**Ecodesign and Energy Labelling Consultation Forum**

**Discussion note on the possible implementation of a Reparability Scoring**

Background

As discussed at the Consultation Forum meeting of 12 July 2018, the Commission is studying the possibility of a scoring system on the reparability of products, in the context of the contribution of the ecodesign and energy labelling framework to the objectives of the Circular Economy.

The Joint Research Centre (JRC) recently completed a [report](https://ec.europa.eu/jrc/en/publication/analysis-and-development-scoring-system-repair-and-upgrade-products) on the analysis and development of a scoring system for the repair and upgrade of products. The report details parameters that are of importance when assessing reparability of products, and discusses ways to measure performance based on these parameters and coming to an overall score. It also applies the scoring system to three product groups: washing machines, vacuum cleaners and laptops. An ongoing JRC study aims to provide similar indications for televisions.

The Commission services are currently considering the potential implementation of a reparability scoring system. The Ecodesign and Energy labelling frameworks are interesting instruments in this regard, as they allow the possibility to set minimum requirements on repair aspects (as recently done for a number of products under Ecodesign) and provide information to consumers through both instruments. Therefore, the Commission would like to discuss the state of play with the Ecodesign and Energy Labelling Consultation Forum.

Legal considerations

Minimum requirements as regards for instance availability of spare parts and reparability information have already been taken up in a number of Ecodesign measures. A score on the reparability of products could complement these requirements with synthesised information, easy to understand by consumers and facilitating comparisons between products.

The Commission services consider that reparability information could be considered supplementary information on the energy label, and presented in a similar way as currently takes place, for instance, as regards noise levels or water usage of washing machines. Naturally, in doing so the comprehensibility of the label as a whole needs to be taken into account.

In accordance with article 16.3.c of the [Energy Labelling Framework Regulation](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2017.198.01.0001.01.ENG), supplementary information concerning the product can be shown on the energy label, provided that the label emphasises the energy efficiency of the product and the supplementary information is unambiguous and with no negative impact on the clear intelligibility and effectiveness of the label as a whole towards customers. The supplementary information shall be based on data relating to physical product characteristics that are measurable and verifiable by market surveillance authorities. Additionally, any testing standard underpinning such a score needs to be reproducible, reliable and accurate, and aim to simulate real-life usage as far as possible.

The following table lists the parameters discussed in the JRC report and gives an indication as to whether they would be considered to comply with this requirement.

|  |  |
| --- | --- |
| **Parameter identified by JRC** | **Relates to physical characteristics, measurable and verifiable?** |
| Disassembly depth / sequence | Yes: number of steps required for disassembly can be measured |
| Fasteners | Yes: can be counted |
| Tools | Yes: necessity for special tools can be assessed |
| Disassembly time | Maybe: in order to be objective, standardised tests may need to be developed which would require data and calculation efforts |
| Diagnosis support and interfaces | Yes: presence of diagnosis interfaces can be assessed |
| Type and availability of information | Yes: presence of information can be verified and it describes physical characteristics. Currently covered in some Ecodesign measures |
| Spare parts | Yes: availability can be verified. Currently covered in some Ecodesign measures |
| Software and firmware | yes: availability and upgradability of software and firmware can be verified and could be considered a physical characteristic |
| Safety, skills and working environment | No: cannot be verified on the product, depends on user/repairer.  |
| Data transfer and deletion | Yes: can be verified |
| Password reset and restoring factory settings | Yes: can be verified |
| Commercial guarantee | Maybe: depends on whether the guarantee is considered to be based on physical characteristics of the product (i.e. durability); see also the dedicated section below.  |

In summary, it seems that at least from a legal perspective, most of the parameters could be used in a scoring system underpinning information on the Energy Label. It would of course be important to ensure alignment with any elements covered in Ecodesign measures, which would set minimum requirements. The score could potentially apply to all products covered by an Energy Label and for which the parameters above can be defined or adapted without changing the overall meaning of the score.

An alternative would be to set as an Ecodesign information requirement that the reparability score is displayed in the user manual/technical info on internet – but this is likely to have less impact on the purchase decision.

Aggregation of scores and consumer understanding

The JRC report provides a useful basis for measuring performance of a product on the abovementioned parameters, and gives suggestions as to weighting and aggregation of the scores on different parameters (taking into account priority parts). In practice, this will differ between product groups, as the importance of parameters varies between product groups. To provide consumers with information that is both comprehensible and reliable / based on a technical assessment, some level of aggregation will most likely be needed, while ensuring transparency of the information on which the assessment is based. The Commission is contracting a study to assess how reparability information can be presented to consumers so that they understand it and it has the most effective influence on their purchasing behaviour. Currently the Commission services are considering which options to test with consumers in this study, including the following:

One option could be to pool together comparable aspects, to arrive at aggregate scores on a more limited number of parameters. This could for instance consist of:

1. Ease of taking apart (includes disassembly depth, sequence, time, fasteners and tools)
2. Information (includes availability of repair information, diagnostics)
3. ‘future-proofness’, or upgradability (includes availability of spare parts, software updates, password reset, data transfer)

The resulting score could be presented to consumers as a multi-aspect score, e.g. B-D-B: B for ease of disassembly, D for information, B for future proofness (or something similar using colours). These scores could be based on the JRC approach, with fine-tuning as necessary for specific products. This approach would require consumers to understand different aspects of reparability.

