

INFORMATION BULLETIN

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INTERNAL MARKET

Machinery Directive (MD)

Since May, several developments have taken place in the framework of the future Regulation on Machinery Products. On the Parliament's side, Ivan Stefanec (EPP, SK) was given a mandate to negotiate the Parliament's position, while the French Presidency of the Council of the European Union had a difficult time reaching a compromise between two opposing groups of Member States on some remaining issues. For example, on Article 5 (formerly high-risk machinery), there were disagreements between delegations on the division of Annex I between those products that could continue to be placed on the market under module A (internal production controls) and those for which third-party certification would be required, e.g. for safety components or machinery "with fully or partially self-evolving behaviour using machine learning approaches ensuring safety functions".

Finally, on 24 June, the Permanent Representatives Committee (COREPER) approved the compromise put forward by the French Presidency and instructed the Presidency to enter into negotiations with the European Parliament in order to reach a first reading agreement on this basis.

In the end, the text showed some significant improvements over the first version. For instance, the reference to 'AI systems' was deleted and the transition period from the Machinery Directive to the Machinery Regulation was extended from 30 to 36 months. However, there is still some room for improvement on other issues.

On 12 July, the triologue negotiations between the institutions were initiated under the Czech Presidency of the Council. As technical discussions in the triologue are not expected to take place until early September, this leaves a good opportunity to industry stakeholders to voice their concerns and improve the applicability of the text to real-life conditions, for instance on promoting e-documentation over printed copies accompanying the product.



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Construction Products Regulation (CPR)

Following the publication of the [evaluation](#) in 2019 and the [public consultation](#) that ended in 2020, the European Commission adopted on 30 March 2022 the [proposal for a Construction Products Regulation \(CPR\)](#) to revise Regulation (EU) No 305/2011. This CPR proposal is an integral part of the Circular Economy Package I and aims notably "to unlock the sector's growth and jobs potential, promote environmental goals as part of the Green Deal and Circular Economy Action Plan, and possibly promote product safety". More generally, this initiative will attempt to address the problems identified in the 2019 review and improve the functioning of the Single Market for construction products. Following this publication, the Commission presented the proposal to the Working Party on Technical Harmonisation under the French Presidency on 20 May with a view to further work under the Czech Presidency. On the Parliament side, Christian Doleschal (EPP, Ger) has been nominated as rapporteur. Finally, it should be noted that the [feedback](#) period for the Commission is now closed, as it ran from 3 April to 12 July 2022.

Regarding the next steps, the public hearing will take place on 10 October. There will then be a consideration of the draft report of the responsible committee on 28 November with a deadline for amendments on 6 December. The final vote should take place on 1 March 2023.



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Regulation on market surveillance and compliance

European Union challenges to control products manufactured outside the EU

On 22-23 June, the French Presidency of the Council organised a Market Surveillance conference ([more and replays](#)). This conference provided an opportunity to present the innovations brought about by the new Regulation (EU) 2019/1020, now entered into force, and lessons learned. "Non-compliance is not always bad will, but often reflects the difficulty for suppliers to cope with the complexity of rules" admitted a policy officer at the European Commission DG Grow. Making sellers aware of EU rules remains a challenge, especially for products imported into the EU. The Head of the

Product Regulation Unit at the French market surveillance authority raised concerns about the difficulty of controlling products manufactured outside the EU and sent directly to the consumer, and the multiplication of fulfilment centres in what are referred to as “free ports” that act as transportation, logistics and trade platforms, using their territorial exceptionalism as a competitive advantage.

The current customs control process was presented with its risk information sharing in cooperation with market surveillance authorities and the new tools introduced by Regulation (EU) 2019/1020. The latter are obviously not sufficient, as highlighted by the “the Wise Persons Group on Challenges Facing the Customs Union”. In their report (31/03/2022), they conclude that the European Customs Union is failing to deal with imports of dangerous products traded via online platforms – a growing concern for market surveillance authorities, particularly since the blocking of offline trade following the COVID-19 restrictions. The report calls for fundamental structural changes in ten recommendations, which are worthy of note ([more](#)).

Furthermore, on 1 June, the [12th meeting of the Committee on Market Surveillance and Compliance of Products](#) gave a positive opinion to the European Commission DG GROW on a [draft implementing act](#) (to be adopted by the Commission) that specifies the procedures for the designation of EU testing facilities for the purposes of market surveillance and verification of product compliance under Regulation (EU) 2019/1020.

The Blue Guide 2022 has eventually been published

On 22-23 June, the European Commission published the third revision of the '[Blue Guide on the implementation of the product rules 2022](#)'. As a non-binding instrument addressed to Member States, the Blue Guide has served since its first release in 2000 as the 'bible' for all stakeholders on what they need to know to correctly apply EU product legislation based on the New Approach, now covered by the [New Legislative Framework](#) (NLF), which applies to machinery products, radio equipment, low voltage electrical equipment, amongst many others. Currently, the Blue Guide excludes certain pieces of legislation from its scope, (for example the General Product Safety Directive, REACH and chemicals legislation).

This new release takes into consideration legislative developments since 2016, such as the [Regulation \(EU\) 2019/1020](#) on market surveillance and compliance of products. It also elaborates on, and specifically addresses, perceived challenges posed by the digital economy, e-commerce, software, sustainability and the circular economy, such as the concept of substantial modifications after the placing of the product on

the market, products to be combined or assembled by the final user, and software updates.

However, as a guide, it cannot change legal administrative requirements: for example, it specifies that a website address may be given in addition to, but not instead of, a postal address.

The section on presumption of conformity and harmonised standards has been significantly expanded, but without clarifying that presumption of conformity, as a legal effect, can also result from third party conformity assessment; ultimately, the manufacturer always remains responsible for his product.

The guide is available in all EU official languages, including in Irish for the first time.

[More](#)



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Issues of General Interest

Digital Policy

2030 Digital Compass

On 14 July, the European Parliament and Council reached an agreement on the 2030 Digital Decade Policy Programme, presented by the European Commission in September 2021. The Digital Decade Policy programme is based on the 2030 Digital Compass, and aims at fostering the EU's digital transition by setting EU-wide digital targets to reach by 2030.

Some of its **main goals** include, for example, ensuring that at least 75% of European enterprises use cloud computing services, big data and artificial intelligence, and ensuring that more than 90% of European SMEs reach at least a basic level of digital intensity.

