

APPLiA Response to TRIS Notification on Draft Belgian Royal Decree laying down the goods covered by the durability index

APPLiA, Home Appliance Europe would like to respond to the TRIS Notification 2024/0298/BE with regard to on Draft Belgian Royal Decree laying down the goods covered by the durability index, the technical standards for establishing the scores for each of the criteria and the methodology for calculating the durability index.

APPLiA members always aim to provide the best quality of their products while ensuring their durability for promoting circular appliances and would support initiatives that contribute to a successful circular economy that brings together all societal actors.

Through this contribution, we would like to raise the Commission's intention on some issues and impacts at European level.

Ensuring the EU Single Market and Free Movements of Goods

Our key concern is that this is once again a national measure that is undeniably impacting our sector at European level, given the incompatibility with the basic principles of the functioning of the European Union. We believe that the European Single Market is a foremost principle to be preserved, as well as the free movement of goods and principle of proportionality. European economic growth and competitiveness depends on a free, balanced, open and fair-trading system, both within the European Single Market and for imports/exports with third countries. We therefore support an EU circular economy strategy that focuses on keeping markets open and cross-border trade flowing.

We fear that these critical principles will be put at risk by the individual actions of one Member State. National legislation initiatives should not impede the free circulation of goods in the internal market.

To secure the functioning of the Single Market, it will be crucial to ensure a harmonised approach to the various circular economy measures throughout the EU. When regulation is relevant and needed, it must be tackled at European level and subject to thorough impact



assessment. It should be recalled that the Commission services working on product measures under Ecodesign and Energy Labelling legislation are already considering the introduction of a durability index at EU level.

As protectors of the European laws, we would urge the Commission to request the Belgian representatives to put on hold their initiative and rather work with other Member States and the European Commission to consider the index at EU level.

The coexistence of numerous different indexes in the future

With the potential introduction of the European Commission's repairability index for vacuum cleaner energy labelling, consumers are likely to face confusion. This is because the criteria for the Belgian and French and European repairability indexes, set to appear on the European Energy Label, will differ. Additionally, with France's plans to extend the durability index to products like dishwashers and vacuum cleaners, consumers will soon see the EU repairability index, the Belgian and French repairability index, and the Belgian and French durability index all displayed together on various products in the Belgian and French market. We also see the same evolution in legislation in other Member States such as a potential index also in Spain and Romania. Such overlapping and differing indexes can be misleading and can diminish the clarity consumers need when making informed choices about product sustainability.

Implementation Uncertainty Due to Unavailability of European Standard

Another pressing concern is the issue surrounding the European standard CENELEC prEN50731, which is currently still under development and thus unavailable. This ongoing process creates significant implementation uncertainty, as manufacturers and stakeholders lack a clear and standardised framework to refer to. Without a finalised and approved standard, it is challenging to ensure uniform compliance and consistent application of the durability index across different Member States. This uncertainty can potentially lead to fragmented approaches and hinder the seamless functioning of the Single Market. It is imperative that a harmonised and well-established European standard is in place before any national initiatives are introduced, to avoid discrepancies and ensure a cohesive approach to product durability and sustainability across the EU.

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