

## **JBCE and JEMA Comments on preparatory study for the Ecodesign and Energy Labelling Working Plan 2020-2024**

The Japan Business Council in Europe (JBCE) and The Japan Electrical Manufacturers' Association (JEMA) appreciate the European Commission's efforts on the Ecodesign and Energy Labelling Working Plan 2020-2024 as well as the preparatory study carried out by Viegand Maagøe, VHK and Oeko-Institut. Therefore, with taking this opportunity, JBCE recommends the following considerations to be taken into account in the context of upcoming works related with the proposal of the Ecodesign and Energy Labelling Working plan 2020-2024.

JBCE would like to ask for transparency in the process of identifying the product groups and horizontal measures proposed for the 2020-2024 EDEL work program and would welcome the suggestions made by multiple stakeholders during the meeting on the 26<sup>th</sup> of March to share the scoring system behind the prioritisation in Task 4.

### **General comments**

- **Trade-offs among horizontal measures:** When introducing sustainability requirements for products, such as durability, reparability, light weighting, recycled content, these should be carefully balanced to take into account unavoidable trade-offs. It is important to assess per product group what are the relevant measures to implement by taking into consideration the environmental impact throughout the whole lifecycle.
- **Measurable and enforceable requirements:** Requirements introduced in Ecodesign or Energy Labelling Regulations have to be measurable and enforceable by market surveillance. If not feasible or a too heavy burden to verify the compliance of products for certain requirements, they should not be introduced.
- **Better alignment with other legislations:** We believe that the Ecodesign and energy labelling requirements will continue to be the main role to advance environmental performance for products put on the market throughout its life cycle by setting requirements for each products. Setting horizontal requirements in Ecodesign requires thorough considerations to avoid double regulations, as there are already existing horizontal requirements regulated in other legislations, such as substance restrictions in REACH and RoHS.

### **Lightweight Design**

- From a cost- and resource efficiency point of view, lightweight design, where possible, is already applied today when products are designed. Setting mandatory requirements on lightweight design requires careful consideration as it could limit the freedom of design for manufacturers,

whom will need to carefully balance the use of materials with other parameters such as efficiency, cost and durability.

- The trade-offs between light weight design and other environmental benefits such as resource saving, durability, reliability, reparability, recyclability need to be clarified. For some products, there is a clear trade-off between lightweight design and efficiency. For example, air conditioners with a bigger heat exchanger are more efficient. It is necessary to increase materials to increase the efficiency of the product. Such aspects should be considered properly for each product group separately.
- Therefore, knowledges of manufactures should be respected, not only imposing requirements in legislations. In generally, it's also noted that there are already existing standards (IEC, EN, JIS...), industrial association's manuals, guidelines, and evaluation tools as guidance for considering lightweight on design phase.

#### **Recycled content**

- As already highlighted in the beginning of our position paper, Ecodesign requirements should be measurable and enforceable. Since there is currently no reliable method available to measure the recycled materials content in a product and primary and recycled materials are often indistinguishable, market surveillance authorities cannot verify whether or how much recycled content was used in the manufacturing of a product and as such, would not be able to act on non-compliance. Declarations on paper without possibility for physical verification could open the door for circumvention.
- We request to assess the existence of established infrastructure of supplying recycled content before considering any recycled content requirements.

#### **Ecological Profile**

- The prescriptions related to the Ecological profile should align with other similar legislative initiatives, like the Sustainable Product Initiative or the PEF method, in order to avoid duplications or conflicts with other EU legislations.

#### **Durability**

- We recognize that reparability is one of the elements to be considered as part of “durability”. However, it is noted that designing products to improve reparability would impair durability in terms of reliability. We suggest that possible implementing measures and requirements related to durability should be studied carefully so that reparability and durability do not interfere with each other's effects.

### **Software and firmware updates**

We would like to highlight some concerns related to the different options proposed in regards to software and firmware updates.

- Overall, further dedicated assessment is needed to understand how the software and firmware updates can be addressed in Ecodesign and Energy Labelling and whether that can be done horizontally or whether it will require a product-specific approach. For example, it is necessary to take into account the various situations such as the availability of software and firmware updates which are sometimes not solely controlled by producers, but also by the software and firmware platform vendor. The same applies to the proposal to provide users with a choice whether or not to install updates, where, when safety and security aspects are concerned, a different approach might be needed.
- Furthermore, in case of industrial equipment, updating of software and firmware are closely related with the life-span of equipment, thus, in such a case manufacturers of the product or professional engineers need to take responsibilities to update the software and firmware. Depending on the purpose of the updates, the way they are handed up to end users should be at discretion of the manufacturers.

### **Scarce and environmentally critical raw materials**

- The economic feasibility of recycling CRM should be assessed and taken into account. When setting requirements on critical raw materials, the actual usage conditions should be thoroughly investigated for each product category to properly verify effectiveness against the requirements. Therefore, we have concerns that horizontal minimum requirements on critical raw materials will be considered and request to assess this on a product group specific basis.

### **Industrial Smart Sensors**

- JBCE would like to understand better the scope of industrial smart sensors as well as the reasoning behind their introduction into the Working Plan. Future Ecodesign requirements will provide big impacts to the broad product range, as different kind of industrial sensors are used depending on the application requirements, and the environmental impact of the industrial sensors are different in each application. Furthermore, double Regulation, for the industrial smart sensor and for the product using the sensor, must be avoided.

#### **About JBCE**

Founded in 1999, the Japan Business Council in Europe (JBCE) is a leading European organization representing the interests of about 90 multinational companies of Japanese parentage active in Europe. Our members operate across a wide range of sectors, including information and communication

technology, electronics, chemicals, automotive, machinery, wholesale trade, precision instruments, pharmaceutical, textiles and glass products. For more information: <https://www.jbce.org> / E-mail: [info@jbce.org](mailto:info@jbce.org) EU Transparency Register: 68368571120-55

**JEMA (The Japan Electrical Manufacturers' Association) and JP4EE Ecodesign WG**

The Japan Electrical Manufacturers' Association (JEMA) consists of major Japanese companies in the electrical industry including: power & industrial systems, home appliances and related industries. The products handled by JEMA cover a wide spectrum; from boilers and turbines for power generation to home electrical appliances. JEMA has lead manage the Japanese electrical and electronic industry association's "JP4EE Ecodesign WG"\* as a secretariat.

\* JP4EE: JEMA, CIAJ (Communications and Information Network Association of Japan) , JBMIA (Japan Business Machine and Information System Industries Association) and JEITA (Japan Electronics and Information Technology Industries Association)

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