Another option would be to begin by defining certain classes of reparability, which would be relatively easy to explain to consumers, and then develop criteria based on the JRC parameters that would apply to each class. For example, the classes could refer to what consumers could expect:

* *Level 1 (best) – Consumer should expect that defects can normally be repaired easily (e.g. by themselves, a handy family member or store employee)*
* *Level 2 – Consumer should expect that defects can usually be repaired, but it may cost some time/effort (e.g. product may need to be serviced by a professional or in a service centre)*
* *Level 3 – Consumer should be aware that defects can probably only be repaired/serviced by the original producer*
* *Level 4 – Consumer should be aware the product is unlikely to be reparable, any defects will probably result in discarding/replacing the product. [or product complying with Ecodesign requirement on reparability ‘a minima’]*

The JRC parameters could help determine in which class a product falls, with a product having to comply with all appropriate categories to be in a better scale. In actual cases, certain parts could be kept out of consideration if they are not accessible for safety reasons (e.g. in high-voltage compartments). More detailed information could be provided for each category of product (as per the JRC model), and inserted in the product database so that the consumers may have access if they wish, but in a simplified form it could look for example like this:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Scale/level** | **disassembly** | **fasteners** | **tools** | **diagnosis** | **Repair information** | **Spare parts** | **Software - firmware** | **Data transfer / password reset** |
| **1** | Fast\* | Few\* | Basic: found in any household | Clear to consumers | Clear to consumers | Freely available | Freely available and easy update | Easy, no special tools (USB) |
| **2** | Medium\* | Several\* | Professional, non proprietary | clear interface for professionals | Clear and available to professionals | Available to prof repairers | Available to prof repairers | No proprietary interface |
| **3** | Possible | Revers-able\* | proprietary | Expert can diagnose it | Under IP | available | Under IP | Proprietary interface |
| **4** | Impossible | Glued | Can’t open product | No indication | Does not exist | Not available | Not available | Impossible |

\* actual numbers/values could be defined for specific product groups when applying such a system

The Commission services are further considering which products could serve as examples to test the comprehensibility and effectiveness of the information with consumers. At this point it would make sense to use the products with which JRC has gained experience, i.e. washing machines, vacuum cleaners, laptops and TVs. Potentially, refrigerators could be added to the set of products, as there is experience in setting Ecodesign requirements on reparability.

Testing of scoring system on actual products

In developing the scoring system, the JRC examined how it could be applied to certain product groups, resulting in an indication of how the importance of parameters could vary between different product groups. As a follow-up, the JRC could be asked to apply the scoring system to a number of actual products currently on the EU market. Some industry stakeholders involved in developing the scoring system have indicated willingness to support such an effort. The result would give an indication of the workability in practice of the scoring system, the repartition of scores on actual products, and would feed into further discussions and decisions on which approach to take.

Relationship with commercial guarantee

As indicated above, it is questionable whether a commercial guarantee could be considered to be related to the physical characteristics of a product. This would depend on the manufacturer’s ability (and willingness) to provide proof that the legal guarantee is based on products’ failure rate analysis (or something similar), rather than on purely economic considerations or legal requirements.

In the context of possible first application of a reparability scoring, it seems advisable to leave the commercial guarantee out of scope. While both concepts contribute to the same policy aim (longer product lifetimes), they approach it from different angles. Perhaps the commercial guarantee should be seen as an approach that allows manufacturers to complement the more technical aspects of reparability, or even offset a poor reparability score by offering fast replacement instead. This would leave the current situation in place where manufacturers can advertise extended commercial guarantee next to the mandatory energy label. In practice, consumers could then base their choice on the different pieces of information provided, depending on their priorities.

Further process

The next steps are the consumer behavioural study and possible testing on actual products. Depending on the results, the Commission services will develop a proposal for an implementation approach, to be presented to the CF. A target time of end 2019 / early 2020 is considered for this proposal. If the approach involves regulatory measures, for example an omnibus regulation amending several existing product regulations, the normal preparatory and decision process will be followed.

Questions for discussion

1. What is the opinion of stakeholders on the presented information / options?
2. Is there a clear preference at this stage for a certain approach? (as described above, or something completely different)?
3. Is there a preference for products on which the approach should be tested?