CONSUMER INTERESTS IN ECO-DESIGN (OF ENERGY-USING PRODUCTS)

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Summary

This paper aims at describing and analysing the core consumer requirements related to eco-design, in particular in the context of the implementation of the Eco-design of Energy-using Products Directive (hereafter referred to as the EuP process), and shows how to improve future product policy to ensure that these concerns are taken into account.

This paper highlights that the current EuP process remains incomplete due to its narrow product selection and its focus on energy-efficiency only. It should therefore be extended to more energy-using products as well as to non-energy-using products, and should take into account other aspects of concern to consumers such as resource efficiency, the use of hazardous chemicals and waste disposal. Moreover, the EuP Directive needs to be better linked to existing instruments such as environmental labelling schemes, the EU Energy Label, the Eco-Label, and to other European legislation, such as the EU Directive on Energy Performance of Buildings.

Furthermore, there is an urgent need for political commitment both at EU and Member State level to make the EuP process successful. This includes the necessity for Member States to support the EuP process at national level with lateral measures such as training requirements for installers and service personnel. Moreover, Member States should also support sustainable consumption with tax reductions, premiums for consumers who buy environmentally friendly products, and subsidies. These measures should be addressed first and foremost to front runner products and products which are labelled with the Eco-label.

Sustainable consumption and production are two sides of the same coin. In order to stimulate demand for environmentally friendly products, consumers need better products and better information.

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Introduction

In 2005 the European Union established a legislative framework for setting eco-design requirements for energy-using products, the so-called EuP Directive (2005/32/EC). The Directive introduces general principles for setting eco-design requirements with an implementation process setting binding minimum requirements for each selected product group. This process is currently under way.

An important part of this implementation process is played by the EuP Stakeholder Consultation Forum, in which the proposed eco-design requirements for products are discussed by Member States and the relevant stakeholders. With a view to this, a project consortium of Öko-Institut, ANEC, BEUC, International Research and Testing (ICRT) and Copenhagen Business School (CBS) is ensuring that the views of consumer organisations are well represented in the decision-making process leading to eco-design implementing measures[1].

Eco-design of energy-using products is one instrument to achieve more sustainable consumption but has to be seen in the wider context of EU policies, such as the forthcoming Sustainable Consumption and Production Action Plan, the Eco-Label and the Energy Label legislation.

Consumers will be increasingly affected by eco-design as important everyday products, such as heating, washing machines and domestic lighting, will be in the scope of future implementing measures. Eco-design could lead to environmental and economic gains for consumers as more energy-efficient products allow consumers to save money during the use phase, and avoid putting more pressure on the environment. A precondition however will be the establishment of ambitious requirements for a large number of products in a short period of time.

This paper aims at describing and analysing the core consumer interests in eco-design of products, particularly energy-using products, and shows how to improve future product policy reflecting these concerns. We first underline that the current EuP process remains incomplete due to its product selection and its focus on energy-efficiency. We therefore call for the EuP method to be extended to a wider number of products, including non-energy-using products, and to address other aspects of concern such as resource efficiency, use of hazardous chemicals and waste disposal.

[1] Implementing Measures set legally binding eco-design requirements for products. These legal requirements can take the form of a Regulation or a Directive and will be applicable to all relevant products in the internal market. Eco-design requirements could, for example, limit the use of hazardous substances or the energy consumption of a certain product group.

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Secondly, we argue that the EuP Directive needs to be better linked to existing instruments such as environmental labelling schemes and EU legislation related to waste and hazardous substances. Furthermore, we insist on the need for a political commitment both at EU and Member State level to make the EuP process successful by agreeing on ambitious eco-design measures and complementary measures at national level in order to support more sustainable consumption. Finally, we assert that sustainable consumption and production go hand in hand, and that consumers need more environmentally friendly products and better information.

1. Why is there a need for eco-design?

Today there is an urgent need for concrete, ambitious actions towards more sustainable consumption and production to be taken at all levels of public policy. The main failure of sustainable consumption and production strategies in the past has been an unbalanced and often insufficient concentration on the production side. Another drawback is that sustainable development aspects are too often divorced from other policies[2].

