



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Single Market Enforcement

Notification of Regulatory Barriers

Notification Number : 2023/0477/FR (France)

## Decree of the Council of State on the sustainability index of electrical and electronic equipment

Date received : 02/08/2023

End of Standstill : 03/11/2023 (05/02/2024) (closed)

### Message

Message 001

Communication from the Commission - TRIS/(2023) 2301

Directive (EU) 2015/1535

Notification: 2023/0477/FR

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késéset - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20232301.EN

1. MSG 001 IND 2023 0477 FR EN 02-08-2023 FR NOTIF

2. France

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4. 2023/0477/FR - S00E - ENVIRONMENT



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5. Decree of the Council of State on the durability index of electrical and electronic equipment

6. Electrical and electronic equipment

7.

8. The durability index consists of a score out of ten intended to be displayed at the time of purchase to inform consumers of the lifetime of electrical and electronic products. This index is intended to replace the French reparability index by taking into account product reliability and upgradability criteria.

In particular, reliability includes criteria related to the robustness of the products as well as their maintenance and servicing. This Decree applies to all electrical and electronic equipment subject to the calculation and display of the durability index.

It establishes the new definitions applicable to the durability index (Article R. 541-234 of the Environmental Code), the obligation regime applicable to the manufacturer or person who places the product on the market with regard to the calculation and transmission of the index (Article R. 541-235), the centralisation of durability index data (Article R. 541-236), the obligation regime applicable to the distributor with regard to the display of the index (Article R. 541-237), the general framework for calculating the durability index (Article R. 541-238) and, for the equipment concerned, the repeal of the texts relating to the durability index.

9. Directive (EU) 2018/851 on waste encourages Member States to take appropriate measures to prevent waste generation. In addition, the European Circular Economy Action Plan (COM (2020) 98) includes among its objectives the improvement of the durability and reparability of products. Within the framework of Law No 2020-105 of 10 February 2020 on the fight against waste and on the circular economy and following the establishment of a European reparability index for smartphones and tablets, France wishes to gradually replace all reparability indices with durability indices, from 1 January 2024. The first categories addressed are smartphones, TVs and household washing machines.

As with the reparability index, the texts of the durability index do not provide for labelling of the product units but for an on-the-shelf display provided by sellers in stores or on online sales websites.

By taking into account reliability and upgradability criteria, the durability index aims to encourage consumers to make their products last by prioritising the purchase of more robust products, maintaining them more and repairing them once the product is broken or damaged. Thus, the durability index complements the European Reparability Index vis-à-vis consumer information in order to extend the duration of use of products. This is a major objective to reduce environmental impacts and preserve the planet's resources because most of the environmental footprint of electrical and electronic equipment results during its manufacture.

This measure also aims to encourage manufacturers to incorporate durability criteria from the design stage of their products, thus aiming at products that are more environmentally friendly because they are 'eco-designed'.

From an environmental standpoint, this measure will allow France to pursue its national objective of reducing resource consumption linked to French consumption: to reduce resource consumption relative to GDP by 30% compared to 2010, by 2030 (Law No 2015-992). More sustainable products will effectively lead to a reduction in resource consumption (reduction in the need for new products), a reduction in the quantity of waste electrical and electronic products and an associated reduction in environmental impacts (such as greenhouse gas emissions) associated with their manufacture and end-of-life.

10. References to basic texts: There are no reference texts

11. No



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12.

13. No

14. No

15. No

16.

TBT aspects:

The draft is a technical regulation or a conformity assessment

SPS aspects: No

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European Commission

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