Compared with the initial proposal, the provisional agreement:

- Clarifies several definitions of the programme's general objectives, together with the concept of multi-country projects
- Introduces EU-level trajectories for each of the EU's digital targets together with the Member States
- Stipulates that progress will be monitored on the basis of the Digital Economy and Society Index (DESI), and will be evaluated in the Commission's annual report on the 'State of the Digital Decade'
- Provides for a cooperation mechanism between the Member States and the Commission

The provisional agreement (the full text is still unavailable) is planned to be voted on by the ITRE Committee in the European parliament on 1 September 2022. After that, the text will have to be formally adopted in the European Parliament and Council.

After its entry into force, Commission and the Member States will develop a set of KPIs. The targets will also be reviewed by the Commission in 2026 in order to adapt them to future technological, economical and societal developments.



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Revision of the Directive on Security of Network and Information Systems (NIS Directive)

After four months of inter-institutional negotiations, on 13 May the European Parliament and the EU Council reached a political agreement on the revised NIS Directive (NIS 2).

The revised Directive :

- Sets out minimum rules for a regulatory framework and establishes cooperation mechanisms among relevant authorities in each EU Member State
- Updates the list of sectors and activities subject to cybersecurity obligations
- Improves obligations enforcement

- Formally establishes the European Cyber Crises Liaison Organisation Network, called EU-CyCLONe. The organisation will support the coordination and management of cybersecurity incidents
- Excludes parliaments and central banks from the scope

The agreement will have to be formally adopted by the European Parliament and the EU Council. After that, the EU Member States will have 21 months after the entry into force of the Directive to transpose it into national law.



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Artificial Intelligence

Discussions are progressing within the EU Council and the European Parliament on the analysis of the European Commission proposal for an Artificial Intelligence Act.

In the EU Council:

On 23 June, the French Presidency published a consolidated text, compiling all their compromise amendments to the Artificial Intelligence Act (document available from the Orgalim Partnership).

The Czech Presidency took over the file from 1 July. On 15 July, they issued the second Presidency compromise text on the Artificial Intelligence Act (document available from the Orgalim Partnership).

The main changes proposed by the Czech Presidency are:

- The definition of AI system was narrowed down to systems developed through machine learning techniques and knowledge-based approaches. The basic concepts from the OECD definition have been kept. The concept of autonomy has been included in the definition.
- Annex I was deleted. Recitals have been added, which clarify what should be understood by machine learning approaches and logic-and knowledge-based approaches.
- Four high-risk use cases in Annex III were deleted (they do not include industrial AI).
- The role of the European Artificial Intelligence Board has been strengthened. A new requirement was added to create a permanent subgroup serving as a platform for a wide range of stakeholders.

- A new article introduces a possibility for the Commission to create a central pool of independent experts to support the enforcement activities required under the AI Act.

The Czech Presidency aims at reaching a General Approach by the 6 December Telecommunications Council meeting.

In the European Parliament :

In the European Parliament, the ITRE, CULT, JURI and TRAN Committees adopted their opinions between June and July (documents available from the Orgalim Partnership).

On 13 June, IMCO-LIBE (Committees responsible) published their draft report, containing more than 3,000 amendments (documents available from the Orgalim Partnership). Their compromise amendments will be considered at the end of September, and at the end of October the vote on the IMCO-LIBE report will take place. The vote of the report in plenary is currently scheduled for 9 November.



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Chips Act

The work on the [Chips Act](#) is progressing in the European Parliament and EU Council.

European Parliament :

Between June and July, the [BUDG](#), [ECON](#), [IMCO](#) Committees (Committees for opinion) published their draft opinions on the Chips Act.

In the ITRE Committee (Committee responsible), a debate is planned for 10 October, and the deadline for amendments is set for 13 October. The vote is planned for January 2023.

EU Council:

In their [progress report](#), the French Presidency noted several political issues being raised by EU Member States:

- Need for a clearer distinction between the objectives, components and actions of the Chips for Europe Initiative
- Need for clarification of the 'first-of-a-kind facility' principle

- Need for clarification on the role and power of the Commission in the crisis mechanism
- Question as to whether there would be a need to reallocate financial resources between the Horizon Europe programme and the Digital Europe programme in the multiannual financial framework, and whether there would be a need for a new financial effort from the Member States and private partners



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Digital Services Act

On 22 April, the European Parliament and Council reached a provisional political agreement. The compromise text included:

- Measures to counter illegal goods, services or content online, such as a mechanism made available to users to flag illegal content and new obligations on traceability of business users in online marketplaces
- Measures for users and civil society to challenge platforms' content moderation decisions and transparency measures on the algorithms used for recommending content or products to users
- Measures to assess and mitigate risks, together with enhanced supervision and enforcement by the European Commission on very large online platforms

The text was finalised at technical level and verified by lawyer-linguists, before being put forward to both the Parliament and Council for their formal approval.

The Parliament's IMCO Committee endorsed the provisional agreement (36 votes in favour, 5 against and 1 abstention) on 16 June.

On 5 July, the Parliament sitting in plenary adopted the final compromise amendments for the proposal for a Regulation. The [amended proposal](#) constitutes the European Parliament's position at first reading.

The provisional agreement is now pending approval by the Council. This approval is expected to take place in September.

Once formally adopted by the Council, the Act will be published in the EU Official Journal, and will enter into force 20 days after publication. The rules will start to apply 15 months later.

Digital Markets Act

On 25 March, the Parliament and Council reached a compromise. The provisional text targets large companies providing what are known as “core platform services” most prone to unfair business practices, such as social networks or search engines, referred to as “gatekeepers”.

The main points addressed in the general agreement are:

- The largest messaging services will have to open up and interoperate with smaller messaging platforms, if they so request
- Combining personal data for targeted advertising will only be allowed with explicit consent to the gatekeeper
- A new requirement was included to allow users to freely choose their browser, virtual assistants or search engines
- In a case where a gatekeeper does not comply with the rules, the Commission can impose fines of up to 10% of its total worldwide turnover in the preceding financial year, and 20% in case of infringements that are repeated. If the infringements are systematic, the Commission can ban them from acquiring other companies for a delineated time

On 5 July, the Parliament sitting in plenary adopted the final compromise amendments for the proposal for a Regulation. The [amended proposal](#) constitutes the European Parliament’s position at first reading.

The EU Council also approved the agreement on 18 July, in its Agriculture and Fisheries configuration.

