



31 October 2023

(23-7333)

Page: 1/2

Committee on Technical Barriers to Trade

Original: French

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: <u>FRANCE</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: <i>Ministères économiques et financiers (economic and finance ministries)</i> <i>Direction générale des entreprises/SCIDE/PNRP (Directorate-General for Enterprise/SCIDE/PNRP)</i> Bât. Sieyès -Teledoc 143 61, Bd Vincent Auriol 75703 PARIS Cedex 13 d9834.france@finances.gouv.fr Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: <i>Ministère de la transition écologique et de la cohésion des territoires (Ministry for the Ecological Transition and Territorial Cohesion)</i> <i>Commissariat au développement durable (Commission for Sustainable Development)</i> <i>Service de l'économie verte et solidaire (Solidarity and Green Economy Service)</i> Tour Séquoia 92055 Paris-La Défense Cedex
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Electrical and electronic equipment subject to calculation and display of the sustainability index
5. Title, number of pages and language(s) of the notified document: <i>Décret en Conseil d'Etat relatif à l'indice de durabilité des équipements électriques et électroniques (Decree of the Council of State on the sustainability index of electrical and electronic equipment); (0 pages, in French)</i>
6. Description of content: The sustainability index consists of a score out of 10 intended to be displayed at the time of purchase to inform consumers of the longevity of electrical and electronic products. The purpose of this index is to replace the French repairability index and take into account the criteria of product reliability and scalability. In particular, reliability includes criteria related to the robustness of products and their maintenance and upkeep. This Decree applies to all electrical and electronic equipment subject to calculation and display of the sustainability index. It establishes the new definitions applicable to the sustainability index (Article R. 541-234 of the Environment Code), the obligation scheme applicable to the manufacturer or marketer in terms of calculating and transmitting the index (Article R. 541-235), the

centralization of sustainability index data (Article R. 541-236), the obligation scheme applicable to the distributor in terms of displaying the index (Article R. 541-237), the general framework for calculating the sustainability index (Article R. 541-238) and, for the equipment concerned, the repeal of the texts relating to the reparability index.

- 7. Objective and rationale, including the nature of urgent problems where applicable:** Directive (EU) 2018/851 on waste encourages Member States to take appropriate measures to prevent waste generation. In addition, one of the objectives of the European action plan for the circular economy (COM (2020) 98) is to improve the durability and reparability of products. Under Law No. 2020-105 of 10 February 2020 on combating waste and on the circular economy, and following the establishment of a European reparability index for smartphones and tablets, France would like to gradually replace all reparability indices with sustainability indices starting from 1 January 2024. The first product categories affected are smartphones, televisions and household washing machines.

As with the reparability index, the texts concerning the sustainability index provide not for the labelling of product units but for electronic labels displayed by vendors in-store or online.

By taking into account the criteria of reliability and scalability, the sustainability index aims to encourage consumers to make products last by opting for more robust products, caring for them better and repairing them when they break or stop working. Thus, the sustainability index complements the European reparability index in terms of consumer information geared towards extending product life cycles. This is a major objective that seeks to reduce environmental impacts and preserve the planet's resources, since most of the environmental footprint of electrical and electronic products is attributable to their manufacture.

This measure also seeks to encourage manufacturers to integrate sustainability criteria from the outset of product design, thus tending towards products that are more environmentally friendly because they are "eco-designed".

From an environmental standpoint, this measure will allow France to pursue its national objective of reducing the resource consumption linked to French consumption: to reduce resource consumption relative to GDP by 30% compared to 2010, by 2030 (Law No. 2015-992). More durable products will effectively lead to a reduction in resource consumption (reduction in the need for new products), a reduction in the quantity of waste electrical and electronic products and a lower environmental impact (such as greenhouse gas emissions) associated with their manufacture and end of life.

Environmental protection

- 8. Relevant documents:**

Law No. 2020-105 of 10 February 2020 on combating waste and on the circular economy (Article 16)

- 9. Proposed date of adoption:** To be determined

Proposed date of entry into force: 1 January 2024

- 10. Final date for comments:** 60 days from the date of notification

- 11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:**