

APPLiA's Feedback on the Commission's proposal for simplification of administrative burden in environmental legislation

A Call for Smarter, Simpler Environmental Laws

Europe's home appliance industry is ready to lead the green transition, bringing more sustainable and energy-efficient products to market. We cannot do this when stifled by a tangle of complex, overlapping regulations.

We thus support the European Commission's goal to simplify administrative burdens in environmental legislation. We believe that simplification is not about lowering environmental ambitions, it is about reaching them more intelligently, timely and efficiently.

A clear, unified regulatory framework is essential for Europe's competitiveness. This document, based on our already published "[Recommendations for the Next Omnibus Simplification Package](#)," outlines specific proposals to streamline policy and clear the path for innovation.

Summary of Main Messages

- **Rationalise ineffective and redundant reporting obligations:** APPLiA supports rationalising reporting by discontinuing the Substances of Concern in Products (SCIP) Database. We also support launching the Critical Raw Materials Act, reporting only when its requirements are proven effective. For the EU Deforestation-free Products Regulation, due diligence obligations should primarily fall on the economic operator placing the relevant product on the market. The product scope in Annex 1 of the Regulation also needs to be clarified, especially regarding natural vs. synthetic rubber.
- **Simplify the maze of labels:** APPLiA calls for reducing the information on physical labels for the Batteries Regulation to the essential only. Further information could be provided via a QR code on the product, allowing for greater flexibility in design and



language. Additionally, we suggest a more flexible marking solution - potentially with a QR code too - for the Packaging and Packaging Waste Regulation requirements.

- **Harmonise rules and remove double regulation:** The European Commission should prioritise harmonising national Extended Producer Responsibility schemes, especially for reporting formats to reduce administrative complexity. We also recommend removing duplicative substance reporting between Ecodesign for Sustainable Products Regulation (ESPR), Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), and the Batteries Regulation. Components and subassemblies of finished products should be removed from the scope of ESPR when they are placed on the market as spare parts. APPLiA also believes horizontal measures should be deleted from the scope of the ESPR, and packaging requirements should be removed from the ESPR too, as they are already covered by the Packaging and Packaging Waste Regulation. Product design aspects should be removed from the Waste from Electrical and Electronic Equipment (WEEE) legislation as they are covered by ESPR in combination with the Restriction of Hazardous Substances Directive (RoHS).
- **Ensure a Coherent Digital Framework:** The introduction of the Digital Product Passport (DPP) for home appliances and the extent of the data to include in the DPP was not informed by any preparatory study that proved the impact of possible measures. In the absence of such information and anticipating the extremely high costs for companies to set up the DPP system internally, APPLiA advocates for a pragmatic, "start small" approach if the Commission proceeds both in terms of data and system requirements. The DPP system must link all legally required information from other legislation, build on existing EU-developed databases like [EPREL](#), ensure data accuracy for compliance control and rigorously protect business confidential information.
- **Remove Market Access Barriers:** The implementation of the [Drinking Water Directive](#) (DWD) threatens to block market access for essential products like heat pumps and water heaters due to the omission of hafnium from the EU Positive List. APPLiA urges the Commission to amend the Implementing Act to include hafnium and, during the transition, establish mutual recognition of national certificates for conformity
- **Providing companies with enough time to implement EU legislation.** EU legislation often provides insufficient transition time for companies to adapt to new requirements. In some cases, companies even need to comply with a requirement in the absence of the secondary legislation clarifying how these requirements should be implemented on the ground. That is why we support targeted revisions of the ESPR.



Rationalise ineffective and redundant reporting obligations

We must cut ineffective reporting requirements that drain resources without providing clear benefits.

