that body.

*Article 44***EU declaration of conformity**

1. The EU declaration of conformity shall state that the fulfilment of the ecodesign requirements specified in the applicable delegated acts adopted pursuant to Article 4 has been demonstrated or that a presumption of conformity applies in accordance with Article 41.

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2. The EU declaration of conformity shall have the model structure set out in Annex V, and shall contain the elements specified in the applicable conformity assessment procedure and a reference to the applicable delegated acts adopted pursuant to Article 4. It shall be continuously updated and shall be translated into the language or languages required by the Member State on whose market the product is placed or made available.

3. Where a product covered by a delegated act adopted pursuant to Article 4 is subject to more than one Union legal act requiring an EU declaration of conformity, a single EU declaration of conformity shall be drawn up in respect of all such Union legal acts. That declaration shall state the Union legal acts concerned and their publication references. It may be a dossier made up of relevant individual EU declarations of conformity.

4. By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance of the product.

*Article 45***General principles of the CE marking**

The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008.

*Article 46***Rules and conditions for affixing the CE marking**

1. The CE marking shall be affixed visibly, legibly and indelibly to the product. Where that is not possible or not warranted on account of the nature of the product, it shall be affixed to the packaging and to the accompanying documents.

2. The CE marking shall be affixed before the product is placed on the market or put into service.

3. For a product in the production control phase in which a notified body participates, the CE marking shall be followed by the identification number of that notified body.

The identification number of the notified body shall be affixed by the body itself or, under its instructions, by the manufacturer or its authorised representative.

4. The CE marking and, where applicable, the identification number of the notified body may be followed by a pictogram or other marking indicating a special risk or use.

5. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and take appropriate action in the event of improper use of the CE marking.

*Article 47***Specific rules on markings**

As regards products not subject to requirements for a CE marking under Union law, when specifying rules on markings indicating conformity with the applicable ecodesign requirements pursuant to Article 4(6), point (d), the Commission shall take into account the following criteria:

- (a) the need to minimise the administrative burden for economic operators;
- (b) the need to ensure there is coherence in relation to other markings applicable to a specific product; and
- (c) the need to prevent confusion about the meaning of markings under other Union law.

CHAPTER IX

NOTIFICATION OF CONFORMITY ASSESSMENT BODIES*Article 48***Notification**

Where third-party conformity assessment tasks are provided for under the delegated acts adopted pursuant to Article 4, Member States shall notify the Commission and the other Member States of the bodies authorised to carry out those tasks.

*Article 49***Notifying authorities**

1. Member States shall designate a notifying authority that shall be responsible for setting up and carrying out the necessary procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, including compliance with Article 54.
2. Member States may decide that the assessment and monitoring referred to in paragraph 1 is to be carried out by a national accreditation body within the meaning of and in accordance with Regulation (EC) No 765/2008.
3. Where the notifying authority delegates or otherwise entrusts the assessment, notification or monitoring referred to in paragraph 1 of this Article to a body which is not a governmental entity, that body shall be a legal entity and shall comply *mutatis mutandis* with the requirements laid down in Article 50. In addition, it shall have arrangements to cover liabilities arising out of its activities.
4. The notifying authority shall take full responsibility for the tasks performed by the body referred to in paragraph 3.

*Article 50***Requirements relating to notifying authorities**

1. A notifying authority shall be established in such a way that no conflict of interest with conformity assessment bodies occurs.
2. A notifying authority shall be organised and operated so as to safeguard the objectivity and impartiality of its activities.
3. A notifying authority shall be organised in such a way that each decision relating to notification of a conformity assessment body is taken by competent persons different from those who carried out the assessment.
4. A notifying authority shall not offer or provide any activities that conformity assessment bodies perform, or consultancy services on a commercial or competitive basis.
5. A notifying authority shall safeguard the confidentiality of the information it obtains. However, it shall, upon request, exchange information on notified bodies with the Commission, with notifying authorities of other Member States and with other relevant national authorities.
6. A notifying authority shall assess only the specific conformity assessment body applying for notification and not take account of the capacities or personnel of parent or sister companies. The notifying authority shall assess that body in relation to all relevant requirements and conformity assessment tasks.
7. A notifying authority shall have a sufficient number of competent personnel and sufficient funding at its disposal for the proper performance of its tasks.

*Article 51***Information obligation on notifying authorities**

Member States shall inform the Commission of their procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, and of any changes thereto.

The Commission shall make that information publicly available.

*Article 52***Requirements relating to notified bodies**

1. For the purposes of notification, a conformity assessment body shall meet the requirements laid down in paragraphs 2 to 12.
2. A conformity assessment body shall be established under the national law of a Member State and have legal personality.

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3. A conformity assessment body shall be a third-party body independent of the organisation or the product it assesses. It shall not have any business ties with organisations that have an interest in the products it assesses, in particular manufacturers, their trade partners and their shareholding investors. This shall not preclude the conformity assessment body from carrying out conformity assessment activities for competing manufacturers.

4. A conformity assessment body, its top-level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, importer, distributor, installer, purchaser, owner, user or maintainer of the products which they assess, or the representative of any of those parties. This shall not preclude the use of assessed products that are necessary for the operations of the conformity assessment body or the use of such products for personal purposes.

A conformity assessment body, its top-level management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly involved in the design, manufacture or construction, or the marketing, installation, use or maintenance of those products, or represent the parties engaged in those activities. They shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities for which they are notified. This shall apply in particular to consultancy services.

Conformity assessment bodies shall ensure that the activities of their parent or sister companies, subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of their conformity assessment activities.

A conformity assessment body shall not delegate to a subcontractor or a subsidiary the establishment and the supervision of internal procedures, general policies, codes of conduct or other internal rules, the assignment of its personnel to specific tasks or the conformity assessment decisions.

5. Conformity assessment bodies and their personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field. They shall be free from all pressures and inducements, particularly financial, which might influence their judgement or the results of their conformity assessment activities, especially as regards persons or groups of persons with an interest in the results of those activities.

6. A conformity assessment body shall be capable of carrying out all the conformity assessment tasks assigned to it under the relevant delegated act adopted pursuant to Article 4 and in relation to which it has been notified, irrespective of whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility.

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At all times and for each conformity assessment procedure, and for each kind or category of products in relation to which it has been notified, a conformity assessment body shall have at its disposal:

- (a) the necessary personnel with technical knowledge, and sufficient and appropriate experience to perform the conformity assessment tasks;
- (b) the necessary descriptions of the procedures in accordance with which conformity assessment is carried out, ensuring the transparency and the ability of reproduction of those procedures including a description of how relevant personnel, their status and tasks correspond to the conformity assessment tasks in relation to which the body intends to be notified;
- (c) appropriate policies and procedures to distinguish between the tasks it carries out as a notified body and its other activities;
- (d) procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the product technology in question and the mass or serial nature of the production process.

