

DRAFT MINUTES
2ND STAKEHOLDER MEETING OF THE
ECODESIGN PREPARATORY STUDY FOR PRODUCT SPECIFIC MEASURES ON SCARCE,
ENVIRONMENTALLY RELEVANT AND CRITICAL RAW MATERIALS AND ON RECYCLED
CONTENT
PHYSICAL AND VIRTUAL WEBEX MEETING
TUESDAY 2 JULY 2024, 09:30 – 13:30 (BRUSSELS TIME)

Participants: See “Attendance List” in Annex.

1. WELCOME AND INTRODUCTION, ADOPTION OF THE AGENDA

The Commission and the Consultants welcomed the participants, explaining the courtesy rules of the meeting. They proposed a timeline for the agenda, and the agenda was adopted without changes.

2. PROJECT TEAM AND PLANNING

The Consultants introduced the project team and timeline for the future steps. The details of Phase 1 (Prioritisation) were presented by the Consultants. The details on the material content of the products and environmental impact were presented.

Stakeholder input:

EHI asked if the intention was to have a horizontal regulation that would have specific requirements for each product group. They also asked for clarification of the scope concerning electric motors and whether the scope will be the same as the 2019 regulation. They highlighted a potential risk of overlapping with the critical raw materials (CRMs) Act, which contains requirements on the recyclability of permanent magnets. As a final remark, they added that the verification of the amount of recycled content in metals could be a problem and that some parts of the heating appliances require pure metals because impure metals would reduce the heating appliance’s efficiency.

The Commission clarified that the idea is to develop product-specific requirements, trying to incorporate them into the product-specific review studies. About overlapping of legislation, it was noted that there will be communication between the teams and there will be synergy but no duplication. The details of Phase 2 would be presented later in the meeting and the scope of Phase 2 for motors will be wider than in the current legislation.

UBA asked whether the metals included in the category of ‘electronics’ such as copper in printed circuit boards (PCBs) are included in the non-ferrous metals category?

The Consultants responded that copper on the PCBs is considered part of the CRMs and that it will be discussed in a later part of the presentation.

EPTA noted that professional and commercial refrigerators and freezers are very similar, yet they seem to have different impacts in the analysis. EPTA asked whether the reason behind this was explored.

The Consultants clarified that Phase 1 used data from existing studies while Phase 2 would involve new data collection. The Consultants urged experts and organisations to cooperate with them so that the Phase 2 studies could yield better and more precise results.

Electrolux raised a concern that the Phase 1 prioritisation study did not take into consideration recycling at the end of life. Electrolux felt it is very important that recycling is taken into account as part of the prioritisation.

The Consultants agreed on the importance of the end-of-life phase, but it would have been misleading to use the EoL data from the 2014 EcoReport Tool (outdated inputs and approach). Phase 2 product studies will use updated data and include EoL processing according to the 2024 EcoReport Tool.

Modragón Componentes S. Coop. asked how all the different materials used by cooking appliances (copper, aluminium and other metals) will be managed in the same package.

The Consultants acknowledged that the issue of high masses for cooking appliances was raised also during the 1st stakeholder meeting. The data used in Phase 1 were checked and correspond to those from the Ecodesign studies. Despite this fact, the Consultants noted that cooking appliances will not be part of the Phase 2 study.

HP asks how the targets of the study will align with the EU due diligence policies as the focus is on the manufacturing site impact and the due diligence regulations are addressing the environmental impacts and resource efficiency in the supply chain.

The Commission responded that Phase 1 considered the impacts from raw materials mining and processing and from product manufacturing. The Corporate Sustainability Reporting Directive (CSRD) applies to large companies, where we could set eco-design requirements for products when placed on the European Union market.

UBA asked whether the data used for the environmental footprint analysis of the materials is stored in the EcoReport Tool. They clarified that the inventory data for raw materials such as those in Ecoinvent are not particularly representative in many cases. Eg: Acidification mostly refers to SO₂ emissions from energy provision but the impacts from mining activities like acid and metalliferous mine drainage are not included.

The Commission clarified that the new EcoReport Tool was published a month ago and the underlying environmental datasets in the tool have been updated. The new tool is advanced and broad in its impacts. New datasets can be added to the tool, to fill data gaps or tailor impacts to specific circumstances.