Energy-using products account for a large proportion of the consumption of natural resources and energy. For example the use of boilers and water heaters currently accounts for almost a quarter of CO_2 emissions in the EU. This corresponds to the same magnitude as total road transport. According to the relevant Commission working document[3], ambitious eco-design measures for boilers and water heaters could achieve savings of up to 280 million tons of CO_2 emissions by 2025.

We should also keep in mind that steadily rising energy prices are becoming a major concern for many European consumers[4]. Especially more vulnerable consumers find it increasingly difficult to pay the rising energy bills[5].

On the other hand, there is a growing demand from the consumer side for environmentally friendly and sustainable products. The recently published

[2] See also ANEC/BEUC joint position "Consumer expectations on the action plans on sustainable consumption and production and on sustainable industrial policy, ANEC-ENV-2007-G-028final, BEUC/X/050/2007, 20 September 2007.
[3] COM: Introduction to proposals for eco-design requirements for Lot 1 (Boilers) and Lot 2 (Water Heaters), Working document provided to the Stakeholder Consultation Forum members in February 2008.
[4] In Germany for example electricity prices for households increased 50% since the year 2000. See http://www.verbraucherzentrale.de/stromwechsel/hintergrund.php#4.
[5] According to Energywatch 4 million households in the UK were living in "fuel poverty" in 2007. See press release "high fuel prices wreck fuel poverty targets", http://www.energywatch.org.uk/media/news/show_release.asp?article_id=1073&display_type=search, 6 December 2008.

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special Eurobarometer survey on attitudes towards the environment[6] clearly shows that sustainable consumption and production are now a core concern for most consumers. More and more consumers are willing to buy environmentally friendly products, even if they have to pay a bit more.

Finally, it is estimated that over 80% of all product-related environmental impacts such as consumption of natural resources, use of hazardous chemicals, energy use and waste generation are determined by the design of products[7]. An integration of environmental aspects into the design phase as early as possible is therefore crucial to reduce the negative environmental impact of consumer products.

For all the reasons mentioned above, the EU eco-design process is an important policy tool that allows looking for improvement options for the environmental performance of energy-using products by taking into account the least life cycle costs (LLCC)[8]. Unfortunately, the European Union is rather late with the development of such eco-design requirements compared with major trading partners: for instance the Top Runner Programme in Japan which was introduced in 1998[9]. We therefore count on the eco-design process to deliver ambitious requirements within a short period of time in order to ensure that less sustainable products from other parts of the world are not placed on to the European market.

2. Core consumer requirements in eco-design

Consumers want better and more environmentally-friendly products. Very often products can be designed in a way that entails a minimum negative impact on health and the environment with no, or little, additional cost. The following paragraph outlines the main consumer requirements in eco-design, such as the continuous improvement of products through cost-effective measures and phasing out unsustainable products.

[6] EU Commission (ed.): Special Eurobarometer 295, Attitudes of European citizens towards the Environment, March 2008, http://ec.europa.eu/public_opinion/archives/ebs/ebs_295_en.pdf.
[7] See explanatory memorandum to the EuP Directive, EUR-LEX: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52003PC0453:EN:NOT.
[8] Life Cycle costs are the sum of the purchase price and of the operating expenses discounted over the life-time of a product.
[9] The Japanese Top Runner Programme does not set Minimum Efficiency Requirements (MEPIs). Instead, the best performing product on the market represents the target value which all products have to achieve within a specified timeframe.

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2.1 Eco-design is more than just energy-efficiency

The Eco-design Directive allows for addressing the environmental impacts from resources to waste disposal. However, the implementation process has barely taken these aspects into account. Eco-design requirements are currently merely focused on energy-saving measures. In our view, eco-design should not only include minimum requirements for energy-efficiency, but should also successfully address other parameters such as the use of natural resources and materials, the use of hazardous chemical substances, and waste management. Without establishing a real life-cycle approach, it is likely that the burden will shift from one medium to another without solving the underlying problem. Moreover, a comprehensive assessment of all relevant factors is crucial in order to ensure that the most cost-effective measures are taken.