The Act is now pending publication in the EU Official Journal and will enter into force 20 days after that. Once it enters into force, the Regulation must be implemented within six months by the Member States.



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Data Policies

Data Act

The Parliament and Council have started their preparatory work on the [Data Act](#), which was published by the European Commission on 23 February. The proposal aims at ensuring fairness in the digital environment, stimulating a competitive data market, opening opportunities for data-driven innovation and making data more accessible for all

In the **Parliament**, the ITRE Committee (Committee on Industry, Research and Energy) was designated as the responsible Committee, while the IMCO (Committee on Internal Market and Consumer Protection), JURI (Committee on Legal Affairs) and LIBE (Committee on Civil Liberties, Justice and Home Affairs) were appointed as committees for opinion. Some reports have spread information on the three committees for opinion being fighting for the co-responsibility on the file. Therefore, there may be some changes in the future. The Rapporteur will be Pilar del Castillo Vera (EPP, Spain).

In the **Council**, work on the file started at working party level, and a Competitiveness Council meeting is planned for 3 June.



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Data governance

The political agreement on the Data Governance Act proposal reached by the European Parliament, Council and Commission was adopted by the Parliament on 6 April, and by the EU Council on 16 May 2022.

The [text](#) was published in the Official Journal on 3 June and entered into force on 23 June. The Data Governance Act will apply 15 months after the entry into force of the Regulation.



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Regulation on gas appliances (GAR)

In recent months, the Commission has been reviewing the [Guidance Sheets](#) on implementation of [Gas Appliances Regulation \(GAR\)](#). These Guidance Sheets aim to ensure a coherent application of the GAR, which itself lays down rules for the placing on the market and the putting into service of appliances burning gaseous fuels. In order to do this, the Commission is consulting with the Expert Group '[Working Group Gas Appliances](#)' on the GAR Guidance Sheets B2, B3, B8, B9, B11, B12 and C7. In its two last meetings, the Expert Group 'Working Group Gas Appliances' ('the WG-GA') discussed and approved several revised versions of GAR Guidance Sheets while it concluded that a limited number of Guidance Sheets needed to be further elaborated before they could be submitted to the WG-GA for an endorsement by means of written procedure. The Notified Bodies Gas Appliances ('the NBGA') has now completed its work to modify the GAR Guidance Sheets B2, B3, B8, B9, B11, B12 and C7.



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General Product Safety Regulation (GPSR)

In recent weeks, some developments have taken place regarding the General Product Safety Regulation (GPSR), a proposal which aims to "update and modernise the general framework for non-food consumer products, and align the market surveillance rules for non-harmonised products with the rules that apply to products falling within the scope of EU harmonisation legislation". On the European Parliament side, on 13 June, the rapporteur, Dita Charanzova (RE, Czechia) published a draft report with the [compromise amendments for the Regulation on general product safety](#), amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council, and repealing Council Directive 87/357/EEC and Directive 2001/95/EC of the European Parliament and of the Council. On 16 June the Internal Market and Consumer Protection Committee (IMCO) adopted the draft report and voted on the decision to enter into inter-institutional negotiations. On 6 July, the European Parliament approved in plenary the decision to enter into inter-institutional negotiations. On the part of the Council of the European Union, the Working Party on Consumer Protection and Information met on 8 July and 13 July. Finally, on 20 July, Member States agreed on a mandate for negotiations with the European Parliament on the proposal for a GPSR. The Council's position confirms its willingness to respond to the future challenges posed by new technologies and online marketplaces. With

this position, online marketplaces will have to respond to new requirements such as establishing a single point of contact in charge of product safety or to ensure products on their platforms are safe or face steep fines of minimum of 4 percent of their global revenue. The press release of the Council of the European Union can be consulted [here](#). Regarding the next steps, the same day the mandate has been [endorsed by the Council's Permanent Representatives Committee](#) (COREPER), which will allow the Council presidency to start negotiations with the European Parliament.



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Standardisation Policy

Since the last Bulletin, the Standardisation Policy has seen few developments regarding Regulation 2012/1025.

The European Parliament's IMCO Committee voted on 12 July to adopt amendments to the targeted amendment to Regulation 2012/1025. In this vote, MEPs voted overwhelmingly in favour of the amendments, which were intended, among other aims, to "strengthen the EU's role as a global standard setter and to help achieve the EU's green and digital ambitions". On the same day, the decision to start institutional negotiations was adopted.

SMARRT Meeting

The last Standardisation Market Relevance Round Table (SMARRT) meeting took place on 7 June. This group, put in place by the DG GROW at the request of industries with the aim of enabling industries to have a direct dialogue with the Commission before each Committee on Standards (CoS), was presided over for its last activity by Sophie Mueller (Head of Union, Standardisation Policy GROW H3). During this meeting Ms Mueller addressed and responded to the various concerns of the industries. Amongst the topics discussed was the High-Level Forum (HLF). On this subject, Ms Muller gave some details on its creation and on the application process for membership, which will be preceded by an internal screening. As far as the HLF's competences are concerned, it will mainly be a question of informing on the priorities of the Annual Union Work Programme. It should be noted that the question of the future role of the HLF is directly linked to the end of SMARRT, as the Commission's intention is that SMARRT should be absorbed by the HLF. Ms Muller also addressed other issues of interest to industry, including the EU Excellence hub on standards and

the new Chief Standardisation Officer, the development and adoption of standards, the evaluation of Regulation (EU) 1025/2012, EU technical and common specifications and the geopolitics of standards.



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Intellectual Property Rights

On 7 July, the European Commission launched a [public consultation](#) on compulsory licensing of patents. The Commission is looking for suggestions on how to build a more efficient and coordinated compulsory licensing scheme in the EU, reduce current fragmentation and improve Europe's resilience in managing crises such as the COVID-19 pandemic. The consultation will also gather views on improving harmonisation, coordination between EU Member States and coordination with the Commission, and will be open until 29 September 2022.



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MARKET ACCESS

Issues of General Interest

Carbon Border Adjustment Tax

On 22 June, the European Parliament adopted its [position](#). The Parliament suggested the following changes to the Commission's proposal:

- Phasing in CBAM from 2027 and ending free allowances in EU Emission Trading System (ETS) by 2032.
- The scope should be extended to include organic chemicals, plastics, hydrogen and ammonia as well as indirect emissions.
- The EU budget should support the least developed countries through amounts equivalent to sums collected through CBAM.
- The need for a centralised EU CBAM authority.