BASF asks whether the End-of-Life aspect will be introduced in Phase 2 and how the new EcoReport tool considers the modern recycling technologies.

The Commission replied that one of the main changes to the EcoReport tool was the reworking of the End-of-Life treatment: a simplified version of the circular footprint formula has been implemented.

3. CRM MASSES, WEIGHTING, AND PRODUCT CATEGORIES

The Consultants explained how the quantities of CRM in the various product groups were derived. CRM masses were weighted using the supply risk factors from the 2023 study

underlying the CRM Act and the world production for each type of CRM. The final relative ranking of the product groups in terms of CRM were presented.

Based on the environmental impacts ranking and the CRM ranking, the choice of the 5 product groups for further study in Phase 2 was presented and explained.

The Commission added that some product groups ranked high for environmental impacts and/or CRMs but were not selected for Phase 2 (e.g. photovoltaic panels and phones and tablets) because of their stage of the legislative process. The five products chosen focus on product groups where the results of the study can directly feed into ongoing or soon-to-start review studies.

Stakeholder input:

APPLiA asked whether it was up to the study teams to consider the policy options from the mini preparatory studies (in reference to washing machines).

The Commission replied that it is expected that the mini preparatory studies will use the new EcoReport tool and the policy officers are in contact with the team and results of the mini prep studies will provide input to the review studies.

BASF asked where to find the information on the current review study for household washing machines.

The Consultants clarified that the preparatory study is running for the next 30 months and the information and links for the information platform will be circulated soon.

HP asked how this study is aligned with the aim and scope of the CRM Act.

The Commission said that the provisions of this study will take into account those already specified in the CRM Act. There will not be any overlap, rather more specific additions, if feasible and of added value.

Phosphorous Platform asks whether Phosphorous and the different forms it is present in various products was taken into account as a CRM in the Phase 1 study.

The Consultants replied that in the existing studies there was no data on the mass of Phosphorous in the products, but it will be investigated in Phase 2 if it is relevant.

HP asks how the dependency on recycled content from outside EU will be considered, if recycled content targets drive procurement of low-cost recycled content.

The Consultants agree that it is difficult to verify the aspects of supply-chain and it is the responsibility of the manufacturer to ensure that the requirements are met. Written input from stakeholders was requested.

UBA asked why economic impact was not included in the formula for CRM.

The Consultants replied that Phase 2 study will consider the economic aspects.

Rockwell Automation commented that the policy options proposed in Phase 2 should consider how the materials are treated at End-of-Life stage and how they are reused or recycled into other equally high-grade materials.

UBA asked whether there would be a separate ranking for strategic raw materials (SRM) listed in the CRM Act.

The Consultants replied that this will be considered during Phase 2.

Samsung asked why electronic displays are not a part of the final list of the final products despite ranking high in the evaluation criteria.

The Consultants replied that only 5 product groups could be chosen, possibly diversifying the types of products. For plastics, ferrous metals, non-ferrous metals, electronics and CRM content, other product groups rank higher than displays, among which are included personal computers and imaging equipment. Choosing a third electronics product was not an option.

The Commission additionally added that since the review study on electronic displays is already well underway, the inputs from the current study could not be incorporated into the proceeding.

4. PHASE 2

The Consultants presented the plan for Phase 2, the potential requirements, the required stakeholder input.

The Commission asked stakeholders for input on the certification of the content of recycled material and different approaches to verify the recycled content of products or components. It also clarified that for refrigerators, Phase 2 will focus on plastics, but CRM and ferrous metals will also be considered. The information on Bill of Materials and manufacturing processes are required inputs from the stakeholders.

The Phase 2 study for electric motors will also gather information on permanent magnet motors. Input is required from stakeholders.

Stakeholder input:

Danish EPA asked how the Phase 2 mini-preparatory studies will account for the environmental and climate impacts from the process of recycling materials.

The Commission replied that this is already part of the new EcoReport tool, thus the updated tool will help not only with energy efficiency, but the other aspects of sustainability as well.

APPLiA asked how the quality of the recycled materials will be evaluated.

The Consultants mentioned that the availability and functioning of the market for recycled materials, costs, environmental impacts, quality of recycled materials, etc will be considered in Phase 2.

