



Reference:

T. Becker, *Introduction to REACH Revision activities & Ecodesign Regulation Proposal*, 4th ESA REACH Workshop, ESA HQ Daumesnil, Paris, 18th October 2022

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REACH→LAW

COMPLIANCE. SUSTAINABILITY.

4th ESA REACH Workshop

18 October 2022

ESA HQ Daumesnil, Paris

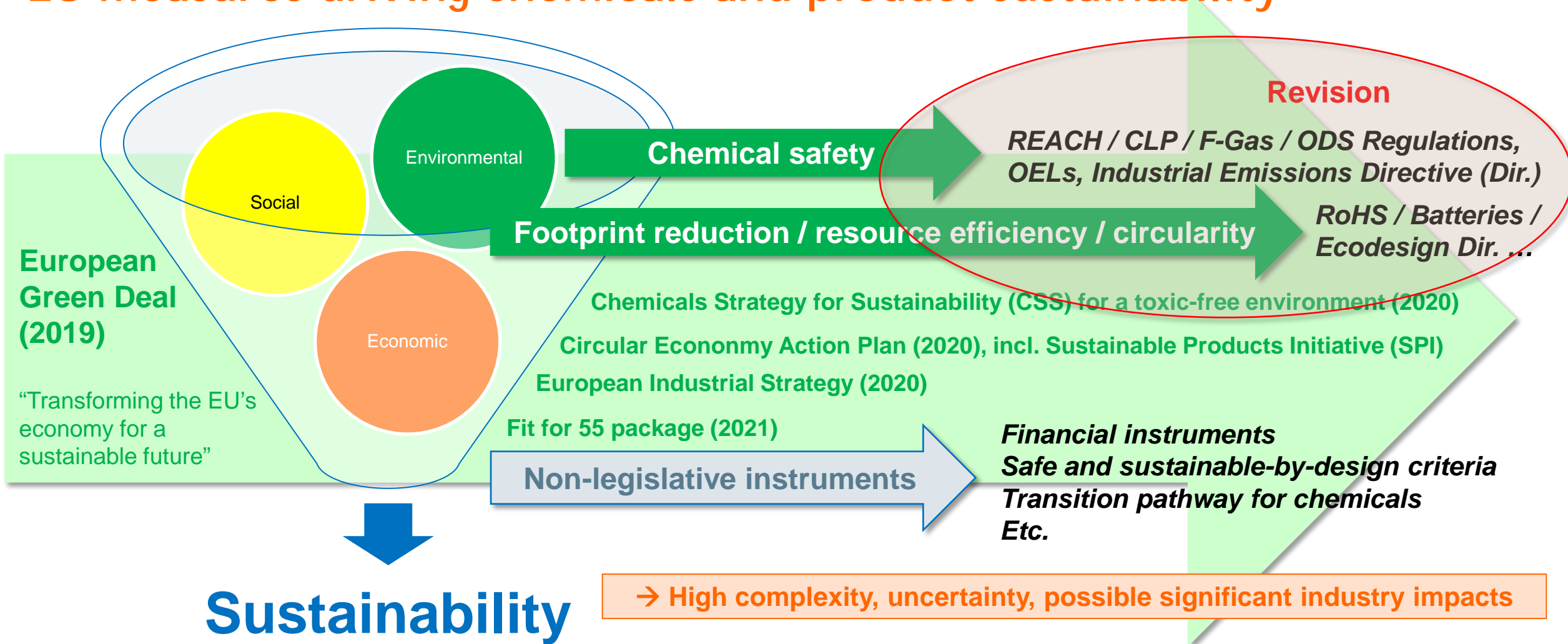
Workshop Session II

Introduction to REACH Revision activities & Ecodesign Regulation proposal

Tim Becker, Senior Legal Advisor

Introduction to Workshop Session II

EU measures driving chemicals and product sustainability



Introduction to Workshop Session II

CSS REACH Regulation Revision: Main elements



In preparation

Roadmap

Feedback period

04 May 2021 - 01 June 2021

FEEDBACK: CLOSED

Public consultation

Consultation period

20 January 2022 - 15 April 2022

FEEDBACK: CLOSED

UPCOMING

Commission adoption

Planned for

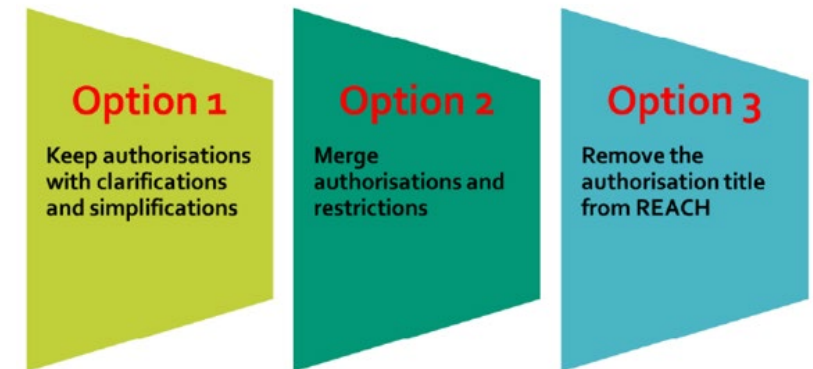
Fourth quarter 2022

FEEDBACK: UPCOMING

- COM plans targeted changes to **all processes** under REACH and various scope extensions

- Main elements of concern for aerospace and defence industries:

- Reform of the REACH authorisation and restriction processes, options →
- REACH Candidate List enhancement
- Extension of the Generic Approach to Risk Management “GRA” (hazard-based restrictions)
- New Essential Use Concept



[COM “Have your say” website](#)

Introduction to Workshop Session II

The Essential Use Concept (EUC)



- The Montreal Protocol is a starting point for definition:

The CSS commits to *“define criteria for essential uses to ensure that the **most harmful chemicals** are **only allowed if their use is necessary for health, safety or is critical for the functioning of society and if there are no alternatives that are acceptable from the standpoint of environment and health**”*

- For REACH the EUC is to inform, potentially streamline and speed up authorisation / derogations from restrictions