The Council adopted its [negotiating position](#) on 29 June and endorsed the proposal to end free allowances for the sectors concerned by the CBAM progressively, over a ten-year period between 2026 and 2035. However, the Council accepted a slower reduction at the beginning and an accelerated rate of reduction at the end of this ten year period. The Council also asked the Commission to monitor the impact of the CBAM, including on carbon leakage at exports, and to assess whether additional measures were needed.

A first trilogue meeting took place on 11 July, and a second meeting will be scheduled after the summer.



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Foreign Subsidies

Further to the publication of a [proposal for a Regulation on foreign subsidies distorting the internal market](#), the legislative process is ongoing.

On 4 May, both the [European Parliament](#) and the [Council](#) voted on their position, and on 30 June, at the second trilogue meeting, they reached a [provisional political agreement](#).

The co-legislators have decided to maintain the notification thresholds proposed by the Commission for mergers and public procurement procedures, which are EUR 500 million for mergers and EUR 250 million for public procurement procedures. The Commission will investigate subsidies granted up to five years before the entry into force of the regulation which result in a distortion of the Internal Market. The Commission will be exclusively competent to enforce the regulation. Moreover, the co-legislators established that the Commission will have to issue guidelines on how it assesses the distortive nature of foreign subsidies and judges a subsidy's market distorting effect against its potential benefits. The co-legislators also confirmed that companies could consult the Commission to verify if they need to disclose the subsidies received.

On 14 July, the European Parliament International Trade (INTA) Committee which is responsible for the file [voted](#) unanimously with 38 votes in favour of the provisional agreement. The EP Plenary is scheduled for 9 November 2022.

Once approved by the Council and the EP, the regulation will enter into force on the 20th day after its publication in the Official Journal of the European Union. The Regulation will become directly applicable across the EU six months after its entry into force. The notification obligations will start to apply nine months after entry into force.



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Union Customs Code (UCC)

The European Commission aims to revise the Union Customs Code to strengthen the legal framework for customs and make it suitable to address the challenges that have emerged in recent years. New business models and technological developments require revised provisions in particular on e-commerce operations, risk management,

data analytics capabilities and protection of the Internal Market from goods imported from third countries that are not compliant with the EU legislation. The proposal for the revision of the Union Customs Code is expected for December 2022. On 20 July, the Commission launched a [Public Consultation](#) which will be open until 14 September.

Moreover, on 27 June, the European Commission published an interim evaluation of the implementation of the Union Customs Code. The evaluation indicates that some achievements can be reported at this stage of the implementation of the UCC. While the state of implementation of the legal provisions is generally on track, some difficulties still remain with the implementation of the IT systems. See [here](#) for more information.



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World Trade Organisation (WTO)

From 12 to 17 June 2022, the [WTO's 12th Ministerial Conference](#) (MC12) took place at WTO headquarters in Geneva. Ministers from across the world attended to review the functioning of the multilateral trading system, issue general statements and take action on the future work of the WTO. The Conference delivered significant results on a number of issues. In short, they reached an agreement on [Fisheries Subsidies](#), adopted a package of WTO response measures to emergencies including the Ministerial Decision on the [Agreement on Trade-related Aspects of Intellectual Property Rights](#), and a decision to extend the [E-commerce Moratorium](#). They also agreed to start a [reform process of the WTO](#), including the dispute settlement body, with the aim of setting up a group that will deliver results by the next Ministerial Conference.

See [here](#) to access all MC12 outcomes.



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Trade Defence Instruments / EU anti-dumping measures

Further to the publication of [a proposal for a Regulation on the mechanism to deter and counteract coercive action by non-EU countries \(ACI\)](#), the legislative process is ongoing. On 14 July, the European Parliament's Committee on Foreign Affairs (AFET) voted its [opinion](#), while the Committee on the Internal Market and Consumer Protection (IMCO) voted on its [opinion](#) on 22 July. The INTA Committee, which is responsible, will vote on 10 October 2022. The EP Plenary is scheduled between 17-20 October 2022.

Date of Publication	Legal act	Product	Country of origin or exportation	Measure	Update
15.07.2022	Implementing Regulation	Certain aluminium road wheels	Morocco	Anti-dumping	Provisional measure
08.07.2022	Implementing Decision	Aluminium flat-rolled products	China	Anti-dumping	Decision not to prolong the suspension of the definitive measure
23.06.2022	Implementing Regulation	Aluminium extrusions	China	Anti-dumping	Definitive measure
15.06.2022	Implementing Regulation	Tubes and pipes of ductile cast iron	India	Anti-dumping	Definitive measure
15.06.2022	Implementing Regulation	Rebars	Belarus	Anti-dumping	Notice of initiation of an expiry review
07.06.2022	Implementing Regulation	Certain stainless steel tube and pipe butt-welding fittings	China	Anti-dumping	Initiation of an investigation
01.06.2022	Implementing Regulation	Tungsten carbide, fused	China	Anti-dumping	Notice of initiation of an expiry review

		tungsten carbide and tungsten carbide mixed with metallic powder			
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EU – Russia

On 3 June, the Council adopted the sixth package of sanctions against Russia after its invasion of Ukraine, which was presented by the Commission on 4 May. The package includes

- Prohibition on the purchase, import or transfer of crude oil and certain petroleum products from Russia into the EU.
- Phase-out of Russian oil will take from six months for crude oil to eight months for other refined petroleum products. Temporary exception for imports of crude oil by pipeline into some Member States. Temporary derogations for the import of Russian seaborne crude oil and vacuum gas oil for Bulgaria and Croatia.
- The banning of three Russian major banks from the SWIFT, three big Russian state-owned broadcasters from the EU's airwaves and also banning accounting, public relations, and consulting services from being provided to Russian companies.
- Expanding the list of persons/entities concerned by export restrictions regarding dual-use goods and technology and the list of goods and technology which may contribute to the technological enhancement of Russia's defence and security sector.
- Listing of high-ranking military officers and other individuals who committed war crimes in Bucha and Mariupol.

The legal text can be found [here](#).

Furthermore, on 21 July, the EU adopted the [“Maintenance and alignment” package](#), which aims at tightening existing economic sanctions targeting Russia, refining their implementation and strengthening their effectiveness.