2.2 Unsustainable products need to be removed from the market

Every year, thousands of new products of poor environmental quality are placed on the European market. These products could have a more sustainable design at little or no additional cost[10]. There is urgent need for consumers to be offered more sustainable products. This could be achieved by *inter alia* three different instruments addressed to manufacturers, consumers and retailers.

First, eco-design requirements which apply to producers should be stringent enough to eliminate a significant proportion of products with e.g. low energy-efficiency from the market (e.g. the worst performing 20% of the products)[11]. Second, consumers have to be informed about the best performing products, e.g. by labelling them with the Eco-label. Third, an additional important driver to avoid placing unsustainable products on the market is choice editing, a process by which unsustainable products are removed from the retail stream. Retailers should steer consumer demand by "editing out" unsustainable products from the shelves and replacing them with equally good or better products which have a lesser environmental impact[12].

It is sometimes true that phasing out certain appliances could lead to higher purchase prices for consumers. Although consumers will in the long term benefit from lower running costs, certain, more vulnerable consumer groups

[10] See explanatory memorandum to the EuP Directive, EUR-LEX http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52003PC0453:EN:NOT.

[11] See also ANEC/BEUC comments on the Green Paper on Energy efficiency "Doing more with less", ANEC-ENV-2006-G-018rev, BEUC/X/021/2006, 7 April 2006.

[12] National Consumer Council (2006): "I will if you will. Towards sustainable consumption" http://www.ncc.org.uk/nccpdf/poldocs/NCC126It_i_will_summary.pdf

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may not be able to make the initial high investment. Lateral measures from Member States are therefore necessary to support consumers making environmentally sustainable choices (see point 2.5 below).

On the other hand, we should avoid a situation where ecodesign measures could have a negative impact on the possibility to replace important supportive equipment. For example, phasing out incandescent light bulbs would have a negative impact on systems which use this kind of lighting equipment for alerting devices, e.g. to announce the doorbell, baby alarms or smoke alarms. Many of these devices currently use incandescent light bulbs which cannot be easily replaced by other lighting equipment. Therefore we need exemptions for the use of incandescent light bulbs for certain applications unless affordable alternatives, e.g. LEDs, are available

Finally, phasing out inefficient appliances has to be done within a clearly specified timeframe and needs to be closely monitored by Member States. Transparency of the process for consumers needs to be ensured, and consumers should be well informed about the aims and consequences of the measure.

2.3 Need for better products

When drafting eco-design measures, it should be ensured that the overall quality and functional performance of products will not be significantly negatively affected, and that the health and safety of consumers (and the environment) are always taken as the paramount consideration.

Eco-design should ensure the supply of better and continuously improving products. Consumers have, for instance, reported that they are disappointed by the longer washing cycles and poorer rinsing qualities of 'eco-friendly' washing machines, and the poorer storing capacities of cooling appliances[13]. Thus, it is crucial that any eco-design measure ensures that product quality will not be significantly adversely affected. Products which are energy-efficient but do not meet other consumer requirements, such as good cleaning properties, would inevitably leave consumers dissatisfied and may discourage them from buying other environmentally friendly products.

In addition, there is a market trend towards larger appliances. Considering that the number of small, or single person households is rising, such a trend could end up cancelling out the gains made through e.g. the EU Energy Label scheme. Appliances which due to their size do not fit the needs of the household not only increase costs for consumers, but also result in excess waste and energy use. Eco-design measures should thus consider the

[13] Nordic Council of Ministers (ed.): Impact of energy labelling on household appliances, Copenhagen, 2007.

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possibility and merits of 'tailor-made' appliances which would reflect the needs of European societies without burdening the environment.

Furthermore, eco-design requirements should take into account possible negative health and safety effects for consumers. For example, when deciding on eco-design requirements for boilers and water heaters, it must be ensured that ambitious limit values for both carbon monoxide (CO) and nitrogen oxides (NO_x)-emissions are set at the same time. Setting a NO_x limit without a CO limit is indeed potentially dangerous as one can reduce the emissions of NO_x at the expense of increasing CO tremendously.