It shall have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner and shall have access to all necessary equipment or facilities.

7. The personnel responsible for carrying out conformity assessment activities shall have the following:

- (a) sound technical and vocational training covering all the conformity assessment activities in relation to which the conformity assessment body has been notified;
- (b) satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments, including appropriate knowledge and understanding of the relevant legislation, test, measurement and calculation requirements, of the applicable harmonised standards or common specifications, and of the relevant provisions of this Regulation and of the delegated acts adopted pursuant to Article 4;
- (c) the ability to draw up certificates, records and reports demonstrating that assessments have been carried out.

8. Personnel responsible for taking assessment decisions shall:

- (a) be employed by the conformity assessment body under the national law of the notifying Member State;
- (b) not have any potential conflict of interest;
- (c) be competent to verify the assessments made by other staff, external experts or subcontractors;

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(d) be sufficient in number to ensure business continuity and a consistent approach to conformity assessments.

9. The impartiality of the conformity assessment bodies and their top-level management and of the assessment personnel shall be guaranteed.

The remuneration of the top-level management and assessment personnel of a conformity assessment body shall not depend on the number of assessments carried out or their results.

10. Conformity assessment bodies shall take out liability insurance, unless liability is assumed by the State in accordance with national law, or the Member State itself is directly responsible for the conformity assessment.

11. The personnel of a conformity assessment body shall observe professional secrecy regarding all information obtained in carrying out the conformity assessment tasks under the relevant delegated acts adopted pursuant to Article 4, except in relation to the notifying authorities and other national authorities of the Member State in which its activities are carried out. Proprietary rights shall be protected.

12. Conformity assessment bodies shall participate in, or ensure that their assessment personnel are informed about, the relevant standardisation activities and take into account the relevant guidance and recommendations issued by the competent technical committees of the European standardisation bodies.

*Article 53***Presumption of conformity of conformity assessment bodies**

Where a conformity assessment body demonstrates its conformity with the criteria laid down in the relevant harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, it shall be presumed to comply with the requirements set out in Article 52 insofar as the applicable harmonised standards cover those requirements.

*Article 54***Subsidiaries of and subcontracting by notified bodies**

1. Where a notified body subcontracts specific tasks connected with conformity assessment or has recourse to a subsidiary, it shall ensure that the subcontractor or the subsidiary meets the requirements set out in Article 52 and shall inform the notifying authority accordingly.

2. Notified bodies shall take full responsibility for the tasks performed by subcontractors or subsidiaries wherever these are established.

3. Activities may be subcontracted or carried out by a subsidiary only with the agreement of the client.

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4. Notified bodies shall keep at the disposal of the notifying authority the relevant documents concerning the assessment and monitoring of the qualifications of the subcontractor or the subsidiary and the work carried out by them under the relevant delegated acts adopted pursuant to Article 4.

*Article 55***Application for notification**

1. A conformity assessment body shall submit an application for notification to the notifying authority of the Member State in which it is established.

2. That application shall be accompanied by a description of the conformity assessment activities, the conformity assessment module or modules and the product or products for which that body claims to be competent, as well as by an accreditation certificate, where one exists, issued by a national accreditation body attesting that the conformity assessment body fulfils the requirements laid down in Article 52. The accreditation certificate shall relate only to the precise legal body applying for notification and shall be based, in addition to relevant harmonised standards, on the specific requirements and conformity assessment tasks set out in the relevant delegated act adopted pursuant to Article 4.

3. Where the conformity assessment body concerned cannot provide an accreditation certificate, it shall provide the notifying authority with all the documentary evidence necessary for the verification, recognition and regular monitoring of its compliance with the requirements laid down in Article 52.

*Article 56***Notification procedure**

1. Notifying authorities may only notify conformity assessment bodies which have satisfied the requirements laid down in Article 52.

2. Notifying authorities shall notify the Commission and the other Member States using the electronic notification tool developed and managed by the Commission.

3. The notification shall include full details of the conformity assessment activities, the conformity assessment module or modules and product or products concerned and the relevant attestation of competence.

4. Where a notification is not based on an accreditation certificate as referred to in Article 55(2), the notifying authority shall provide the Commission and the other Member States with documentary evidence which attests to the conformity assessment body's competence and the arrangements in place to ensure that that body will be monitored regularly and will continue to satisfy the requirements laid down in Article 52.

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5. The conformity assessment body concerned may perform the activities of a notified body if the Commission or the other Member States do not raise any objections within two weeks of a notification where an accreditation certificate is used, or within two months of a notification where accreditation is not used.

Only such a body shall be considered a notified body for the purposes of this Regulation.

6. The notification shall become valid the day after the body is included in the list of notified bodies referred to in Article 57(2) by the Commission.

The body concerned may perform the activities of a notified body only after the notification has become valid.

The Commission shall not publish a notification if it is aware or becomes aware that the relevant notified body does not meet the requirements laid down in Article 52.

7. The Commission and the other Member States shall be notified of any subsequent relevant changes to the notification.

*Article 57***Identification numbers and lists of notified bodies**

1. The Commission shall assign an identification number to a notified body.

It shall assign a single such number even where the body is notified under several Union acts.

2. The Commission shall make publicly available the list of the bodies notified under this Regulation, including the identification numbers that have been assigned to them and the activities for which they have been notified.

The Commission shall ensure that that list is kept up to date.

*Article 58***Changes to notifications**

1. Where a notifying authority has ascertained or has been informed that a notified body no longer meets the requirements laid down in Article 52, or that it is failing to fulfil its obligations, the notifying authority shall restrict, suspend or withdraw the notification as appropriate, depending on the seriousness of the failure to meet those requirements or fulfil those obligations. It shall immediately inform the Commission and the other Member States accordingly.

2. In the event of a restriction, suspension or withdrawal of a notification, or where the notified body has ceased its activity, the notifying Member State shall take appropriate steps to ensure that that body's files are either processed by another notified body or kept available for the responsible notifying and market surveillance authorities at their request.

*Article 59***Challenge to the competence of notified bodies**

1. The Commission shall investigate all cases where it doubts, or doubt is brought to its attention regarding, the competence of a notified body or the continued fulfilment by a notified body of the requirements and responsibilities to which it is subject.
2. The notifying Member State shall provide the Commission, on request, with all information relating to the basis for the notification or the maintenance of the competence of the body concerned.
3. The Commission shall ensure that all sensitive information obtained in the course of its investigations is treated confidentially.
4. Where the Commission ascertains that a notified body does not meet or no longer meets the requirements for its notification, it shall inform the notifying Member State accordingly and request it to take the necessary corrective measures, including withdrawal of the notification if necessary.

