# NON-FOOD E-NEWS

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*The EuroCommerce Team*

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# EU INSTITUTIONS

*Council of the European Union approves the Common Charger Initiative*
On 24 October, the Council of the EU gave [final approval](#) to the Common Charger Initiative. A year before, in September 2021, the Commission [proposed amendments](#) to the Radio Equipment [Directive 2014/53/EU](#) to introduce a common charger for electronic devices. Specifically, the amendments aim to harmonise the charging port and fast charging technology, as well as to reduce electronic waste and the environmental footprint associated with the production and disposal of chargers.

The decision of the ministers followed a [political agreement](#) between the European Parliament and Council in June 2022. By 2024, a USB-C port will become mandatory for a whole range of electronic devices, except for laptops that will have a longer implementation period (40 months). Furthermore, the Directive introduces a **pictogram** that specifies whether a new device comes with a charger and a label indicating the charging performance. Information and labelling requirements are imposed on the distributors, as well as on manufacturers. The legislative act will be published in the Official Journal in the following days.

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*The European Parliament's IMCO Committee published the Draft Report on the proposal for Regulation on Construction Products*
On 14 November, the Parliament's IMCO Committee [published](#) the Draft Report on the [proposal](#) for [Regulation on Construction Products.](#) The Construction Products Regulation was found to be not up-to-date in terms of harmonized standards. Those standards have become outdated, and the regulatory needs in the internal market were not met. As a result, trade barriers are created, as well as additional costs and administrative burdens for economic operators and consumers alike.

The Rapporteur Christian Doleschal (EPP, Germany) welcomes the Commission proposal aiming at improving how construction products can be placed on the market. However, the Rapporteur critics the maintained complexity of the Regulation. Further, he stresses the importance of a good functioning framework, especially as now the scope of application of the proposed revision covers all actors of the "construction ecosystem" (including distributors). According to the Rapporteur, the Regulation should not apply to service contracts with contractors. Additionally, the Rapporteur proposes streamlining the standardization process, and a clear division of competence between Union and Member States. Lastly, he advocates for a shorter transition period, and increased use of digitalisation.

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*The Commission publishes the evaluation of the New Legislative Framework*
On 11 November, the Commission published the [evaluation](#) of the [New Legislative Framework](#) (NLF). The document followed a roadmap, and a public consultation that closed on 7 March 2022. The NLF for EU product legislation is formed by [Decision No 768/2008/EC1](#) and [Regulation (EC) No 765/20082](#) and it aims at improving the

internal market by boosting market surveillance and the quality of conformity assessments. The main purpose of the evaluation is to bring forward an informed analysis of the current performance of the NLF, especially in light of the digital and circular economy.

The evaluation published by the Commission concludes that the NLF has been effective and efficient in achieving its specific objectives, namely 1) reinforcing the new approach, 2) supporting the consistency and coherence of EU harmonisation legislation, 3) strengthening the conformity assessment system, and 4) enhancing the clarity and credibility of the CE marking. The evaluation finds NLF is mostly coherent with other EU tools. Still, a better implementation of the NLF in the revised or new product legislation is needed.

The evaluation found that the main issue with the framework was related to the relevance of certain elements in light of digitalisation and circular economy objectives. While the focus of the NLF is the moment when the product is placed on the market, the circular economy objectives may require a more dynamic notion of compliance. Lastly, the evaluation notes how digitalisation might be more appropriate in some product sectors that in others.

# ECHA (European Chemical Agency)

*ECHA [publishes](#) weekly updates*

### ECHA publishes a call for evidence for PVC and PVC additives
ECHA [publishes](#) a call for evidence for PVC and PVC additives. The consultation has opened on 2 November 2022 and will close 6 January 2023. ECHA asks information on the uses, EU volumes per use sector and end-use, end-of-life information per use and, where available, experimental/measured release and exposure information. ECHA [publishes](#) the list of substances currently used in PVC and other relevant documents in the public consultation call. Further, ECHA makes available a [background note](#).

# Chemicals/REACH

### The European Commission publishes a ban for lead in PVC
The European Commission published a [revised proposal](#) amending [Annex XVII](#) of the REACH Regulation as regards lead and its compounds in PVC. Following strong [objections](#) from the European Parliament on the first draft in 2020, the Commission decided to amend some of the provisions of the draft regulation to reflect the arguments brought forward by the Parliament and take into account relevant new data received.

According to the European Parliament, the first draft was not compatible with the aim and content of the REACH Regulation. In particular, the certification scheme provided for claims on PVC would be practically impossible, and generally, according to the Parliament, there should not be a derogation from the restriction on the placing on the market of PVC articles with lead. The revised proposal restricts even more the use of lead and its compound in articles produced in PVC. The threshold for the ban corresponds to the concentration of lead equal or greater than 0.1% by weight of the PVC material, and the restriction would apply 18 months after the Regulation enters into force.