The need for better products also includes the necessity for all products to be easily accessible and safe for all consumers, following the "Design for All" principle. As EuP explicitly sets requirements for the design phase of products, we would like to underline that products should be accessible for all consumers, regardless of the age or (dis)abilities of the person. As an example, the off-switch of an appliance should be located on the appliance as well as on the remote control so that it is easy to access for all consumers, including those with e.g. dexterity or mobility problems. The CEN/CENELEC Guide 6[14] gives guidance on how to address the needs of older persons and persons with disabilities in the process of standardisation. This document ought to be taken into account when setting eco-design requirements for products.

2.4 Supply of products has to be ensured

All possible eco-design measures in the different EuP product groups should look at the possible negative effects of the measures on the availability of products on the market. For instance, the EuP working document on domestic lighting[15] mentions that the most ambitious eco-design requirements, in combination with a quick implementation process, could lead to a shortage of energy-efficient light bulbs for consumers in the internal market. Although we support the Commission in setting eco-design requirements for domestic lighting, a shortage of energy saving lamps (and possible price rises) has to be avoided.

Following from the above, even though phasing-out of inefficient products is very important for consumers, it should always be ensured that phasing-out will not have as an unintended consequence a lack of availability of the more environmentally friendly products. We are convinced that the supply of new products will respond to the level of consumer demand.

[14] CEN/CENELEC Guide 6: 2002 "Guidelines for standards developers to address the needs of older persons and persons with disabilities".
[15] Working document on possible eco-design requirements for general lighting equipment ("Domestic lighting part 1, including incandescent light bulbs"), provided to the Stakeholder Consultation Forum members on 3 March 2008.

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2.5 Sustainability should be made easy for consumers

Empowering consumers to behave in a more sustainable manner when purchasing, using and disposing of products is crucial for the success of the eco-design process. Finding easy solutions for consumers to contribute to more sustainable behaviour is therefore an important point when deciding on eco-design requirements.

Take-back schemes

Retailers should introduce take-back schemes for the products they sell to consumers. This is particularly important for products like for example energy-efficient light bulbs containing mercury which will be sold at increasing numbers to consumers due to the phasing-out of incandescent light bulbs. Consumers are not always aware of mercury pollution and may dispose of broken lamps in household waste. Introducing a take-back system for mercury containing lamps, free of charge, at the point of sale is therefore vital. Such a system could work in the same manner as the take-back system for empty batteries. A deposit system should be implemented (e.g. as has been done with bottles and cans in some European countries).

Easy-to-use power saving functions

Minimising energy losses is one of the main aims of the EuP process. Unfortunately, many electronic devices, such as set-top boxes[16], do not have a hard-off switch. Consumers have to unplug these devices after use in order to save energy. However, consumers are unaware of the possible energy losses in standby mode and do often not unplug the device. It is therefore important to require manufacturers to integrate a hard-off switch in all relevant appliances. This represents an easy technical solution to avoid unwanted energy losses.

In addition, interlinked appliances such as set-top boxes, do not automatically switch into off-mode when the “primary” device, e.g. a TV, is switched off. We therefore consider that, wherever technically feasible and safe, a technical solution should be found for such interlinked appliances, allowing for an automatic power down of the “secondary device” (e.g. the set-top box) in order to avoid unintended energy losses.

[16] A set top box is a device connected to a TV and an external source of signal in order to convert analogue signals into digital signals.

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Availability of standardised, external power supplies

As interfaces of power chargers are not standardised, most portable electronic devices such as mobile phones, cameras and notebooks need their own external power supply (battery/charger). Unfortunately, external power supplies are exclusively sold together with electronic devices in product packages. It is therefore hardly possible for consumers to choose a more efficient external power supply from a different manufacturer, or to use the same external power supply for a variety of products. Technical solutions are urgently needed in order to allow consumers to use one external power supply for several devices. This would not only be more convenient for consumers and allow them to save money, but it would also greatly reduce the amount of electronic waste and the related environmental impact.