The Commission shall update the list of notified bodies referred to in Article 57(2) within two weeks of the notification of the corrective measures taken by the notifying Member States in accordance with the first subparagraph of this paragraph.

*Article 60***Operational obligations of notified bodies**

1. Notified bodies shall carry out conformity assessments in accordance with the conformity assessment procedures provided for in the delegated acts adopted pursuant to Article 4.
2. Conformity assessments shall be carried out in a proportionate manner, avoiding unnecessary burdens for economic operators. Notified bodies shall perform their activities taking due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the product technology in question and the mass or serial nature of the production process.

In so doing they shall nevertheless respect the degree of rigour and the level of protection required for the compliance of the product with the relevant requirements.

3. Where a notified body finds that a manufacturer does not meet the relevant requirements or corresponding harmonised standards, common specifications or other technical specifications, it shall require that manufacturer to take appropriate corrective measures in view of a final conformity assessment, unless the deficiencies cannot be remedied, in which case it shall not issue a certificate or approval decision.

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4. Where, in the course of the monitoring of conformity following the issue of a certificate in accordance with the conformity assessment procedures provided for in a delegated act adopted pursuant to Article 4 or approval decision, a notified body finds that a product or the manufacturer does not comply or no longer complies, it shall require the manufacturer to take appropriate corrective measures and shall suspend or withdraw the certificate or approval decision if necessary.

5. Where corrective measures are not taken or do not have the required effect, the notified body shall restrict, suspend or withdraw any certificates or approval decisions, as appropriate.

*Article 61***Information obligation on notified bodies**

1. Notified bodies shall inform the notifying authority of the following:

- (a) any refusal, restriction, suspension or withdrawal of a certificate;
- (b) any circumstances affecting the scope of and conditions for notification;
- (c) any request for information which they have received from market surveillance authorities regarding conformity assessment activities;
- (d) on request, conformity assessment activities performed within the scope of their notification and any other activity performed, including cross-border activities and subcontracting.

2. Notified bodies shall provide the other bodies notified under this Regulation which carry out similar conformity assessment activities that cover the same product group with relevant information on issues relating to negative and, on request, positive conformity assessment results.

3. Where the Commission or a Member State's market surveillance authority submits a request to a notified body established on the territory of another Member State relating to a conformity assessment carried out by that notified body, it shall send a copy of that request to the notifying authority of that other Member State. The notified body concerned shall respond without delay and within 15 days at the latest to the request. The notifying authority shall ensure that such requests are resolved by the notified body.

4. Where notified bodies have or receive evidence as to the following, they shall alert, and share that evidence with, the relevant market surveillance authority or notifying authority, as appropriate:

- (a) that another notified body does not comply with the requirements laid down in Article 52 or its obligations;

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- (b) that a product placed on the market does not comply with ecodesign requirements set out in the applicable delegated acts adopted pursuant to Article 4; or
- (c) that a product placed on the market, due to its physical condition, is likely to cause a serious risk.

*Article 62***Exchange of experience**

The Commission shall provide for the organisation of exchange of experience between the Member States' authorities responsible for notification policy.

*Article 63***Coordination of notified bodies**

1. The Commission shall ensure that appropriate coordination and cooperation between bodies notified under this Regulation are put in place and properly operated in the form of a group or groups of notified bodies, where appropriate including groups of bodies notified under the same delegated act adopted pursuant to Article 4 or in relation to similar conformity assessment tasks.

Notified bodies shall participate in the work of any relevant group, directly or by means of designated representatives.

2. Notified bodies shall apply as general guidance any relevant documents produced as a result of the work of the groups referred to in paragraph 1.

3. The coordination and cooperation in the groups referred to in paragraph 1 of this Article shall be aimed at ensuring the harmonised application of this Regulation and of the delegated acts adopted pursuant to Article 4. In doing so, those groups shall take into account the relevant guidance and recommendations issued by the competent technical committees of the European standardisation bodies.

CHAPTER X**INCENTIVES***Article 64***Member State incentives**

1. Where Member States provide incentives for products covered by a delegated act adopted pursuant to Article 4, those incentives shall be aimed at the highest two classes of performance that are populated at Union level or, where relevant, at products with an EU Ecolabel.

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2. By way of derogation from paragraph 1 of this Article, where Member States provide incentives for energy-related products or tyres covered by a delegated act adopted pursuant to Article 4 which are also subject to energy or fuel efficiency labelling requirements, Article 7(2) of Regulation (EU) 2017/1369 and Article 11 of Regulation (EU) 2020/740 shall apply respectively.

*Article 65***Green public procurement**

1. Contracting authorities and contracting entities shall, in compliance with Directive 2014/24/EU or 2014/25/EU, award public contracts complying with the minimum requirements set out pursuant to paragraph 2 of this Article for the purchase of products covered by delegated acts adopted pursuant to Article 4, or for works or services where those products are used for activities constituting the subject matter of those contracts ('minimum requirements').

2. The minimum requirements shall be set where appropriate, in order to incentivise the supply of and demand for environmentally sustainable products covered by delegated acts adopted pursuant to Article 4, taking into account the value and volume of public contracts awarded for the relevant product groups and the economic feasibility for contracting authorities and contracting entities to buy more environmentally sustainable products without entailing disproportionate costs.

3. The Commission is empowered to set, by means of implementing acts, the minimum requirements in the form of technical specifications, award criteria, contract performance conditions or targets.

The minimum requirements shall be set in relation to the product aspects addressed in the delegated act adopted pursuant to Article 4 applicable to the product groups in question, as relevant for those product groups.

The minimum requirements shall be based on the two highest performance classes, the highest scores or, when not available, on the best possible performance levels as set out in the delegated act adopted pursuant to Article 4 applicable to the product groups in question.

Award criteria shall, where appropriate, have a minimum weighting of between 15 % and 30 % in the awarding process which enables them to have a significant impact on the outcome of the tendering procedure and which favours the selection of the most environmentally sustainable products.

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Targets shall require, on an annual or multiannual basis, a minimum percentage of 50 % of procurement conducted at the level of contracting authorities or contracting entities, or at an aggregated national level, of the most environmentally sustainable products.

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Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 73(3).