Danish EPA noted that the Consultants should be aware that equating pre-consumer (post-industrial) recycled material with post-consumer recycled material may be counterproductive, as incentives to reduce material use and increase production efficiency will be minimised.

BE noted that electric motors have requirements related to permanent magnets in the CRM Act.

IZA stated that if steel sheet is galvanised, zinc is involved as non-ferrous metal too.

NL commented that most of the presentation implies that the focus will be on recycled content and recyclability. But the example requirements slide in the presentation mentions spare parts and other measures which are already accounted for in the draft policy measures. These measures should not become distractions from having more recycled material in the products.

The Commission clarified that the example requirements in the slides are just an indication, and assured the NL that the focus is still on recycled content, recyclability and CRM.

APPLiA asked for the clarification of the definition of ‘Electric Motors’ and on whether the focus is just on induction motors or also on permanent magnet motors. They urged the Consultants to make sure that there was no double regulation. They also requested an extension of the deadline for comments on this presentation due to the summer holidays.

The Consultants replied that the scope of the mini preparatory study for electric motors will depend on the scope of the review study. The review clause in the existing regulation mentions investigating permanent magnet motors. So, there is agreement with the policy officer to look into them. The comment about double regulation was noted.

BASF asked whether the recycled content from generic sources considers open and closed loop recycling.

The Consultants replied that it was too early to decide on the exact materials that will be considered.

Umicore stated that their sector is not in need for market stimulation and that collection targets are a better area to focus on. They also noted that since they combine primary and secondary materials together in flowsheets, they wondered whether there will be an allocation of recycled materials or if they will be allowed to allocate a specific amount of recycled materials to specific products.

The Commission replied that this is something that would be assessed at the level of each specific product unit (in line with the way of functioning of Ecodesign, which cannot be used to set collection targets for sectors).

Agoria stated that the issue is the availability of the materials. The analysis should be on what is in the recycled materials and what are the challenges such as like cost of recycling compared to the cost of new raw materials. If the processing cost of virgin materials are low, then there is no point in imposing requirements for recycled material.

HP asked why the lifetimes given in the study are not always aligned with the WEEE directive and if that was intentional, why is this study not aligned with other EU Green Deal legislation?

The Consultants explained that they took the product lifetimes used in Phase 1 from the Ecodesign Impact Accounting, which is based on earlier Ecodesign studies. Phase 2 mini-preparatory studies will consider product lifetimes, taking into account the EU Green Deal and other regulations.

Eurometaux addressed the issue of the quality of recycled material. They stated that the metals can be recycled infinitely, and the quality of the metal is not lost during recycling. Furthermore, they noted that demand for recycled metal is already fully matching supply, so any metal that

is recovered and recycled is used. They want open loops, not closed loops – the market should regulate itself.

Electrolux echoed these comments from Eurometaux, noting that the availability of recycled steel is the limiting factor in terms of content, and that if higher recycled steel content is required for certain products, it simply means there will be less recycled steel in other (non-regulated) products. Electrolux noted that plastic is completely different situation because there is a limited market for recycled plastic.

HP asked how the study team envisages applying the results of the mini-prep studies to the on-going product regulatory proceedings.

The Consultants replied that the findings from the mini-preparatory studies will be shared with the relevant teams studying these products, informing the processes done under ESPR.

BE asked whether the risk of burden shifting will be investigated while imposing a recycled content requirement on one specific product group. They expressed concern that these products may simply absorb the available recycled content without stimulating new/additional recycling across the material supply chain.

The Commission replied that the recycled material market will indeed be studied and these points would be taken into consideration.

Danish EPA asked whether there are any plans to consider requirements for virgin materials instead of recycled materials to avoid the risk of material simply being added to comply with the regulation.

The Commission stated that this aspect would be beyond the scope of the current study, and invited the Danish EPA to provide some input in writing on this specific issue.

Digital Europe, ORGALIM, and I&P Europe support APPLiA's request for extension of deadline for input. The deadline in September is favoured.

The **Consultants** asked to provide written comments on the Phase 1 report before the 1st of August, and inputs for the Phase 2 before the 1st of September.