Member States to provide financial support to consumers

Setting eco-design requirements may sometimes increase the purchase prices of certain appliances, while decreasing related running costs. Although higher initial investments are rewarded by lower costs over the lifetime of a product, consumers often hesitate to buy more expensive, albeit environmentally friendly, products. Member States should therefore accompany eco-design measures with national financial instruments such as VAT reductions for the most environmentally friendly products. This would represent an important incentive for consumers to purchase such products, thereby stimulating the demand for the development of more sustainable products. This VAT reduction should be linked to Eco-labelled products. Member States could also introduce/use rebate schemes (premiums or tax reductions) for energy efficient appliances. For example, in Belgium, consumers are entitled to a premium when buying an energy-efficient refrigerator labelled as A++. All these measures should always be applied to the most sustainable products, such as products in the top energy class of the energy label. After a certain period of time, financial instruments will not be needed as competition will undoubtedly lead to a decrease in prices.

We also recommend that all EU Member States develop national strategies accompanying the EuP process in order to stimulate the demand side for energy-efficient products. Eco-design requirements for products with very high investment costs such as boilers and water heaters may entail the risk to exclude low income groups from purchasing these products. Deciding upon such eco-design measures without providing financial support to more disadvantaged consumers would be undesirable.

Finally, financial instruments should also be considered to help the best available technologies enter the market. We would therefore welcome an EU strategy to support top runner products and to help them reach a critical market share.

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2.6 All stakeholders must play their role

Consumer research has shown that consumers hesitate to act when they have the feeling that their actions do not matter[17]. For the success of the eco-design process it is not only crucial to empower consumers to contribute to sustainability, but also that the actions of other stakeholders are visible and supportive of consumers.

First, ambitious eco-design requirements have to ensure that unsustainable products are phased out and products on the market will be progressively improved. Second, retailers have to contribute to greening shops. The supply and advertisement of environmentally friendly products will be decisive in strengthening the demand for, and sale of, these products. Finally, there is an important role to play for the public sector in terms of green public procurement. The public sector acts not only as a role model, but can also help stimulate consumer demand for environmentally friendly products.

2.7 Effective consumer product information

Consumer information has a role to play in the functioning of markets and in helping triggering a change in consumers' behaviour. As the market is unlikely to deliver good product information by itself, the Eco-design Directive explicitly sets requirements for consumer information in order to maximise the environmental benefits from improved design. Article 14 of the Directive requires manufacturers to ensure that consumers are provided with the information on the role they can play in the sustainable use of the product. Moreover, manufacturers can be obliged to provide, where relevant, information on the ecological profile, if foreseen in the implementing measure, so that consumers can compare the characteristics of different products.

It is crucial that consumer information is given clear and comprehensive for all consumers. In practice this means that the labels and warnings should be clear and of large font, conspicuously displayed on products, or that certain colours which cannot be seen by e.g. colour blind persons should be avoided or combined with other symbols (e.g. A-G letters of the energy label).

Although better consumer information is important, information can never be the main tool to achieve sustainable consumption in practice.

[17] AccountAbility, Consumers International (ed.): What Assures Consumer on Climate change? Switching on Citizen Power, 2007. National consumer council (2006): I will if you will. Towards sustainable consumption. http://www.ncc.org.uk/nccpdf/poldocs/NCC126It_i_will_summary.pdf.

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Nonetheless, improvement of consumer information is necessary in three areas. First, we see improvement potential with regard to EuP measures concerning information requirements. Second, there is a need for the revision of the EU Energy Labelling Scheme[18] as this label will be applied to many new product groups in the future. Third, we see an urgent need to better link the EU Eco-Label with the EuP process so that consumers have an additional incentive to shift their demand towards the best available products.

Finally, EuP information, Energy Labelling and the Eco-Label need to be integrated into an overall legislative framework for environmental consumer information. In order to ensure more coherence between these instruments, the criteria for EuP, the Eco-Label and Energy Labelling ought to be developed simultaneously. To do this, the background studies would also need to be designed and planned accordingly (see more detailed information below).