CHAPTER XI

MARKET SURVEILLANCE

Article 66

Planned market surveillance activities

1. Each Member State shall, in the national market surveillance strategy referred to in Article 13 of Regulation (EU) 2019/1020, provide a section on the market surveillance activities planned to ensure that appropriate checks, including, where appropriate, physical and laboratory checks, are performed on an adequate scale in relation to this Regulation and the delegated acts adopted pursuant to Article 4 of this Regulation.

The section referred to in the first subparagraph shall at least include:

(a) the products or requirements identified as priorities for market surveillance, taking into account the common priorities identified by the administrative cooperation group ('ADCO'), set up pursuant to Article 30(2) of Regulation (EU) 2019/1020, in accordance with Article 68(1), point (a), and the reports pursuant to Article 67(2);

(b) the market surveillance activities planned in order to reduce or bring non-compliance to an end for those products or requirements identified as priorities, including the nature of the checks to be performed during the period covered by the national market surveillance strategy.

2. The priorities for market surveillance referred to in paragraph 1, second subparagraph, point (a), shall be identified on the basis of objective criteria, including:

(a) the levels of non-compliance observed in the market falling within the competence of the market surveillance authority;

(b) the environmental impacts of non-compliance;

(c) where available, the number of complaints received from end users or consumer organisations, or other information received from economic operators or the media;

(d) the number of relevant products made available on the market falling within the competence of the market surveillance authority; and

(e) the number of relevant economic operators active on the market falling within the competence of the market surveillance authority.

3. For product categories identified as representing a high risk of non-compliance, the checks referred to in paragraph 1 shall include, where appropriate, physical and laboratory checks based on adequate samples.

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Market surveillance authorities shall have the right to recover from the economic operator responsible the costs of document inspection and physical product testing in the event of non-compliance with delegated acts adopted pursuant to Article 4.

*Article 67***Reporting and benchmarking**

1. Market surveillance authorities shall enter into the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020 information on the nature and severity of any penalty imposed in relation to non-compliance with this Regulation.

2. The Commission shall, every four years, draw up a report by 30 June based on the information entered by market surveillance authorities into the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020.

That report shall include:

- (a) information on the nature and number of checks performed by market surveillance authorities during the four preceding calendar years pursuant to Article 34(4) and (5) of Regulation (EU) 2019/1020;
- (b) information on the levels of non-compliance identified and on the nature and severity of penalties imposed for the four preceding calendar years in relation to products covered by delegated acts adopted pursuant to Article 4 of this Regulation;
- (c) a comparison of the information referred to in points (a) and (b) of this paragraph with the activities planned in the context of the section on the market surveillance activities drawn up pursuant to Article 66(1);
- (d) indicative benchmarks for market surveillance authorities in relation to the frequency of checks and the nature and severity of penalties imposed;
- (e) a list of priorities for market surveillance authorities in terms of products and requirements.

3. The Commission shall publish the report referred to in paragraph 2 of this Article in the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020 and shall make it public. The first of those reports shall be published by 19 July 2028.

*Article 68***Market surveillance coordination and support**

1. For the purposes of this Regulation, ADCO shall meet at regular intervals and, where necessary, at the reasoned request of the Commission or of two or more participating market surveillance authorities.

▼B

In the context of performing its tasks set out in Article 32 of Regulation (EU) 2019/1020, ADCO shall support the implementation of the section on market surveillance activities drawn up pursuant to Article 66(1) and shall identify:

- (a) common priorities for market surveillance as referred to in Article 66(1), point (a), based on objective criteria as referred to in Article 66(2);
- (b) priorities for Union support pursuant to paragraph 2;
- (c) requirements set out in delegated acts adopted pursuant to Article 4 that are applied or interpreted differently and that should be priorities for the organisation of common training programmes or adoption of guidelines pursuant to paragraph 2 of this Article.

2. Based on priorities identified by ADCO, the Commission shall:

- (a) organise joint market surveillance and testing projects in areas of common interest;
- (b) organise joint investment in market surveillance capacities, including equipment and IT tools;
- (c) organise common training programmes for the staff of market surveillance authorities, customs authorities, notifying authorities and notified bodies, including programmes on the correct interpretation and application of requirements set out in delegated acts adopted pursuant to Article 4 and on methods and techniques relevant for applying or verifying compliance with such requirements;
- (d) draw up guidelines for the application and enforcement of requirements set out in delegated acts adopted pursuant to Article 4, including common practices and methodologies for effective market surveillance;
- (e) where appropriate, consult with stakeholders and experts.

The Union shall, where appropriate, finance the actions referred to in the first subparagraph, points (a), (b) and (c).

3. The Commission shall provide technical and logistic support to ensure that ADCO fulfils its tasks set out in this Article and Article 32 of Regulation (EU) 2019/1020 where such tasks relate to this Regulation.

▼B**CHAPTER XII
SAFEGUARD PROCEDURES***Article 69***Procedure for dealing with products presenting a risk at national level**

1. Where the market surveillance authorities have sufficient reason to believe that a product covered by a delegated act adopted pursuant to Article 4 presents a risk, they shall carry out an evaluation covering all requirements relevant to the risk and laid down in this Regulation or in that delegated act.

Where, in the course of that evaluation, the market surveillance authorities find that the product does not comply with the requirements laid down in this Regulation or in the applicable delegated act adopted pursuant to Article 4, they shall without delay require the relevant economic operator to take appropriate and proportionate corrective action, within a reasonable period prescribed by the market surveillance authorities and commensurate with the nature and, where relevant, the degree of the non-compliance, to bring the non-compliance to an end. That corrective action may include, inter alia, the actions listed in Article 16(3) of Regulation (EU) 2019/1020.

The market surveillance authorities shall inform the relevant notified body accordingly.

2. Where the market surveillance authorities consider that non-compliance is not restricted to their national territory, they shall inform the Commission and the other Member States of the results of the evaluation and of the corrective action which they have required the economic operator to take.

3. The relevant economic operator shall ensure that all appropriate corrective action is taken in respect of all the products concerned that it has made available on the market throughout the Union.

4. Where the relevant economic operator does not take corrective action within the period referred to in paragraph 1, second subparagraph, or the non-compliance persists, the market surveillance authorities shall take all appropriate provisional measures to prohibit or restrict the making available of the product concerned on their national market, to withdraw it from that market or to recall it.

They shall inform the Commission and the other Member States, without delay, of those measures.

▼C2

5. The information to be provided to the Commission and the other Member States in accordance with paragraph 4 of this Article shall be communicated through the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020 and shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the non-compliance alleged and the risk involved the nature and duration of the national measures taken and the arguments put forward by the relevant economic operator. The market surveillance authorities shall also indicate whether the non-compliance is due to either:

▼C2

- (a) the failure of the product to meet requirements set out in the relevant delegated act adopted pursuant to Article 4 of this Regulation; or
- (b) shortcomings in the harmonised standards or common specifications referred to in Articles 41 and 42 of this Regulation conferring a presumption of conformity.