*The Health and Environment Alliance publishes a position paper supporting identification of melamine as substance of very high concern (SVHC)*
The Health and Environment Alliance publishes a position paper supporting identification of melamine as substance of very high concern (SVHC). The proposal of including melamine as a substance of very high concern came from the German Competent Authority.

Melamine is a substance that has many uses on the market. In fact, it is used in products including building materials, textiles, fertilisers, cosmetics, personal care products, stain and water-resistant clothing, detergents, fragrances, electrical and household appliances, and plastic products including reusable plastic tableware and toys. According to the Health and Environment Alliance the substance poses a great and well-evidenced threat to the general public and wildlife. Some of the risks to human and environmental health are outlined in the position paper, that strongly calls for the identification of melamine as a SVHC under article 57(f) REACH Regulation.

# Eco-design for Sustainable Product Regulation

*The European Parliament's ITRE Committee published its draft opinion on the Eco-design for Sustainable Product Regulation*
On 9 November, the European Parliament's ITRE Committee publishes its draft opinion on the Eco-design for Sustainable Product Regulation. The Rapporteur for the opinion is Maria Spyraki (EPP, Greece).

The Rapporteur claims that the eco-design policy should also consider "alternations", as the optimal eco-design solution is only sometimes generated in the conceptual design stage. Further, in line with EuroCommerce comments, the Rapporteur suggests testing the eco-design requirements on experience. The Rapporteur stresses that the Regulation should bring added value to users, avoiding unnecessary and burdensome replications of information in existing databases. Hence, regarding the Digital Product Passport (DPP), the Rapporteur insists that the information

required should be limited, with added value to key stakeholders, and relying on existing databases to avoid duplication. Additionally, she mentions the importance to ensure clear definitions. Lastly, the Rapporteur advocates for the sharing of information responsibility along the supply chain.

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***The Council of the European Union publishes a progress report on the Eco-design for Sustainable Product Regulation***
On 14 November, the Council of the European Union publishes a progress report on the Eco-design for Sustainable Product Regulation. The report is made available in view of the Competitiveness Council, where ministers will discuss the proposal on 1 December.

The Czech Presidency has started analysing the proposal in July 2022. The Council Working Party generally supports the proposed regulation and particularly the new DPP, yet it stresses that it is important to ensure consistency with existing labels and avoid duplication. The following sensitive issues have been identified so far by the delegations of Member States: some Member States question the appropriateness of the legal basis of Article 114 TFEU for the Regulation; some concerns regard the high number of envisaged delegated acts by the Proposal; and possible incoherence with existing Regulation; moreover, some Member States doubt the provisions on unsold consumer products; and are sceptical of the proposal for the additional burden for businesses and national authorities.

# Deforestation

***Commissioner Sinkevičius answers the questions tabled by MEP Loucas Fourlas (EPP, Cyprus)***
Commissioner Sinkevičius on behalf of the European Commission answers the questions tabled by MEP Loucas Fourlas (EPP, Cyprus) on deforestation and safeguarding competitiveness.

Firstly, Commissioner Sinkevičius mentions that the pledge comes from the Glasgow Leaders Declaration on Forests and Land Use, and the commitments of the international community under the Sustainable Development Goals (SDG). Secondly, the Commissioner stresses that the expectation is that the Regulation would create a level playing field for all companies operating in the EU market and not. The Regulation is expected to boost opportunities for all actors in deforestation-free supply chains. If done correctly, producers are expected to increase their competitiveness compared to others, independently of their size.

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***The European Biodiesel industry replies to NGOs' assumptions that soy oil use is driving deforestation in the Amazon***

The latest report of the environmental NGO T&E (Transport & Environment) [focuses](#) on how soil biofuels are increasing deforestation in the Amazon, and how Europe is complicit in this by demanding soy oil in biofuels. The environmental NGO has campaigned for many years to end crop-based biofuels.

In response, the European Biodiesel industry [replies](#) to NGOs' allegations the oil imported in Europe cannot legally come from deforestation land. The European Biodiesel Board strongly negate correlation between the biofuel policy in Europe and deforestation in the Amazon, as the European market mostly uses European raw materials, hence the link is not realistic.

At the Institutions level, the European Parliament in the Renewable Energy Directive recast has proposed a ban on soy for biofuels. According to the industry, this could backfire and increase the possibility of producers moving outside the Union where sustainability requirements are lower.

# Publications

***The Commission (Directorate for Research & Innovation) has published the Strategic Research and Innovation Plan (SRIP) for Chemicals and Materials***
The Commission (Directorate for Research & Innovation) has published the [Strategic Research and Innovation Plan (SRIP) for Chemicals and Materials](#). The STRIP delivers on the objectives of the [Chemicals Strategy for Sustainability](#) (CSS). The document sets out an overarching plan addressing research and innovation (R&I) needed across the lifecycle of chemicals and materials to achieve the goals of the Chemicals Strategy for Sustainability. The objective is to stimulate and guide R&I funders as well as performers to take a coordinated approach. Please find the interactive page on the document with pdf available [here](#).