Better consumer information through eco-design requirements

Within the EuP process there is an urgent need to inform consumers about certain characteristics of products, especially when the use phase of the product is particularly relevant. For example, it is rarely known that battery chargers of mobile phones use energy when plugged to a socket but not connected to the phones. Therefore external power supplies should be labelled with information on no-load power consumption, e.g. a warning "'If not in use, unplug device from the electricity grid to save energy".

Moreover, consumers should receive additional information on waste disposal. The symbol of a crossed-out wheeled bin, which is applied to electrical and electronic equipment, according to the EU WEEE Directive (2002/96/EC), does not ensure that consumers are aware of how to deal with old appliances. Although consumers are aware that labelled devices should not be placed in the waste bins, they do not know where to dispose of products as an alternative. The EuP process could therefore be an opportunity to better inform consumers about their responsibilities.

Above all, the need for better information should not be seen as a need for a new environmental label addressing eco-design. As the EuP sets minimum requirements for all products on the market, we do not see an added value in introducing an eco-design label. We argue that eco-design measures should set specific information requirements based on the information needs of each product group. A special focus has to be put on information

[18] See for more details ANEC/BEUC input to the Commission consultation document on the revision of the EU energy labelling scheme, ANEC-ENV-2008-G-001final, BEUC X/009/2008, 18 February 2008.

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gaps in each product group which prevent consumers from making environmentally sustainable choices.

EuP and the EU Energy Label

Mandatory information on energy consumption will be applied to many products which are in the scope of the EuP implementation process, such as TVs. We strongly support the extension of the existing EU Energy Labelling scheme to these products. However, it has to be ensured that the Energy Label will remain a meaningful piece of information for consumers.

The EU Energy Labelling scheme (with its well-known A-G scale) is currently trapped in its own success as too many products are crowding at the top end of the scale (Class A). Therefore the existing scheme needs to be revised so that it will allow for dynamic changes in the future. The simple message of the existing A-G labelling scheme has shown to be of great value for consumers when buying energy-using products, and must therefore be retained.

Finally, the EU Energy Label is a useful tool for informing consumers about energy consumption. It should therefore also be applied to products which do not consume energy but have an impact on energy efficiency, e.g. windows.

EuP and the Eco-Label

Better coherence between the EU Eco-label and EuP is needed. As EuP only sets minimum requirements, consumers need additional, meaningful information on products which not only fulfil the minimum requirements, but are, in fact, the best on the market. Eco-Label criteria should therefore be established or revised for all consumer-relevant product groups which are also subject to eco-design measures. This will allow the EU to support front-runner products entering the market. We therefore welcome and support the idea to analyse[19] how synergies between the development of eco-design and Eco-label criteria can be used.

However, an approach which bases the development of Eco-label criteria on the EuP preparatory studies could create loopholes. As the eco-design process currently mainly focuses on energy efficiency, these findings of the preparatory studies are far from sufficient for the development of Eco-Label criteria. The Eco-Label follows a real life-cycle approach and takes into

[19] DG Environment contracted a study which will analyse options how to link the ongoing work on the Eco-design of Energy-Using Products with development of EU Eco-label criteria. The study started at the beginning of 2008 and the Eco-Label Board will discuss preliminary findings in October 2008. (http://ec.europa.eu/environment/ecolabel/meeting/meetingstocome_en.htm)

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account other environmentally relevant criteria such as toxicity, use of dangerous chemicals, and resource efficiency. Moreover, the Eco-label addresses production processes and related adverse effects on the environment such as the release of substances into air and water. An approach to look for synergies between the EuP process and the Eco-label should therefore fully take into account the needs of the Eco-label.