▼B

6. Member States other than the Member State initiating the procedure shall without delay inform the Commission and the other Member States of any measures adopted and of any additional information at their disposal relating to the non-compliance of the product concerned, and, in the event of disagreement with the notified national measure, of their objections.

7. Where, within three months of receipt of the information referred to in paragraph 4, no objection has been raised by either a Member State or the Commission in respect of a provisional measure taken by a Member State, that measure shall be deemed justified. That provisional measure may specify a period other than three months in order to take account of the specificities of the products or requirements concerned.

8. Member States shall ensure that appropriate restrictive measures are taken in respect of the product concerned, such as withdrawal of the product from their market, without delay.

*Article 70***Union safeguard procedure**

1. Where, on completion of the procedure set out in Article 69(3) and (4), objections are raised against a measure taken by a Member State, or where the Commission considers a national measure to be contrary to Union law, the Commission shall without delay enter into consultation with the Member States and the relevant economic operator or operators and shall evaluate the national measure. On the basis of the results of that evaluation, the Commission shall decide by means of an implementing act whether the national measure is justified or not.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 73(3).

The Commission shall address its decision to all Member States and shall immediately communicate it to them and the relevant economic operator or operators.

2. If the national measure is considered justified, all Member States shall take the measures necessary to ensure that the non-compliant product is withdrawn from their market, and shall inform the Commission accordingly.

If the national measure is considered unjustified, the Member State concerned shall withdraw the measure.

3. Where the national measure is considered justified and the non-compliance of the product is attributed to shortcomings in the harmonised standards referred to in Article 41 of this Regulation, the Commission shall apply the procedure provided for in Article 11 of Regulation (EU) No 1025/2012.

▼B

4. Where the national measure is considered justified and the non-compliance of the product is attributed to shortcomings in the common specifications referred to in Article 42, the Commission shall, without delay, adopt implementing acts amending or repealing the common specifications concerned.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 73(3).

*Article 71***Formal non-compliance**

1. Where a Member State makes one of the following findings, it shall require the relevant economic operator to bring the non-compliance concerned to an end:

- (a) the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Article 46 of this Regulation;
- (b) the CE marking has not been affixed;
- (c) the identification number of the notified body has been affixed in violation of Article 46 or has not been affixed where required;
- (d) the EU declaration of conformity has not been drawn up;
- (e) the EU declaration of conformity has not been drawn up correctly;
- (f) the technical documentation is not available, not complete or contains errors;
- (g) the information referred to in Article 27(6) or Article 29(3) is absent, false or incomplete;
- (h) any other administrative requirement provided for in Article 27 or Article 29 or in the applicable delegated act adopted pursuant to Article 4 is not fulfilled.

2. Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the product being made available on the market or ensure that it is recalled or withdrawn from the market.

CHAPTER XIII

DELEGATED POWERS AND COMMITTEE PROCEDURE*Article 72***Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

▼B

2. The power to adopt delegated acts referred to in Article 4, Article 10(1), second subparagraph, Article 11, third paragraph, Article 12(4) and Article 25(3) and (5) shall be conferred on the Commission for a period of five years from 18 July 2024. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 4, Article 10(1), second subparagraph, Article 11, third paragraph, Article 12(4), and Article 25(3) and (5) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State acting in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4, Article 10(1), second subparagraph, Article 11, third paragraph, Article 12(4), or Article 25(3) or (5) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Article 73***Committee procedure**

1. The Commission shall be assisted by a Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.



CHAPTER XIV

FINAL PROVISIONS

Article 74

Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, without delay, notify the Commission of those rules and of those measures and shall notify it of any subsequent amendment affecting them.

2. Member States shall ensure that the penalties established pursuant to this Article give due regard to the following, as applicable:

- (a) the nature, gravity and duration of the infringement;
- (b) where appropriate, the intentional or negligent character of the infringement;
- (c) the financial situation of the natural or legal person held responsible;
- (d) the economic benefits derived from the infringement by the natural or legal person held responsible, insofar as they can be determined;
- (e) the environmental damage caused by the infringement;
- (f) any action taken by the natural or legal person held responsible to mitigate or remedy the damage caused;
- (g) the repetitive or singular character of the infringement;
- (h) any other aggravating or mitigating factor applicable to the circumstances of the case.

3. Member States shall at least be able to impose the following penalties in the event of infringements of this Regulation:

- (a) fines;
- (b) time-limited exclusion from public procurement procedures.

Article 75

Monitoring and evaluation

1. Among the relevant preparatory documents for the update of the working plan in accordance with Article 18(3), the Commission shall compile a report on the ecodesign requirements with a view to monitoring the improvements of the environmental sustainability and circularity of the products covered by this Regulation.

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2. By 19 July 2030, and every six years thereafter, the Commission shall carry out an evaluation of this Regulation and of its contribution to the functioning of the internal market, including as regards the reuse and refurbishing sector, the vehicles referred to in Article 1(2), point (h), and the obligations laid down in Chapter VI, in particular the exemptions for small and microenterprises, and to the improvement of the environmental sustainability of products. As part of that evaluation, the Commission shall assess the feasibility of including automatic adaptation of ecodesign requirements on the basis of improvement of product performance in the products that are being placed on the market. The Commission shall present a report on the main findings of its evaluation to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions, and make it publicly available.

3. Member States shall provide the Commission with the information necessary for the preparation of the reports referred to in paragraphs 1 and 2.

4. By 19 July 2028, the Commission shall evaluate the potential benefits of the inclusion of social sustainability requirements within the scope of this Regulation. The Commission shall present a report on the main findings of its evaluation to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions, and make it publicly available.

5. Where appropriate, the Commission shall accompany the reports referred to in paragraphs 2 and 4 with a legislative proposal for amendment of this Regulation.

*Article 76***Consumer redress**

In the event of non-compliance of a product with ecodesign requirements set in the delegated acts adopted pursuant to Article 4, the following economic operators shall be liable for damage suffered by the consumer:

- (a) the manufacturer; or,
- (b) in the event that the manufacturer is not established in the Union, and without prejudice to its own liability, the importer or the authorised representative of the manufacturer; or,
- (c) in the event that the importer is not established in the Union or there is no authorised representative of the manufacturer, the fulfilment service provider.

The liability of those economic operators for damage shall be without prejudice to the application of other remedies available to consumers under Union or national law.