The package includes:

- A ban on the purchase, import or transfer, directly or indirectly, of gold and jewellery, if originating in Russia and exported from Russia to the EU or a third country.
- Reinforcing export controls on dual use and advanced technology by extending the list of controlled items, which may contribute to Russia’s military and technological enhancement. These include a range of chemicals, software, equipment, and objects that can be used by the police.
- Extending the existing port access ban to locks to avoid the circumvention of sanctions and expanding the scope of the prohibition on accepting deposits to include those from legal persons, entities or bodies established in third countries and majority-owned by Russian nationals or natural persons residing in Russia.
- Introducing several clarifications to existing measures in the field of public procurement, aviation and justice.

In addition to economic sanctions, the Council decided to list additional individuals and entities and strengthen reporting requirements, putting the burden of declaring assets onto sanctioned people, in order to facilitate the freezing of their assets in the EU.

The legal texts can be found here:

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2022:194:TOC>

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2022:193:TOC>

Over the past few days, more guidance documents have been published by the European Commission, including the publication of a factsheet on agrifood trade and EU sanctions. You can find all EU guidance



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New Trade and Sustainable Development (TSD) Approach

On 22 June, the European Commission presented its Communication on "[The power of trade partnerships: together for green and just economic growth](#)", which aims at strengthening the implementation and enforcement of the Trade and Sustainable Development (TSD) chapters of EU trade agreements. The Communication identifies policy priorities and key action points, to improve the effectiveness of the current engagement-based approach to TSD. In particular, the new approach will include the use of trade sanctions for breaches of core TSD provisions. It will be applied to future negotiations and to ongoing negotiations as appropriate. See [here](#) for more information

Moreover, on 23 June, the European Commission published the [pool of almost 400 individuals](#) eligible for appointment as arbitrators for trade and sustainable development (TSD) experts in bilateral disputes under trade agreements with third countries.



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EU – UK (Brexit)

After the [EU requested WTO consultations on the UK's CfD scheme](#), on 1 July, [the EU and the UK agreed](#) on a way forward to address the EU's concerns about discrimination in the UK's Contracts for Difference (CfD) scheme, which is the UK's main mechanism for supporting low-carbon electricity generation. The agreement is recorded in an [exchange of letters](#) between Executive Vice President Valdis Dombrovskis and the Secretary of State for International Trade Anne-Marie Trevelyan. As a result of the WTO consultations, the UK has now clarified that CfD beneficiaries do not need to achieve any particular level of UK content to receive payments. The UK has also published additional guidance to ensure that this is fully understood by the industry.

On 15 June, the [Commission launched](#) infringement proceedings against the UK for not complying with significant parts of the Protocol on Ireland / Northern Ireland, despite repeated calls on the UK government to implement it. The Commission aims through these infringement proceedings to restore compliance with the Protocol in a number of key areas where it has not been correctly implemented by the UK. At the same time, the Commission provided [additional details](#) on the possible solutions it

put forward in October 2021 to facilitate the movement of goods between Great Britain and Northern Ireland.



Author :

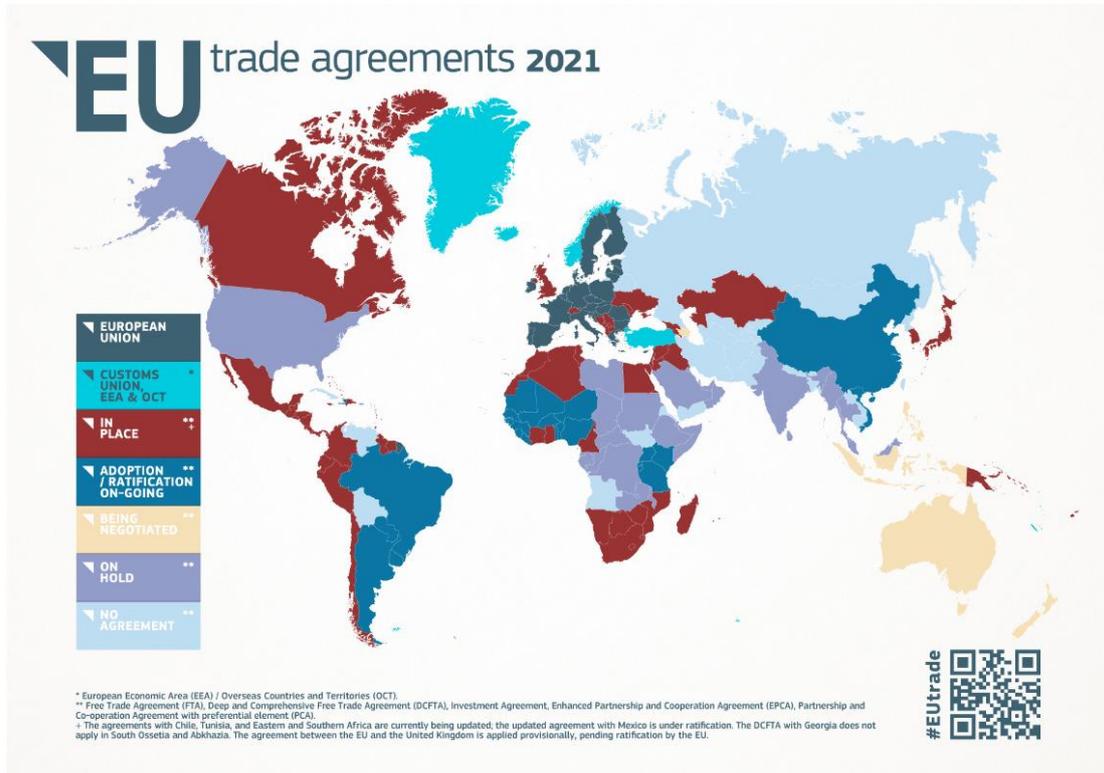
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Free Trade Agreements – overview