- **SCIP Database (Waste Framework Directive):** APPLiA supports rationalising reporting by discontinuing the Substances of Concern in Products (SCIP) Database. The SCIP database has proven to be a costly failure, imposing substantial administrative and financial burdens on both manufacturers and regulators without achieving its intended purpose. The information is difficult for recyclers to access and use, and there is no evidence that it has improved recycling outcomes. Furthermore, this system is redundant because substances of very high concern (SVHCs) are already subject to mandatory reporting under the REACH Regulation (Article 33). We urge the Commission to scrap the SCIP database as soon as possible.
- **Critical Raw Materials Act (CRMA):** The CRMA imposes reporting obligations on home appliance manufacturers for materials like rare earth elements, cobalt, and lithium. The ambition with this legislation is to help recyclers, but the requirements are impractical. Recyclers typically shred appliances in a highly automated process where physical labels on products have no added value for the process. Furthermore, there is no economic incentive for recyclers to manually remove permanent magnets to be treated separately. We propose to postpone these obligations until the practical benefits have been verified with recyclers. We also recommend that the CRMA align with existing environmental legislation rather than creating a separate framework, and suggest deleting the labelling requirements for specific household appliances and for electric motors with a rated power of 2,500 W or less.
- **EU Deforestation-free products Regulation (EUDR):** For efficient implementation, due diligence obligations should focus on the market participant or distributor who initially places a product on the EU market or makes it available. The introduction of non-compliant products into the EU market would be more effectively prevented. Downstream market participants or distributors could still be required to verify the existence of due diligence statements from direct suppliers, but should not be forced to duplicate existing due diligence statements. In addition, product classifications for mixed customer codes (e.g. customs codes covering both natural and synthetic rubber) should be clarified to allow for distinguishing between both materials.

Requirements for exemptions for recycled materials should be more realistic and not ask for 100% recycled content. For example, paper and cardboard, which are principally made of recycled material, nonetheless require a small proportion of virgin material to ensure the necessary product properties. With the current EUDR provisions, such paper and cardboard material must still fulfil all the due diligence



requirements of the legislation. This is a missed chance to create an incentive for increasing the usage of recycled material, thanks to their reduced regulatory complexity.

Where companies import unfilled packaging / spare manuals separate from their electrical appliances / electronic products, these should not be in scope of EUDR under the condition that they (a) are below a specific threshold (e.g., 10%) of the total amount of the economic operator's relevant commodity imports, or (b) have a value below a specific threshold (e.g., EUR 150). Meeting one of the thresholds shows that the products in question account for an insignificant volume, making current reporting requirements an unreasonable burden on businesses.

- **Batteries Regulation:** The draft implementing act for labelling requirements introduces issues that contradict simplification and can hinder the free movement of goods. Core policy decisions should not be overstepped by implementing or delegated acts. (a typical example is the mandate to a QR code on the appliance itself rather than just the battery, mandated by an implementing act, while this is a matter of the primary legislation). We also call for standardised information on physical labels and allowing flexibility in design and language, with comprehensive information available via a single QR code.
- **Packaging and Packaging Waste Regulation (PPWR):** The PPWR's marking and labelling obligations are impractical, costly, irrelevant for recyclers and can have unanticipated additional environmental impacts. Requiring every small packaging element to have a type, batch, or serial number is disproportionate and forces significant investment in new printing equipment. Even the option of using a QR code is not a viable solution in these cases. We suggest a more flexible solution, such as placing the label on a part of the packaging with sufficient surface area or providing the information in a user manual.

Beyond the marking requirements, the Regulation also introduces extensive and disproportionate reporting obligations. Reporting obligations under the PPWR should be streamlined to avoid duplication with the Corporate Sustainability Reporting Directive (CSRD), especially regarding recyclability (Article 6) and reuse quotas (Article 29). Additionally, the requirement for quarterly reporting to EPR systems under Article 44 should be changed to annual reporting. This would provide the same information to EPR schemes but with a reduced workload of a factor of four.

We support the intent of Article 10 to minimise packaging, but the required reporting is overly burdensome. We recommend removing the requirements on maximum weight and volume limits for "most common packaging types" (Article 10.3) for two main reasons:

- (i) the term "most common packaging" is undefined, which could lead to inconsistent interpretations by producers and national authorities, and



(ii) a one-size-fits-all approach to setting maximum packaging limits is impractical, as these limits need to be tailored to each product's specific characteristics. Factors such as the physical and chemical properties of a product, as well as its intended use, are crucial in determining the appropriate material, size, weight, volume, wall thickness, and empty space needed to fulfil packaging functions.