ZVEI requested that the Consultants consider the old EuP study for asynchronous electric motors done in 2014.

HP asked how this study will interact with the lot 4 (imaging equipment) study's on-going developments.

The Commission replied that the Phase 2 studies will explore opportunities around CRM and recycled content in addition to what is being presented in the Lot 4 stakeholder meeting.

Sharp stated that it is important to strike a balance between the efficient use of resources and responding to climate change. Chemical recycling is likely to result in higher CO₂ emissions when the amount of heat required to return materials to their original state is taken into account. Therefore, when calculating the rate at which recycled materials are used, these factors must be taken into consideration.

Ministry of Infrastructure and Water Management (NL) asked whether the design requirements for recycling which are not compatible with the design requirements for repair

will be investigated. They also asked whether different requirements will be prioritised according to the value hill.

The Consultants asked for specific examples of where that could be a risk and ask for a written input.

Aperam stated that it is not correct that steel is always and perfectly recycled. A significant portion of stainless steel contained in white goods is not properly separated from other materials during dismantling and thus is lost.

VinylPlus expressed concern that one of the slides implied that plastic was a hazardous material, and asked for the slide to be corrected.

The Consultants acknowledged the wording on the slide wasn't entirely clear and made a correction prior to posting the slides.

NL stated that ecodesign focuses on products being placed on the market, while End-of-Life readiness will start to matter much later. So, how and at what stage will this be considered while making the regulation?

The Commission acknowledged that it is a challenge and there will always be assumptions made about the future development of the market, consumer behaviour, etc.

The Consultants added that the study looked at the total impact and divided that by the lifetime to have a fairer ranking for products with different lifetimes.

Electrolux stated that if there are technical requirements set for product durability, it will take longer to run those tests to demonstrate compliance. They ask how this aspect will be evaluated.

The Consultants replied that durability will be evaluated with indirect aspects like spare parts, software updates, etc. where applicable.

Aperam stated that at global level, about 25% of stainless steel contained in used equipment is lost for stainless steel recycling and becomes part of carbon steel production.

5. END OF THE MEETING

The Chair thanked all the participants present in the room and online and closed the meeting at 13:20.

ANNEX – ATTENDANCE LIST

COMMISSION SERVICES	
DG GROW	I.3 –Green and Circular Economy
DG ENER	B3
MEMBER STATES	
BE	FPS Health, Food Chain Safety and Environment
BE	Ministry of Economy
CZ	Ministry of Industry and Trade
DK	Ministry of Climate, Energy and Utilities
DK	Danish Environmental Protection Agency (EPA)
DE	Bavarian State Ministry of the Environment and Consumer Protection (StMUV)
DE	Bundesanstalt für Materialforschung und –prüfung (BAM)
DE	Federal Ministry for Economic Affairs and Energy
DE	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety
DE	Ministry of Environment, Climate Protection and the Energy Sector
DE	UBA
IE	SEAI
ES	Ministry of Industry, Commerce and Tourism
FR	Direction Générale de l'Energie et du Climat
IT	Ministry of Economic Development / ENEA
LV	Consumer Rights Protection Centre
LU	ILNAS
HU	Ministry of Innovation and Technology
MT	Malta Competition and Consumer Affairs Authority
NL	Netherlands Enterprise Agency; Ministry of Infrastructure and Water Management
AT	Energy Agency
SK	MSHR
FI	Energy Authority of Finland
FI	Finnish Ministry of Environment
SE	Swedish Energy Agency
NO	NVE
CH	Swiss Federal Office of Energy
ORGANISATIONS	
FI, CH, TR	ABB
DE, CH	ABB AG
PL	ABB Corporate Technology Center
ES	AFME
JP	AGC inc
BE	AISIN Technical Center Europe
DE	Alberdingk Boley GmbH
BE	AMCA (European Air Movement & Control Association)
GB	AMRC
LU	APERAM
DE	Apple GmbH
BE	APPLiA
TR	Arçelik
FR	ArcelorMittal France
IT	Ariston Group
GB	Assent