Country	Current Status	Next steps
Singapore	Trade and investment agreements were adopted in October 2018. On 21 November 2019, the Free Trade Agreement entered into force.	Investment Protection Agreement to be ratified by all the Member States before entering into force. See here for more information
Vietnam	The FTA entered into force on 1 August 2020. The Commission has updated its Guidance on the Rules of Origin	See here for more information
Mercosur	Ongoing negotiations for a free trade agreement. In June 2019, EU and Mercosur reached a political agreement .	The Commission has published the agreement in principle and its texts though these are not fully final yet.
China	Ongoing negotiations for an Investment Agreement. Agreement in principle reached on 30 December 2020	The text of the agreement is being finalised and will need to be legally reviewed before submission for approval to the EU Council and the European Parliament.
Australia	Ongoing negotiations for a free trade agreement. The 12th round of negotiations took place on 7-18 February 2022 by videoconference.	No date for the next round of negotiations is scheduled yet. See here for more information
New Zealand	On 30 June 2022, the EU and New Zealand concluded negotiations for a Trade Agreement . The negotiated	Once adopted by the Council, the EU and New Zealand can sign the agreement. Following the signature, the text will be transmitted to the European

	draft texts will be published shortly.	Parliament for consent. After the consent from the Parliament, and once New Zealand also ratifies it, the agreement can enter into force. See here for more information
Indonesia	Ongoing negotiations for a free trade agreement. The latest round of negotiations took place on 15-26 June 2020. The European Commission has published the conclusions of the sustainability impact assessment	The next round of negotiations will take place in July 2021. See here for more information
Tunisia	Ongoing negotiations for a free trade agreement. The 4 th round of negotiations took place on 28-30 April/1-2 May 2019 in Tunis.	Negotiations are at a standstill due to the change of government in Tunisia and civil society protests. See here for more information
Chile	Ongoing negotiations to revise and modernise the free trade agreement. The 10th round of negotiations took place in April 2021.	The 11 th round of negotiations is not yet scheduled. See here for more information
ESA (Eastern and Southern Africa countries: Comoros, Madagascar, Mauritius, Seychelles and Zimbabwe)	Ongoing negotiations to deepen the existing Economic Partnership Agreement (EPA). The 8th round of negotiations took place on 30 May – 3 June.	The next round of negotiations will take place in September. See here for more information
India	On 25 April 2022, the EU and India launched the EU-India Trade and Technology Council . On 17 June 2022, the EU and India formally relaunched	See here for more information.

	<p>negotiations on a free trade agreement, an investment protection agreement and geographical indications.</p>	
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ENVIRONMENT

REACH

REACH review

All studies are either finalised or in the finalising stages. The public consultation on REACH revision was open for [comments](#) until 15 April 2022. As a reminder, the [Chemicals strategy for sustainability](#), adopted by the European Commission on 14 October 2020, lists a series of measures to achieve the EU's zero pollution ambition for a toxic-free environment and is a key component of the European Green Deal. The Strategy recognises the need for a targeted revision of the REACH legislation to achieve its objectives. The Commission is now compiling all data, deciding on the 'preferred options', and drafting the Staff Working Document with the impact assessment.

The next steps of the revision process are:

- Q3 2021 to Q3 2022: targeted stakeholder consultations as part of supporting studies and workshops
- Q3 2022: legal drafting of a proposal for a revision of REACH based on 'preferred options'
- Q3/Q4 2022: publication of the impact assessment
- Q1 2023: Commission adoption of the proposal

The [webpage](#) on the REACH Revision is now available. This is part of an updated webpage on the [implementation](#) of the Chemicals Strategy for Sustainability.

The REACH Regulation was [last evaluated in 2018](#). It concluded that REACH is effective but that there are opportunities for further improvement, simplification and a reduction in administrative requirements. Following the evaluation, a number of non-legislative actions have been launched (some of them finalised, others still ongoing) to improve the implementation of REACH.

Substances of Very High Concern (SVHC)

A new intention to identify a substance of very high concern has been received for:

- [melamine](#) (EC 203-615-4, CAS 108-78-1)
- [4,4'-sulphonyldiphenol](#) (EC 201-250-5, CAS 80-09-1) from Belgium (in cooperation with France)
- [perfluoroheptanoic acid and its salts](#) (EC -, CAS -) from The Netherlands

The [Candidate List of substances of very high concern](#) now contains 224 entries for chemicals that can harm people or the environment. Companies are responsible for managing the risks of these chemicals and must also give their customers and consumers enough information to use them safely.

Restriction

[Denmark](#), [Germany](#), [the Netherlands](#), [Norway](#) and [Sweden](#) submitted an intention to restrict the manufacture, placing on the market and use of [per- and polyfluoroalkyl substances \(PFAS\)](#) (EC/CAS -) on 15 July 2021. This is a large family of thousands of synthetic chemicals that are widely used throughout society. A [call for evidence](#) was held during the summer of 2020. The European Chemicals Agency (ECHA) also organised a [webinar](#) on 29 October 2020 to share information about the REACH restriction process and the status of the proposed PFAS restriction. The five countries have launched a survey on PFAS and their alternatives and are looking for more information to support the intended restriction. The deadline for [comments](#) was 17 October 2021. A [regulatory management option analysis conclusion document](#) (RMOA) is also available on ECHA's website. The PFAS restriction process will not integrate the essential use criteria as it will not be ready in time for the PFAS restriction proposal currently being drawn up. Instead, the proposal will have to rely on existing tools, for example analysing specific uses and considering whether there are safer available alternatives, to determine whether the use is essential or not. The Commission will also decide about the restrictions that are already in the pipeline for specific PFAS, once the universal PFAS restriction has been adopted.

The next steps of the process are:

- The five Member States would finalise the Annex XV dossier within 12 months of its notification to ECHA. ECHA would then publish the dossier following a conformity check. The expected date of submission of the dossier is now 13 January 2023 (instead of 15 July 2022).

- Following the dossier's publication, a six month public consultation would start, in 2023
- Based on the final ECHA opinion, the Commission may decide to draft an amendment to restrict non-essential uses of PFAS under REACH Annex XV (expected in 2024)
- The amendment of Annex XV would then possibly enter into force in 2025

Furthermore, ECHA is looking for comments on the proposed restriction of [Terphenyl, hydrogenated](#) (EC 262-967-7, CAS 61788-32-7) and [N,N-dimethylacetamide \(DMAC\) and 1-ethylpyrrolidin-2-one \(NEP\)](#) (EC -, CAS -). The commenting period is from 20 June 2022 to 20 December 2022.

Moreover, the Committee for Socio-Economic Analysis (SEAC) adopted its opinion on Norway's proposal to restrict [Dechlorane Plus](#), confirming its considerations that a restriction is, in general, an appropriate EU-wide measure to address the identified risks. SEAC considers that any of the restriction options proposed could be proportionate in terms of the benefits and costs to society. SEAC, however, also noted that there are clear differences between the different options in terms of their marginal cost-effectiveness. The Committee for Risk Assessment (RAC) [adopted its opinion](#) on the same restriction in March 2022.