Restricting the use of Environmental Product Declarations

Consumer organisations are sceptical about the value of manufacturers' self-declarations, also known as Environmental Product Declarations (EPDs) or Type III Declarations. These EPDs are typically industry-driven, and lack balanced stakeholder participation when establishing the specific environmental criteria. Further, our main concerns regarding the content of EPDs relate to the comprehensibility and comparability of the information, and the reliability and completeness of the data given[20]. Typically data are presented without benchmarks or scales (as in case of the EU Energy Labelling scheme) which would allow a consumer to identify an environmentally preferable product. Furthermore, EPDs rely on Life Cycle Assessments (LCA), which typically do not cover so-called additional environmental information (e.g. human and environmental toxicity, biodiversity, waste management options, or indoor air quality).

Due to the above, we do not support the use of the current form of EPDs in the EuP process as a means of providing information to consumers.

3. Reliable implementation of eco-design requirements

One core consumer requirement in the eco-design process is a reliable implementation of all eco-design requirements. Also, we believe it may be useful for the eco-design requirements of a product to be verified through independent third party testing.

A reliable implementation of eco-design requirements will also depend on strong market surveillance capacities. Moreover, we need ambitious harmonised market surveillance rules for Member States to ensure that irresponsible producers or importers cannot enter the single market through the weakest entry points.

[20] See for instance, "Joint ANEC/ECOS comments on the ISO 14000 series review", ANEC-ENV-2007-G-030final, October 2007.

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4. How should consumer interests be ensured in the decision-making process?

4.1 Need for legally binding implementing measures

Consumer organisations have traditionally expressed strong reservations against self-regulation as these measures often lack transparency, ambition, legitimacy and efficacy[21]. There is an urgent need to reduce energy consumption on a large scale without any delay. We are therefore concerned that the EuP Directive foresees the use of Voluntary Environmental Agreements (VEAs) as an alternative to traditional regulation. The EuP Directive (Annex VIII) enumerates criteria to be fulfilled by the VEAs, including openness of participation, quantified and staged objectives, involvement of civil society, monitoring and reporting. Although these criteria are a step forward, they are neither sufficiently clear or detailed nor stringent enough. The possible use of VEAs in the implementation of eco-design requirements could indeed undermine the intended positive effects of the Directive. We therefore strongly favour legislative instruments in the form of Regulations, which would take immediate effect in all Member States. Hence, the option of allowing VEAs should be eliminated in a future revision of the Directive.

4.2 Continuous improvement process

We welcome that proposals for EuP implementing measures foresee a revision of the measures no later than five years after entry into force. Due to steadily increasing energy costs the overall assessment of least life cycle costs may change. This means that stricter requirements for eco-design than currently foreseen (e.g. on standby and off-mode losses) can become cost-effective for consumers in the near future as energy prices are on the rise. A regular revision of the eco-design measures, taking into account any technical progress, must therefore be ensured in order to achieve the highest energy savings at the least life cycle costs for consumers.

Moreover we recommend that a future revision of the Eco-Design Directive changes the current EuP criteria according to which 200.000 units of a given product category must be sold annually in the internal market in order for that product to be subject to eco-design measures. We believe this threshold should be reduced.

[21] See also ANEC/BEUC position on voluntary environmental agreements, ANEC-ENV-2006-G-048, BEUC/X/060/2006, 26 October 2006.

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Conclusions

Today, there is an urgent need for concrete action towards more sustainable consumption and production at all levels of public policy. In order to ensure that the eco-design process will be successful for both the environment and consumers, the current eco-design process ought to be improved. Eco-design should not only focus on energy-efficiency but has to take into account other issues of concern such as use of hazardous substances and waste disposal.

First, eco-design should not only focus on energy-efficiency but has necessarily to take into account other issues of concern such as use of hazardous substances and waste disposal. Second, the methodology of setting mandatory minimum eco-design requirements should be extended to non-energy-using products in order to close existing loopholes. This should be done under the umbrella of the up-coming Sustainable Consumption and Production Action Plan (SCP). Third, we need to strengthen the demand for eco-designed products. This has to be achieved in co-operation with manufacturers, Member States and retailers.

Finally we need increased synergies between EuP and existing mandatory and voluntary instruments, in particular the Eco-Label and the EU Energy Label.

END.

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