▼C1*Article 77***Amendment of Directive (EU) 2020/1828**

Point (27) of Annex I to Directive (EU) 2020/1828 is replaced by the following:

▼C1

‘(27) Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC (OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>)’.

*Article 78***Amendment of Regulation (EU) 2023/1542**

In Article 77 of Regulation (EU) 2023/1542, the following paragraph is added:

‘10. The economic operator placing the battery on the market or putting it into service shall upload the unique identifier in the registry referred to in Article 13(1) of Regulation (EU) 2024/1781 of the European Parliament and of the Council (*).

(*) Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 on establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC (OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>).’

▼B*Article 79***Repeal and transitional provisions**

1. Directive 2009/125/EC is repealed with effect from 18 July 2024, with the exception of:

- (a) Articles 1 and 2, Article 8(2), Articles 11, 14, 15, 18 and 19 of, and Annexes I, II, IV, V and VII to, Directive 2009/125/EC in the version applicable on 17 July 2024, which, instead of Articles 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 19 and 20 of, and Annexes I, II, III and IV to, this Regulation, shall continue to apply:
 - (i) until 31 December 2026, as regards photovoltaic panels, space and combination heaters, water heaters, solid fuel local space heaters, air conditioners including air-to-air heat pumps and comfort fans, solid fuel boilers, air heating and cooling products, ventilation units, vacuum cleaners, cooking appliances, water pumps, industrial fans, circulators, external power supplies, computers, servers and data storage products, power transformers, professional refrigeration equipment and imaging equipment;
 - (ii) until 31 December 2030, as regards products regulated by implementing measures that are adopted pursuant to Article 15 of Directive 2009/125/EC, however only insofar as amendments are necessary to address technical issues with regard to those implementing measures;

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- (b) Article 1(3), Article 2, Article 3(1), Articles 4, 5 and 8, Article 9 (3), Articles 10, 14 and 20 of, and Annexes IV, V and VI to, Directive 2009/125/EC in the version applicable on 17 July 2024, which, instead of Articles 1, 2, 27 and 29, Article 41(4), Article 43 (2), Articles 44, 45 and 46 and Article 74 of, and Annexes IV and V to, this Regulation, shall continue to apply as regards products regulated by implementing measures that are adopted pursuant to Article 15 of that Directive until such measures are repealed or declared obsolete.

Point (b) of this paragraph shall apply once the Commission has adopted implementing measures pursuant to Article 15 of Directive 2009/125/EC for the products referred to in points (a)(i) and (ii).

2. Articles 3 and 40 and Articles 66 to 71 of this Regulation shall apply to products regulated by implementing measures that are adopted pursuant to Article 15 of Directive 2009/125/EC.

3. References to the repealed Directive shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex VIII.

4. For products placed on the market or put into service in accordance with Directive 2009/125/EC before the date of application of a delegated act adopted pursuant to Article 4 of this Regulation covering the same products, the manufacturer shall, for a period of 10 years from the date when the last of those products was manufactured, make an electronic version of the documentation relating to the conformity assessment and the declaration of conformity available for inspection within 10 days of a request received from market surveillance authorities or the Commission.

*Article 80***Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

*ANNEX I***Product parameters**

The following parameters shall, as appropriate, and where necessary supplemented by others, be used, individually or in combination, as a basis for improving the product aspects:

- (a) durability and reliability of the product or its components as expressed through the product's guaranteed lifetime, technical lifetime, mean time between failures, indication of real use information on the product, resistance to stresses or ageing mechanisms;
- (b) ease of repair and maintenance, as expressed through characteristics, availability, delivery time and affordability of spare parts, modularity, compatibility with commonly available tools and spare parts, availability of repair and maintenance instructions, number of materials and components used, use of standard components, use of component and material coding standards for the identification of components and materials, number and complexity of processes and whether specialised tools are needed, ease of non-destructive disassembly and re-assembly, conditions for access to product data, conditions for access to or use of hardware and software needed;
- (c) ease of upgrading, reuse, remanufacturing and refurbishment as expressed through number of materials and components used, use of standard components, use of component and material coding standards for the identification of components and materials, number and complexity of processes and tools needed, ease of non-destructive disassembly and re-assembly, conditions for access to product data, conditions for access to or use of hardware and software needed, conditions of access to test protocols or not commonly available testing equipment, availability of guarantees specific to remanufactured or refurbished products, conditions for access to or use of technologies protected by intellectual property rights, modularity;
- (d) design for recycling, ease and quality of recycling as expressed through use of easily recyclable materials, safe, easy and non-destructive access to recyclable components and materials or components and materials containing hazardous substances and material composition and homogeneity, possibility for high-purity sorting, number of materials and components used, use of standard components, use of component and material coding standards for the identification of components and materials, number and complexity of processes and tools needed, ease of non-destructive disassembly and re-assembly, conditions for access to product data, conditions for access to or use of hardware and software needed;
- (e) avoidance of technical solutions detrimental to reuse, upgrading, repair, maintenance, refurbishment, remanufacturing and recycling of products and components;
- (f) use of substances, and in particular the use of substances of concern, on their own, as constituents of substances or in mixtures, during the production process of products, or leading to their presence in products, including once those products become waste, and their impacts on human health and the environment;
- (g) use or consumption of energy, water and other resources in one or more life cycle stages of the product, including the effect of physical factors or software and firmware updates on product efficiency and including the impact on deforestation;

▼B

- (h) use or content of recycled materials and recovery of materials, including critical raw materials;
- (i) use or content of sustainable renewable materials;
- (j) weight and volume of the product and its packaging, and the product-to-packaging ratio;
- (k) incorporation of used components;
- (l) quantity, characteristics and availability of consumables needed for proper use and maintenance as expressed, inter alia, through yield, technical lifetime, ability to reuse, repair, and remanufacture, mass-resource efficiency, and interoperability;
- (m) the environmental footprint of the product, expressed as a quantification, in accordance with the applicable delegated act, of a product's life cycle environmental impacts, whether in relation to one or more environmental impact categories or an aggregated set of impact categories;
- (n) the carbon footprint of the product;
- (o) the material footprint of the product;
- (p) microplastic and nanoplastic release as expressed through the release during relevant product life cycle stages, including manufacturing, transport, use and end-of-life stages;
- (q) emissions to air, water or soil released in one or more lifecycle stages of the product as expressed through quantities and nature of emissions, including noise;
- (r) amounts of waste generated, including plastic waste and packaging waste and their ease of reuse, and amounts of hazardous waste generated;
- (s) functional performance and conditions for use, including as expressed through the ability to perform its intended use, precautions for use, skills required and compatibility with other products or systems;
- (t) lightweight design as expressed through reduction of material consumption, load- and stress-optimisation of structures, integration of functions within the material or into a single product component, use of lower density or high-strength materials and hybrid materials, with regard to material savings, recycling and other circularity aspects, and waste reduction.