In addition, the consolidated opinions of the Committee for Risk Assessment (RAC) and Socio-Economic Analysis (SEAC) on a proposed restriction for [undecafluorohexanoic acid \(PFHxA\), its salts and related substances](#) (EC -, CAS -) submitted by Germany, are available on ECHA's website. RAC supports the proposed restriction for uses where it is not possible to implement risk management measures to minimise emissions. RAC considers that it has not been demonstrated that the restriction on undecafluorohexanoic acid (PFHxA), its salts and related substances as initially proposed by the Dossier Submitter is the most appropriate European Union (EU)-wide measure to address the identified risk. Nevertheless, RAC considers that a broad restriction on undecafluorohexanoic acid (PFHxA), its salts and related substances is an appropriate EU-wide measure to address the identified risk in terms of its effectiveness, practicality and monitorability, provided that the scope and conditions are modified, as proposed by RAC. SEAC agrees that action is needed on an EU-wide basis, and that a restriction is, in general, an appropriate measure to address the identified risks. SEAC considers, however, that it has not been demonstrated that the restriction as initially proposed by the Dossier Submitter is the most appropriate EU-wide measure to address the identified risks. Even if SEAC cannot reach a conclusion as to whether the conditions of the proposed restriction, as modified by SEAC, are the most appropriate measure to address the identified risks, SEAC proposes conditions based on the currently available information.

RAC also concluded its opinion supporting ECHA's proposal to [restrict 2,4-dinitrotoluene](#) (2,4-DNT) in products (articles). SEAC also supports the restriction in its draft opinion. The proposal would effectively ban the supply and use of the substance in products imported into the EU market. 2,4-DNT may cause cancer and has been included in the REACH Authorisation List since 2011. A 60-day consultation on SEAC's draft opinion started on 15 June. ECHA is looking for comments on the draft opinion of the SEAC for a restriction proposal on the placing on the market or use of [2,4-dinitrotoluene](#) (EC 204-450-0, CAS 121-14-2) in articles. The deadline for comments is 15 August 2022.

Authorisation

ECHA has included lead metal in its draft 11th recommendation for authorisation, with a [public consultation](#) which was open until 2 May 2022. There was also a [call for information](#) by the Commission on the possible socio-economic consequences of subjecting lead metal to the REACH authorisation requirement.

The possible next steps are:

- Discussions and opinion forming – The Member State Committee (MSC) of ECHA (Q4 2022 – Q1 2023)
- 11th recommendation finalised and sent to the Commission (by April 2023)
- Amendment to Annex XIV (2025?)
- Latest application date (2026?)

Moreover, ECHA launched a consultation on 13 applications for authorisation covering 16 uses of:

- chromium trioxide (EC 215-607-8, CAS 1333-82-0) used for etching and electroplating of plastics, in functional chrome plating, and in decorative/functional plating; and
- trixylyl phosphate (EC 246-677-8, CAS 25155-23-1) used in closed systems as a hydraulic fluid.

More information about the uses that authorisation is applied for, including the description of the functions of the substance, exposure scenarios, possible alternatives identified by the applicants, together with socio-economic information, is available on [ECHA's website](#). Comments could be submitted until 13 July 2022

Registration

A second screening project to check companies are keeping their registrations updated will be launched soon. The project will focus on substances with a harmonised classification and labelling and will look at registrations where this information is not used correctly. Cases where incompliance is suspected will be passed to national enforcement authorities. The results of ECHA's first screening project, which focused on registrations of substances that are on the REACH Authorisation List, will be published next autumn. These projects remind registrants of their obligation to keep their [registrations up to date](#).

Publication

[ECHA's fourth report](#) under its Integrated Regulatory Strategy has been released, showing that progress has been made on accelerating the pace at which regulatory actions are identified for substances of concern. In 2021, assessments were finalised for more than 1,900 substances, mostly grouped based on their structural similarity. This was 30% more than in 2020. Around 300 of these substances require risk management measures, while 800 do not currently require further action. The remaining 800 need more data to be generated, and around 350 of these are expected to move to risk management in the future.



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REACH and Nanomaterials

The Commission's new [recommendation](#) on the definition of nanomaterial replaces the initial definition from 2011. The new definition supports a coherent EU regulatory framework for nanomaterials and should be used in EU and national legislation, policy and research programmes.



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RoHS2 Directive

Renewal of exemptions

Further to the series of renewal requests submitted by the industry in January 2020, the Commission has contracted external consultants, namely Oeko-Institut together with Fraunhofer IZM, to perform the technical assessment. The assessment of 16 requests for 9 RoHS exemptions started in December: it is named [RoHS project \('Pack 22'\)](#). The study covers lead related exemptions 6(a)/6(a)-I, 6(b)/6(b)-I, 6(b)-II, 6(c), 7(a), 7(c)-I and 7(c)-II (Annex III). The [stakeholder consultation](#) ran until 3 March 2021 and the final [technical study report](#) was published in January 2022. For more details, please see the [Technical specifications](#) and the [Project Description](#).

Moreover, the [stakeholder consultation](#) for Pack 24 (which includes exemptions 5(b), 18(b), 18(b)-I, 24, 29, 32 and 34 of Annex III and exemption 34 of Annex IV) ran until 8 June 2021. The consultation targeted the following groups: EEE industry, EEE industry federations, consultancies, research institutions and universities, NGOs and public administrations. The [final technical study report](#) was published in February 2022. The consultants are [Ramboll/Oeko-Institut](#). For more information, please refer to the [Project Description](#).

Furthermore, the [stakeholder consultation](#) for Pack 23 (which includes exemptions 4(f), 8(b)/8(b)-I, 13(a), 13(b)/13(b)-I/13(b)-II/13(b)-III, 15/15(a) & 9(a)-II - 9(a)-II) ran until 27 May 2021.

The exemption request 2021-2 (RoHS Pack 25) for "Bis (ethylhexyl) phthalate (DEHP) as a plasticizer in polyvinyl chloride (PVC), serves as a base material for amperometric, potentiometric and conductometric electrochemical sensors which are used in in-vitro diagnostic medical devices for the analysis of whole blood" was withdrawn by the applicant on 14 March 2022. Since there were no contributions submitted during the stakeholder consultation on this request, it was assumed that the exemption was not needed. The assessment will thus be suspended.