Similarly, Article 12 mandates a data carrier on the packaging to help with consumer sorting and to track reusable packaging. While the goal of tracking and consumer guidance is laudable, the method is likely to add complexity and cost without clear benefits. Article 12 also requires different labelling for reusable packaging (Art. 12(2)), for EPR identification (Art. 12(9)), and for identifying material composition and Substances of Concern (Art. 12(7)). This will cause a significant, unnecessary burden. We propose to harmonise and simplify the labelling requirements.

To lessen the reporting burden, the Commission should specify that technical documentation under Article 39 of the PPWR can be submitted in English, with only the declaration of conformity requiring translation.

Harmonise rules and remove duplication

We must eliminate conflicting and duplicative requirements that create significant administrative burdens.

- **Extended Producer Responsibility (EPR):** The patchwork of national EPR schemes creates significant barriers within the Single Market. The Commission must prioritise standardised EPR rules, especially for reporting formats and frequencies. We recommend using a single standardised template for manufacturers and producer responsibility organisations across all Member States and developing a central portal where economic operators can access and provide the information in a harmonised format for all Member States.
- **ESPR and components:** The Ecodesign for Sustainable Products Regulation (ESPR) framework applies both to finished appliances and the individual components within them (e.g., motors, fans, light sources). This overlap creates unnecessary administrative hurdles and obstructs the provision of spare parts for the repair of old products, while not improving environmental performance. We propose to remove components and subassemblies of finished products already regulated by delegated acts from the scope of ESPR, also when they are placed on the market as spare parts for finished products that are already regulated by delegated acts.
- **ESPR and horizontal measures:** The success of the Ecodesign Directive 2009 largely stemmed from its product-specific approach for technical requirements. Attempting to regulate numerous products under a single, horizontal measure will increase the time and resources required for delegated acts, with limited efficiency,



instead of making the process faster. This was evident with the Standby Regulation, which demanded significant investment without adequately addressing the functionality vertically within specific product groups. Therefore, we recommend not creating product technical requirements through horizontal measures with the ESPR. Some requirements, which are not product technical requirements (e.g., reparability requirements), have the potential to be handled efficiently with horizontal ESPR requirements under certain conditions. It is fundamental that technical feasibility trade-offs with other dimensions (energy efficiency, safety, recycling, etc.) and regulatory overlapping are considered. APPLiA is proactively offering input to the European Commission's JRC to ensure that these dimensions are considered.

- **ESPR and Packaging:** The overlapping packaging requirements in the ESPR are redundant and create conflicting rules, as packaging is already regulated by the PPWR. We propose removing packaging from the scope of ESPR.
- **ESPR and REACH:** Before entering the market, product groups covered by the upcoming ESPR Delegated Acts must meet specific information requirements outlined in those acts. Article 7 of ESPR mandates that companies provide information to enable the tracking of Substances of Concern throughout a product's life cycle, including details like name, location, and concentration. The ESPR's broad definition of "Substances of Concern" creates legal uncertainties and overlaps with existing chemical legislation like REACH, as any substance could be targeted. We recommend removing the substances of concern from the scope of the ESPR. Please see also the [Joint Industry letter to the President of the European Commission on the Urgent Need for a Harmonised and Workable Approach to Substances of Concern](#).
- **ESPR and WEEE:** APPLiA recommends that product design aspects should be removed from the WEEE Directive, as they are handled under Ecodesign legislation. The current Article 4 of the WEEE Directive could be removed from future legislation to ensure no conflicting or overlapping product requirements. ESPR is the appropriate tool to tackle product design. The WEEE legislation should continue to regulate the collection, sorting, logistics, and treatment of WEEE.

Ensure a Coherent Digital Framework

The goal of digital product information is laudable, and the EU Home Appliance industry already operates a comprehensive digital infrastructure for product information. The introduction of a mandatory Digital Product Passport (DPP) conflicts with the European Commission's simplification goals: it represents a substantial additional burden with no proven added value. It requires a very high level of effort by manufacturers without any previous evidence gathering on the impact that the data collected could deliver.