*ANNEX II***Procedure for defining performance requirements**

Product specific or horizontal performance requirements shall be set as follows:

a technical, environmental and economic analysis shall select a number of representative models of the product or products in question on the market and identify the technical options for improving the product performance in relation to the product parameters referred to in Annex I, taking into account the economic viability of the options and avoiding any significant increase of other life cycle environmental impacts, and significant loss of performance or of usefulness for consumers.

The analysis referred to in the first paragraph shall also identify, for the parameter under consideration, the best-performing products and technologies available on the market, as well as emerging technology improvements.

The performance of products available on international markets and benchmarks set in other countries' law shall be taken into consideration during the analysis referred to in the first paragraph as well as when setting requirements.

Based on the analysis referred to in the first paragraph, and taking into account economic and technical feasibility, including the availability of key resources and technologies, as well as the potential for improvement, levels or non-quantitative requirements shall be defined.

Any concentration limit for substances as referred to in Annex I, point (f), shall be based on a thorough analysis of the sustainability of the substances and their identified alternatives, and shall not have significant adverse effects on human health or the environment. Any performance requirement concerning substances as referred to in Annex I, point (f), shall take into consideration existing chemical safety assessments performed by the relevant Union bodies for the substances concerned, as well as safe and sustainable by design criteria for chemicals and materials developed by the Commission. Proposed concentration limits shall also consider aspects of enforceability, such as analytical detection limits.

Where relevant, the analysis referred to in the first paragraph shall take into account the likely impacts of climate change on the product during its prospective lifetime, and the product's potential to improve climate resilience throughout its life cycle.

A sensitivity analysis covering the relevant factors, such as the price of energy or other resources, the cost of raw materials and necessary technologies, production costs, discount rates, and, where appropriate, external environmental costs, including avoided greenhouse gas emissions, shall be carried out.

For the development of the analysis referred to in the first subparagraph, relevant information available in the framework of other Union activities, including, among others, existing sectoral roadmaps as referred to in Regulation (EU) 2021/1119, shall be taken into account and shall include technical information used as a basis for or derived from Regulation (EC) No 66/2010, Directive 2010/75/EU, technical screening criteria adopted pursuant to Regulation (EU) 2020/852 and EU green public procurement criteria.

That shall also apply for information available from existing programmes applied in other parts of the world for setting the specific ecodesign requirements for products traded with the Union's economic partners.



ANNEX III

Digital product Passport (referred to in Articles 9 to 12)

The requirements related to the digital product passport laid down in the delegated acts adopted pursuant to Article 4 shall specify what data are to or can be included in the digital product passport from among the following elements:

- (a) information required under Article 7(2), point (b), and Article 7(5) or by other Union law applicable to the relevant product group;
- (b) the unique product identifier at the level indicated in the applicable delegated act adopted pursuant to Article 4;
- (c) the Global Trade Identification Number as provided for in International Organization for Standardisation/International Electrotechnical Commission standard ISO/IEC 15459-6 or equivalent of products or their parts;
- (d) relevant commodity codes, such as a TARIC code as defined in Regulation (EEC) No 2658/87;
- (e) compliance documentation and information required under this Regulation or other Union law applicable to the product, such as the declaration of conformity, technical documentation or conformity certificates;
- (f) user manuals, instructions, warnings or safety information, as required by other Union law applicable to the product;
- (g) information related to the manufacturer, such as its unique operator identifier and the information referred to in Article 27(7);
- (h) unique operator identifiers other than that of the manufacturer;
- (i) unique facility identifiers;
- (j) information related to the importer, including the information referred to in Article 29(3) and its Economic Operators Registration and Identification (EORI) number;
- (k) the name, contact details and unique operator identifier of the economic operator established in the Union responsible for carrying out the tasks set out in Article 4 of Regulation (EU) 2019/1020 or Article 15 of Regulation (EU) 2023/988, or similar tasks pursuant to other Union law applicable to the product;
- (l) the reference of the digital product passport service provider hosting the back-up copy of the digital product passport.

The data carrier, the unique product identifier referred to in point (b), the unique operator identifiers referred to in points (g), (h) and (k), and the unique facility identifiers referred to in point (i) shall, where relevant for the products concerned, comply with standards ISO/IEC 15459-1:2014, ISO/IEC 15459-2:2015, ISO/IEC 15459-3:2014, ISO/IEC 15459-4:2014, ISO/IEC 15459-5:2014 and ISO/IEC 15459-6:2014.

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The delegated acts adopted pursuant to Article 4 shall identify information relevant to ecodesign requirements that manufacturers may include in the digital product passport in addition to the information required pursuant to Article 9(2), point (a), including information on specific voluntary labels applicable to the product. That shall include whether an EU Ecolabel has been awarded to the product in line with Regulation (EC) No 66/2010.

*ANNEX IV***Internal production control
(Module A)**

1. Internal production control is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in points 2, 3 and 4, and ensures and declares on its sole responsibility that the product satisfies the requirements of the delegated act adopted pursuant to Article 4.

2. Technical documentation

The manufacturer shall establish the technical documentation. The documentation shall make it possible to assess the product's conformity to the requirements of the delegated act adopted pursuant to Article 4. The technical documentation shall specify the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the product. The technical documentation shall, wherever applicable, contain at least the following elements:

- a general description of the product and of its intended use,
- conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits, etc.
- descriptions and explanations necessary for the understanding of those drawings and schemes and the operation of the product,
- a list of the harmonised standards, common specifications or other relevant technical specifications the references of which have been published in the *Official Journal of the European Union*, applied in full or in part, and descriptions of the solutions adopted to meet the requirements where those harmonised standards have not been applied. In the event of partly applied harmonised standards, the technical documentation shall specify the parts which have been applied,
- results of design calculations made, examinations carried out, etc,
- the results of measurements carried out in relation to ecodesign requirements, including details of the conformity of these measurements as compared with the ecodesign requirements set out in the delegated act adopted pursuant to Article 4,
- test reports, and
- a copy of the information provided in accordance with the information requirements pursuant to Article 7.

3. Manufacturing

The manufacturer shall take all measures necessary so that the manufacturing process and its monitoring ensure compliance of the product with the technical documentation referred to in point 2 and with requirements of the delegated act adopted pursuant to Article 4.