AT	Austrian Association for Building Materials and Ceramic Industries
--	Avery Dennison
NO	Avfall Norge
DE	BAM
DE	BASF
IT	BAXI s.p.a.
BE	BCW Global
BE	BDE e.V. Bundesverband der deutschen Entsorgungs-, Wasser- und Kreislaufwirtschaft
DE	BDI-Initiative Circular Economy
IT	BDR Thermea
FR	Bio Innovation Service
DE	BMUV
GB	BP
GB	Brother International Europe
IT	Brusatori Srl
BE	BSEF
DE	BSH Home Appliances GmbH
CH	Bundesamt für Energie BFE
IT	CAREL Industries SpA
DE	Carrier Commercial Refrigeration
BE	CEFIC
BE	Cefic
GB	CEFLEX
BE	CEMEP
BE	CEN-CENELEC
DE	CEN-CLC JTC10
FR	CETIAT Uniclina
GB	Cisco Systems
IT	CLASP
BE	Colruyt Group
RO	Copeland
BE	covestro
DK	Danfoss A/S
IT	De' Longhi Appliances
GB	Dell Technologies
DK	DEPA
DE	Deutsche Bahn AG
--	Deutsche Umwelthilfe e.V.
BE	DIGITALEUROPE
DE	ebm-papst
IT,ES	EC-JRC
BE	ECOS (Environmental Coalition for Standards)
BE	EHI (Association European Heating Industry)
BE	EHPA
DE	EHS Consulting
--	Electrolux Group
IT	Electrolux Professional
IT	Elektrovent
SE	Energimyndigheten
BE	EPEE (European Partnership for Energy and the Environment)
IT	EPTA
IT	EPTA SPA
SE	Ericsson
BE	ESPP
BE	EUnited AISBL
BE	EUROFER
BE	European Air Movement & Control Association (EU AMCA)
BE	EUROVENT

BE	EVIA (European Ventilation Industry Association)
--	FIEEC
AT	FMTI
DE	Fraunhofer Institute for Systems and Innovation Research ISI
AT	FRITZ EGGER GmbH & Co. OG Holzwerkstoffe
DE	Fujitsu
BE	Groupe SEB
BE	Hitachi Europe
JP	Hitachi High-Tech Corporation
BE	Honda Motor Europe
PL, BE	HP Inc.
NL	HPE
BE	I&P Europe
GB	ICF
DE	Infineon Technologies
DE	International Zinc Association
BE	JBCE
ES	JRC
BE	JRC European Commission
SE	Kemikalieinspektionen
BE	Kreab
DE	KSB SE & Co. KGaA
FR	Kubota Europe
DE	Kyocera Document Solutions Europe Management
DE	Lanxess AG
NL	LG Electronics
BE	LightingEurope
TW, GB	Microsoft
DE	Midea Europe GmbH
--	Miele & Cie KG
BE	Mitsubishi Electric
ES	Modragón Componentes S. Coop.
SE	Naturvårdsverket/SEPA
BE	NEC Europe
FI	Neste
FR	NIBE
BE	Norsk Hydro
NO	Norwegian Industries
HR	OPPO
FR	Orgalim, Europe's Technology Industries
NO	Oslo kommune
DE	Panasonic Europe
JP	Panasonic Holdings Corporation
BE	PCG
--	Rockwell Automation
NL	RWS on behalve of Dutch ministry
NL	Samsung Electronics
--	SEACE
IE	SEAI
CZ	SEVEn, The Energy Efficiency Center, z.ú.
--	SHARP CORPORATION / Advanced Technology Development Unit
DE	Shell Deutschland GmbH
CH	Siemens
FR	Somfy Activités SA
GB	Sony Europe
BE	SPW
DE	Sto SE & Co. KGaA
BE	Subaru Europe

SE	Swedish government office
SE	Systemair
DE	TORAY INDUSTRIES EUROPE GMBH
DE	Toshiba Europe GmbH
DE	Umweltbundesamt
IT	VAILLANT GROUP ITALIA
--	Verband der chemischen Industrie, VCI e.V.
NL	VHK
DK	Viegand Maagøe
FI	Vivo
AT	voestalpine Railway Systems
GB	Volution Group PLC
CH	Vorwerk Elektrowerke
DE	WILO SE
DE	Wuppertal Institute for Climate, Environment and Energy
BE	Xiaomi
DE	ZVEI / CEMEP
DE	ZVEI e.V.