- But the EUC will go even beyond REACH
- A study to define criteria has been conducted - COM communication expected by end 2022
- Still to be decided: binding nature (guidance or legislation); decision process (ECHA vs. COM); further clarity on the definition

Introduction to Workshop Session II

Ecodesign for Sustainable Products Regulation (ESPR): COM proposal

In preparation

Roadmap

Feedback period

14 September 2020 - 16
November 2020

FEEDBACK: CLOSED

Public consultation

Consultation period

17 March 2021 - 09 June 2021

FEEDBACK: CLOSED

Commission adoption

Feedback period

03 April 2022 - 22 June 2022

FEEDBACK: CLOSED

[COM "Have your say" website](#)

- Objective: make **sustainable** products the norm in the EU, boost Europe's resource independence
- Key elements of the COM proposal of 30.3.2022:
 - Is a **framework** to improve the **environmental sustainability** of products → see *table of product aspects*
 - Very wide scope: "*any physical good placed on the (EU) market or put into service, incl. components [...]*"
 - **Ecodesign requirements** to be introduced through **COM delegated acts** for **specific products** based on **work plans**
 - Information requirements for **Substances of Concern** (wide definition) & possible circularity-based restrictions
 - Introduction of an **EU Digital Product Passport**
- Proposal is now with EU Parliament and Council
- Further info: T. Becker, StoffR 3 2022 ([link](#))

ESPR product aspects
for ecodesign requirements:

Durability
Reliability
Reusability
Upgradability
Reparability
Possibility of maintenance and refurbishment
Presence of substances of concern
Energy use or energy efficiency
Resource use or resource efficiency
Recycled content
Possibility of remanufacturing and recycling
Possibility of recovery of materials
Environmental impacts, including carbon and environmental footprint
Expected generation of waste materials