4. CE marking and EU declaration of conformity

The manufacturer shall affix the required conformity marking to each individual product that satisfies requirements of the delegated act adopted pursuant to Article 4.

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The manufacturer shall draw up a written declaration of conformity for each product model in accordance with Article 44 and keep it, together with the technical documentation, at the disposal of the competent national authorities for ten years after the product has been placed on the market or put into service. The declaration of conformity shall identify the product for which it has been drawn up.

A copy of the declaration of conformity shall be made available to the relevant authorities upon request.

5. Authorised representative

The manufacturers' obligations set out in point 4 may be fulfilled by their authorised representative, on their behalf and under their responsibility, provided that the obligations are specified in the mandate.

*ANNEX V***EU declaration of conformity**
(referred to in Article 44)

1. No ... (unique identification of the product):
2. Name and address of the manufacturer and, where applicable, the manufacturer's authorised representative:
3. This declaration of conformity is issued under the sole responsibility of the manufacturer:
4. Object of the declaration (description of the product sufficient for its unambiguous identification and allowing traceability; it may, where necessary for the identification of the product, include an image):
5. The object of the declaration referred to in point (4) is in conformity with this Regulation, the delegated act adopted pursuant to Article 4 and, where applicable, other Union harmonisation legislation:
6. References to the relevant harmonised standards or to the common specifications used or references to the other technical specifications in relation to which conformity is declared:
7. Where applicable, the notified body ... (name, number) performed ... (description of intervention) and issued the certificate or approval decision ... (number):
8. Where appropriate, the reference to other Union law providing for the affixing of the CE mark that is applied:
9. The identification and signature of the person empowered to bind the manufacturer or the manufacturer's authorised representative:
10. Additional information:

Signed for and on behalf of:

(place and date of issue):

(name, function) (signature):

*ANNEX VI*

Criteria for self-regulation measures
(referred to in Article 21)

The following non-exhaustive list of criteria shall be used to assess self-regulation measures in accordance with Article 21:

1. Openness of participation

Self-regulation measures must be open to the participation of any operators placing on the market a product covered by the self-regulation measure, including SMEs and third country operators, both in the preparatory and in the implementation phases. Economic operators intending to establish a self-regulation measure should make a public announcement of their intention to do so before the process of developing the measure is started.

2. Sustainability and added value

Self-regulation measures must respond to the policy objectives of this Regulation and must be consistent with the economic and social dimensions of sustainable development. Self-regulation measures must have an integrated approach to the protection of the environment, interests of consumers, health, quality of life and economic interests.

3. Representativeness

Industry and its related associations taking part in a self-regulation measure must represent a large majority of the relevant economic sector, in accordance with Article 21(3), first subparagraph, point (b). Care must be taken to ensure respect for Union competition law, in particular Article 101 TFEU regarding anti-competitive agreements.

4. Quantified and staged objectives

The objectives defined by the signatories in their self-regulation measures must be set in clear, quantifiable and unambiguous terms, starting from a well-defined baseline. If the self-regulation measure covers a long time-span, interim targets must be included. It must be possible to monitor compliance with objectives and interim targets in an affordable and credible way using clear and reliable indicators.

5. Involvement of civil society

With a view to ensuring transparency, self-regulation measures must be publicised, including online on a publicly and freely accessible website and via other electronic means of disseminating information.

Stakeholders, including Member States, industry, environmental NGOs and consumers' associations, shall be invited to comment on a self-regulation measure.

6. Monitoring and reporting

An independent inspector must be selected and nominated in order to monitor compliance of signatories with the self-regulation measure. The self-regulation measure must empower the independent inspector to verify compliance with its requirements. The self-regulation measure must also lay down the procedure to select the independent inspector and the rules to ensure that the inspector has no conflict of interest and has the necessary skills for verifying compliance with its requirements.

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Every year, each signatory must report all the information and data necessary for the independent inspector to reliably verify the signatory's compliance with the self-regulation measure.

The independent inspector must draw up a compliance report at the end of each one-year reporting period.

Where a signatory does not comply with the requirements of the self-regulation measure, it must take corrective action. The independent inspector shall notify the other signatories participating in the self-regulation measure of a lack of compliance by a signatory and of the corrective action the signatory intends to take.

The results of any market surveillance activity conducted by a market surveillance authority during which non-compliance with the self-regulation measures requirements has been identified shall be taken into account by the independent inspector, in particular in the compliance report, and corrective action shall be taken.

7. Cost-effectiveness of administering a self-regulation measure

The cost of administering the self-regulation measure, in particular as regards monitoring, must not lead to a disproportionate administrative burden, as compared to its objectives and to other available policy instruments.



ANNEX VII

Consumer products of which the destruction by economic operators is prohibited

The commodity codes and descriptions are taken from the combined nomenclature as referred to in Article 1(2) of Regulation (EEC) No 2658/87 and as set out in Annex I thereto, in the version in force on 28 June 2024.

Commodity code	Description
1. Apparel and clothing accessories	
4203	Articles of apparel and clothing accessories, of leather or composition leather
61	Articles of apparel and clothing accessories, knitted or crocheted
62	Articles of apparel and clothing accessories, not knitted or crocheted
6504	Hats and other headgear, plaited or made by assembling strips of any material, whether or not lined or trimmed
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hairnets of any material, whether or not lined or trimmed
2. Footwear	
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402	Other footwear with outer soles and uppers of rubber or plastics
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear



ANNEX VIII

Correlation table

Directive 2009/125/EC	This Regulation
Article 1	Article 1
Article 2	Article 2
Article 3	—
Article 4	Article 29
Article 5	Articles 44, 45 and 46
Article 6	Article 3
Article 7	Articles 69, 70 and 71
Article 8	Articles 27 and 43
Article 9	Article 41
Article 10	—
Article 11	Article 38
Article 12	Article 68
Article 13	Article 22
Article 14	Article 7
Article 15	Articles 4 and 5
Article 16	Article 18
Article 17	Article 21
Article 18	Article 19
—	Article 24
—	Article 28
—	Articles 30 to 40
—	Article 42
—	Articles 47 to 67
—	Article 72
Article 19	Article 73
Article 20	Article 74
Article 21	Article 75

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Directive 2009/125/EC	This Regulation
Article 22	—
Article 23	—
Article 24	Article 79
Article 25	Article 80
Article 26	—
Annex I	Articles 5, 7, Annex I
Annex II	Annex II
—	Annex III
Annex III	—
Annex IV	Annex IV
Annex V	—
Annex VI	Annex V
Annex VII	Article 8 -
Annex VIII	Annex VI
Annex IX	—
Annex X	Annex VIII