Message 201

Communication from the Commission - TRIS/(2024) 0303

Directive (EU) 2015/1535

Notification: 2023/0477/FR

Forwarding of the response of the Member State notifying a draft (France) to of European Commission.

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1. MSG 201 IND 2023 0477 FR EN 05-02-2024 05-02-2024 FR ANSWER 05-02-2024

2. France

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4. 2023/0477/FR - S00E - ENVIRONMENT

5.

6. The French authorities have taken note of the detailed opinion issued by the European Commission on 27 October 2023 on the Order on the criteria, sub-criteria and scoring system for calculating and displaying the sustainability index of multifunctional mobile phones (2023/0479/FR).

They would like to point out that although the Commission’s opinion refers to a repairability index, the purpose of the notification is to create a sustainability index.

They consider that a smartphone sustainability index, presented in the form of an aggregated score displayed on shelves to guide consumers towards the purchase of the products most likely to last over time, is a different and complementary tool to the future energy labelling of smartphones and tablets provided for in Regulation (EU) 2017/1369 of the European Parliament and of the Council, both in terms of the nature and legibility of the information provided, and the wider spectrum of criteria contained in the sustainability index. However, they take note of the detailed opinion issued by the European Commission and, as such, inform the European Commission that they will not publish the text in question, in order to take account of the Commission’s concerns regarding the proper functioning of the internal market in the context of the entry into force of the new European label in June 2025.

The French authorities have also taken note of the comments sent by the European Commission on 27 October 2023 on the draft Decree of the Council of State on the sustainability index of electrical and electronic equipment (2023/0477/FR), the Order on the methods of display, signage and general parameters for calculating the sustainability index of electrical

and electronic equipment (2023/0478/FR), the Order on the criteria, sub-criteria and scoring system for calculating and displaying the sustainability index of top-loading household washing machines (2023/0480/FR), and the Order on the criteria, sub-criteria and scoring system for calculating and displaying the sustainability index of televisions (2023/0481/FR).

In this context, the French authorities would like to stress that the introduction of this index was guided by the need to provide consumers with concrete and visible information to help them reconcile environmental and economic concerns in their daily lives, the need to introduce transparency into the market in terms of product lifespan and the fight against obsolescence, and the desire to encourage producers to eco-design their products. The French authorities would also like to emphasise that the draft measure was developed jointly with stakeholders, covering both the nature of the measure and its implementation, as well as the technical details. They also stress that they have ensured that the administrative burden on businesses is reduced and the implementation of the scheme facilitated, in particular through the provision of calculation tools in French and English, and the creation of an open database to facilitate the transmission of information.

In this context, the French authorities will forward to the European Commission the finalised version of these four texts as soon as they are published.

France remains available to share its experience and to contribute to discussions at European level on all these aspects.

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