Introduction to Workshop Session II

RoHS Directive Review: State of Play

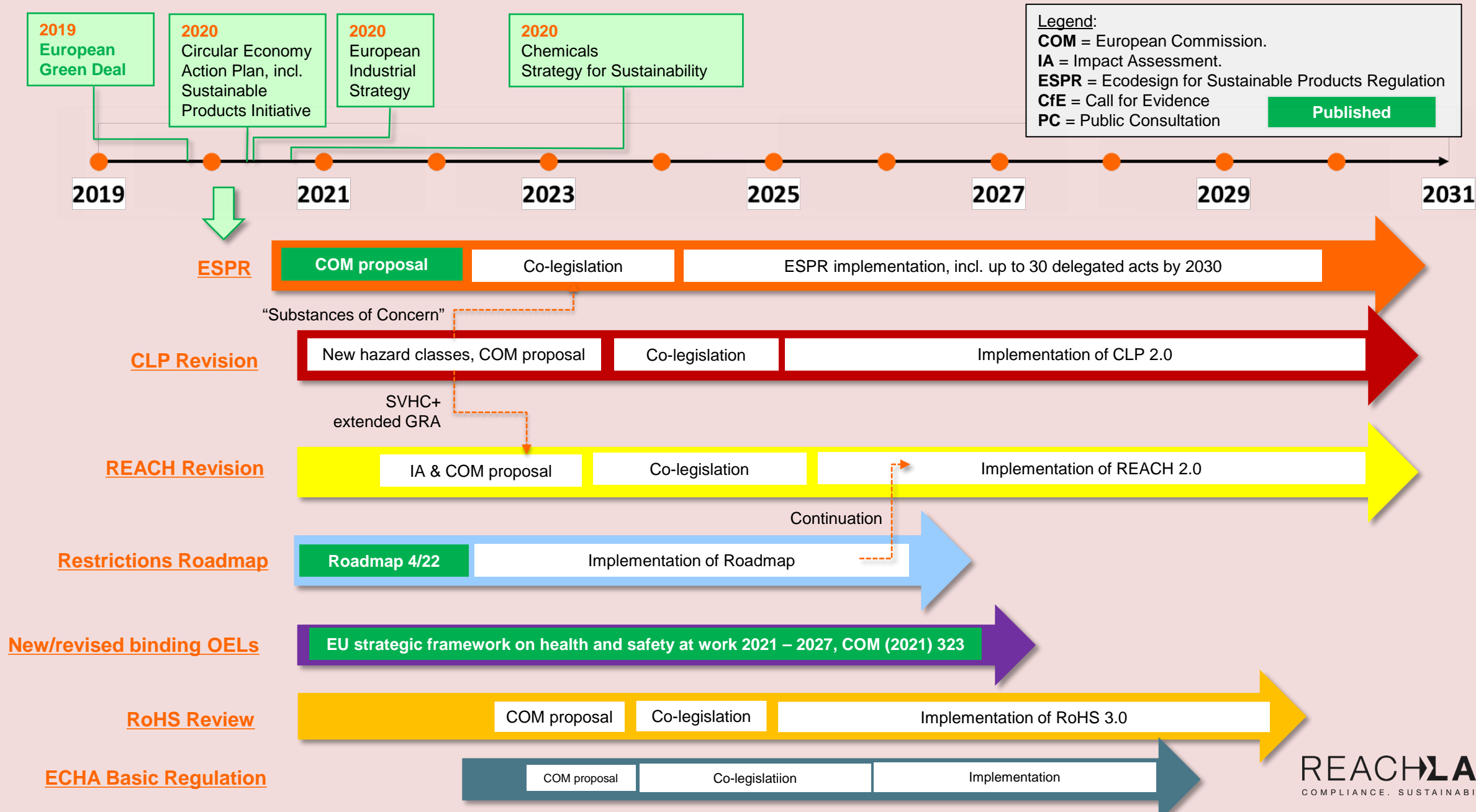


- Objective to simplify and increase the efficiency of the current rules and improve their enforcement → 'RoHS 3'
- Options considered by COM:
 - Maintain the Directive as it stands
 - Simplify and clarify
 - Transform into a Regulation - supported by a majority of stakeholders*
 - Repeal and incorporate into REACH Regulation
 - Repeal and address in ESPR
- COM proposal likely delayed to 2023 (Q2 ?)
 - Co-legislative procedure in European Parliament and Council to follow in 2023/24?
 - Effective date in 2025/2026?