Should the Commission proceed, APPLiA strongly advocates for a pragmatic, "start small" approach. This approach must be based on a robust impact assessment and leverage the





well-established EU-developed EPREL for products already subject to energy labelling. It should avoid overreach and unnecessary complexity that could stifle innovation and compromise the competitiveness of the EU manufacturing industry. In particular:

- The DPP system must be able to link all legally required information from other legislation, thereby avoiding consumer confusion and cluttered product design.
- It should build on and integrate with existing databases like EPREL with respect to technology, functionalities and processes, to maximise cost efficiency.
- Since the level of effort for setting up a DPP would be incredibly high for all actors, the DPP data should only be required if there is an identified and confirmed use case. The accuracy of this data must be verifiable and enforceable to secure legal compliance and fair competition.
- The business confidentiality of sensitive data in the DPP must be rigorously protected.
- The default level of granularity of the DPP (Article 10 (1)) should be limited to the product model, since products belonging to the same model are very similar in terms of environmental performance. Choosing a lower level of granularity (batch or item) will significantly increase costs, environmental impacts due to storage of large quantities of data and without any additional benefit in terms of sustainability.
- Minimise the obligation and thereby cost of arranging a back-up copy of the DPP-to-DPP service providers (Article 10 (4)).

Remove Market Access Barriers for Key Green Transition Products (heat pumps and water heaters)

- **Drinking Water Directive (DWD):** The implementation of the DWD is creating significant internal market barriers. The omission of hafnium from the EU Positive List is a major issue, as it is indispensable for manufacturing enamelled products like water heaters and heat pumps (to prevent corrosion). This omission will result in a de facto withdrawal of these products from the market. We urge the Commission to amend the Implementing Act to include hafnium. During the transition, mutual recognition of national certificates for conformity should be established among Member States. An appliance compliant in one EU Member State should be considered compliant in all others.

Providing companies with enough time to implement EU legislation

EU legislation often provides insufficient transition time for companies to adapt to new requirements. In some cases, companies even need to comply with a requirement in the





absence of the secondary legislation that clarifies how these requirements should be implemented on the ground. That is why we support targeted revisions of the ESPR:

- **ESPR - Ensure a minimum transition time of 24 months and remove the possibility to reduce transition time “in duly justified cases” (Article 4 (4)).** Companies need a reasonable time and certainty to adapt to new ecodesign requirements. Instead of the current 18 months, we recommend extending the transition period to a minimum of 24 months. The concept of “duly justified cases” is undefined and prone to misinterpretation; this option creates significant legal uncertainty and shall therefore be removed.
- **ESPR - Align the implementation of the obligation to disclose information on unsold consumer products discarded with the entry into force of the implementing act setting the reporting format for disclosure.** Today, there is a gap between the deadline for companies to submit their first disclosure reports (applicable for products discarded as of the first full financial year after the entry into force of the ESPR) and the time when the reporting format set up by the upcoming implementing act will become applicable (applicable as of the first full financial year after the entry into force of the implementing act that is still to be published). That means that companies would need to report on unsold consumer products discarded before a reporting format is even adopted. During this gap period, companies will have no clear guidance on how to report figures. This creates significant legal uncertainty that can only be solved by aligning the application date of the disclosure obligation with the application date of the reporting format. We consider it important for the credibility of the obligation and that the reported elements remain consistent between the first report and the following ones.

Concluding Remarks

APPLiA and its members are committed partners in achieving the EU’s environmental and climate goals. We need a regulatory framework that is clear, coherent, and efficient. We urge the Commission to take bold steps to eliminate redundant reporting, harmonise rules across the Single Market to tackle barriers, and remove instances of double regulation.

APPLiA stands ready to collaborate with the European Commission to implement these changes, ensuring that the EU’s environmental goals are met with the clarity and efficiency necessary for innovation and market leadership.

For further information on any of the points raised above, please contact:

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Annexes:

1. [Recommendations for the Next Omnibus Simplification Package \(February 2025\)](#)
2. [Joint Industry letter to the President of the European Commission on the Urgent Need for a Harmonised and Workable Approach to Substances of Concern.](#)