[COM "Have your say" website](#)

*COM Factual Summary Report on the Public Consultation for the Review of the RoHS Directive, Ref. Ares(2022)5884921 - 23/08/2022

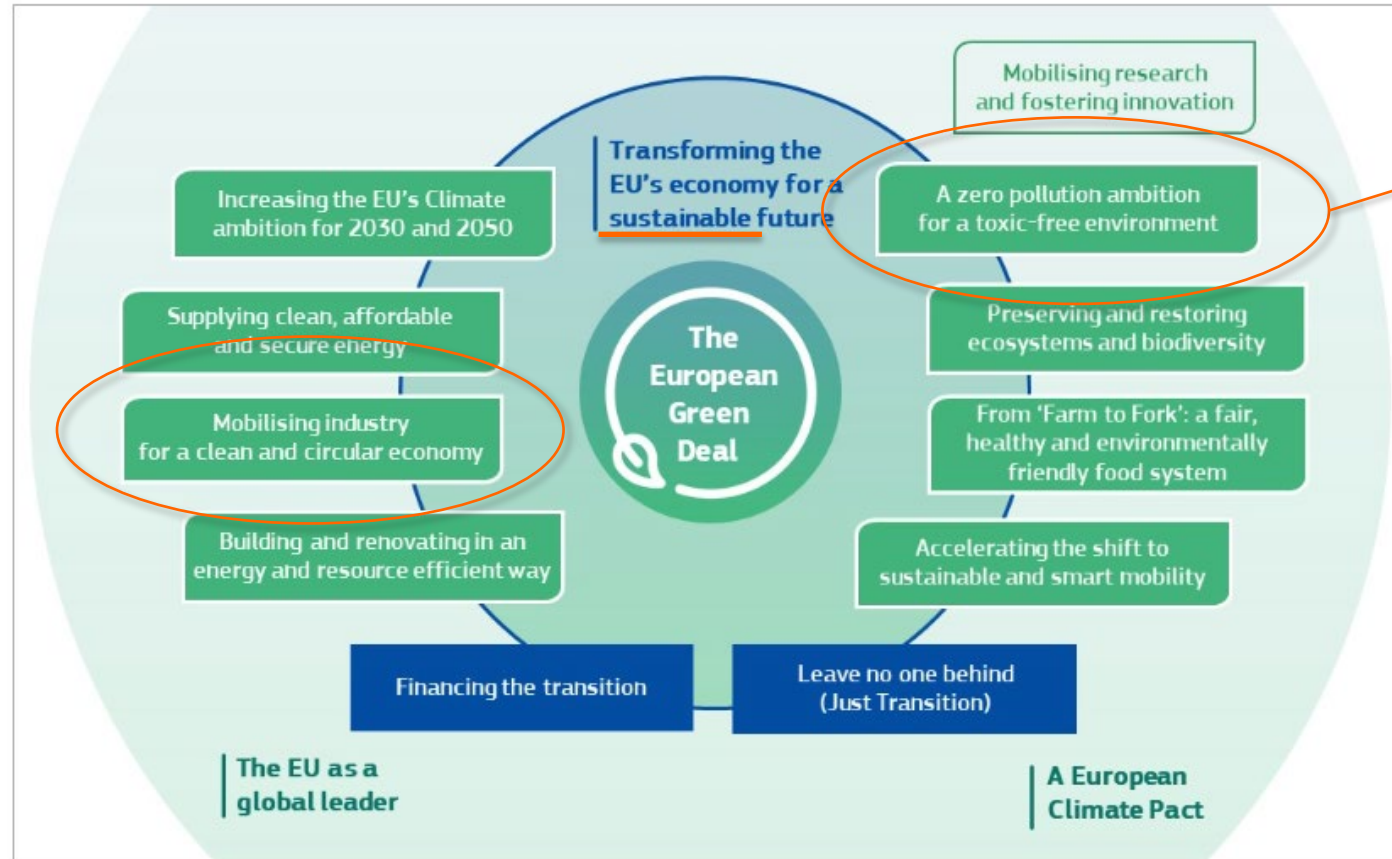
Outlook to 2030 on COM key revision activities under the European Green Deal



Additional slides

Introduction to Workshop Session II

The European Green Deal - main trigger for key revision activities



European Industrial Strategy and Circular Economy Action Plan, incl. Sustainable Products Initiative

- Revision of Ecodesign Directive
- RoHS Review

Chemicals Strategy for Sustainability (CSS)

- Restrictions Roadmap
- Safe and sustainable-by-design criteria
- New/ revised binding OELs (incl. for lead)
- "Targeted" revisions of REACH and CLP Regulations