A new RoHS project (Pack 26) for the assessment of one exemption request has also started. The study covers an exemption request for lead as a thermal stabiliser in polyvinyl chloride (PVC) used as base material in amperometric, potentiometric and conductometric electrochemical sensors, to be listed in Annex IV of the RoHS Directive. A [stakeholder consultation](#) was open until 19 May 2022. Stakeholders can register under [Registration](#) in order to regularly receive information on project progress and to be involved in the evaluation.

The [final report](#) of the Annex IV - 16 Exemptions (Pack 21) was published in April 2022.

RoHS General Review

The [public consultation on the RoHS review](#) was open until 2 June 2022. The purpose was to collect information and views from stakeholders on how the RoHS Directive could be improved in order to maintain its relevance and increase its efficiency. The [evaluation of the Directive](#) flagged the following as potential areas for improvement:

- the exemption process,
- the process of reviewing the list of restricted substances,
- the alignment of RoHS with other EU legislative frameworks (e.g. the more horizontal Regulation on chemicals, REACH) and the [European Green Deal](#) objectives, and in particular the [CEAP](#), the [Chemicals Strategy for Sustainability](#), the [Zero pollution action plan](#) and the [Sustainable Products Initiative](#).

The next steps of the RoHS Review are:

- Continuation of the support study (since April 2021)
 - In April 2021, the Commission launched a support study prepared by the consultants Oeko Institut and Ramboll. This support study will include technical workshops and a stakeholder conference (which are expected to take place in Q3 2022)
 - It will evaluate different policy options, including the nature of RoHS (should it be a regulation or a directive?)
- The Commission's legislative proposal (expected for Q2 2023)



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Circular Economy Policy

Sustainable Products Initiative

The European Parliament and Council of the EU have set their timeline milestones in the legislative process on the [Ecodesign for Sustainable Products Regulation](#) (ESPR) that was adopted on 30 March 2022, and will revise the current Ecodesign Directive.

The published milestones are as follows :

- European Parliament:
 - First draft in the leading
 - Committee on the Environment, Public Health and Food Safety (ENVO) with Rapporteur [Simona Bonafè](#) (S&D, Italy): mid-October 2022
 - Consideration of draft report: 7 November 2022
 - Deadline for amendments: 10 November 2022
 - Vote in the ENVI Committee: November/December 2022

- Council of the EU
 - Working Party on Competitiveness and Growth – first feedback to the Czech Presidency by 9 August
 - Competitiveness Council – debate on 29 September 2022
 - Environmental Council – exchange of views on 24 October 2022

Please note that the various articles of the ESPR proposal are expected to be delegated to the other involved Committees from the Parliament, namely on Industry, Research and Energy (ITRE) with Rapporteur [Maria Spyraki \(EPP, Greece\)](#) and on the Internal Market and Consumer Protection (IMCO).

For more information and updates on the part of the European Parliament, please check their Legislative Observatory [website](#).

Lastly, on 19 July, the European Economic and Social Committee (EESC) also issued its opinion on the ESPR proposal, which is available [here](#).



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Empowering the consumer for the green transition

The European Parliament and Council of the EU have set out their timeline on the legislative process on '[Empowering the consumer for the green transition](#)', which was adopted on 30 March 2022 as part of the 'Circular Economy Package I'.

As a reminder, the proposal amends two existing consumer law directives on [Consumer Rights](#) and [Unfair Commercial Practices](#).

The published milestones are as follows:

- **European Parliament:**
 - Consideration of the draft report from the leading Committee on the Internal Market and Consumer Protection (IMCO) with Rapporteur [Biljana Borzan](#) (S&D, Croatia): 26-27 October 2022
 - Deadline for amendments: 8 November
 - Vote in the ENVI Committee: 1 February 2023
- **Council of the EU:**
 - Competitiveness Council – Progress report / General Approach 1 December 2022

On the part of the European Parliament the ENVI Committee is the only one that has agreed to deliver an opinion on the file. The Rapporteur on their side is [Edina Tóth](#) (NI, Hungary).



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Waste Framework Directive

Waste Framework review

The revision of the Directive aims to improve waste management in line with the waste hierarchy. The key aims of the revision are to decrease waste generation, improve separate waste collection to yield optimal recycling results (including by avoiding contamination of recyclable waste), and increase the amounts of waste oils collected and treated in line with the waste hierarchy. The [call for evidence](#) was launched on 25 January and was open until 22 February 2022.

The next steps of the review are:

- Open public consultation (open for [comments](#) until 16 August 2022)
- The Commission's legislative proposal (expected for Q2 2023)

SCIP Database (previously ECHA Waste Database)

Following a lengthy debate, the European Chemicals Agency (ECHA) eventually launched the [SCIP database](#) on 28 October 2020, and suppliers have been obliged to submit SCIP notifications since 5 January 2021. As a reminder, 'SCIP' is the database for information on Substances of Concern In articles as such or in complex objects (products) established under the Waste Framework Directive. ECHA has released a [new package](#) that is aligned with each inclusion of additional substances to the Candidate List. This helps manufacturers to create SCIP notifications which include the new substances.



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EU Ecolabel

Proposal for a Directive to empower consumers for the green transition

On 29 May, the [consultation](#) on the proposal for a Directive to empower consumers for the green transition ([2022/0092](#)) closed following the eight-week feedback period. As a reminder, the proposal, which amends the Unfair Commercial Practices Directive and the Consumer Rights Directive, aims, *among others*, at providing information on the existence and length of a producer's commercial guarantee of durability for consumer products (all types of goods), or the absence of such a guarantee in the case of energy-using goods.

In the European Parliament, the Internal Market and Consumer Protection is the lead committee with MEP Biljana Borzan (S&D, HR) nominated as the rapporteur. In the Council, the Working Party on Consumer Protection and Information held a presentation of the Presidency discussion paper and an exchange of views on the proposal on 14 July.



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Green Public Procurement

GPP in the new Ecodesign for Sustainable Products Regulation

The proposal for a new Ecodesign for Sustainable Products Regulation ([2022/0095](#)), the ESPR, will enable mandatory GPP criteria to be set in delegated acts for public contracting authorities.

In the Council, the Competitiveness Council, rather than the Environment Council, will lead discussions among the EU27 on the proposal. Since the file will be handled by the environment committee for the Parliament, there is a risk that negotiators will not be speaking “the same language.” Green NGOs (ECOS, EEB, ZWE) sent a [letter](#) on 10 May warning against the move, expressing fears that economy ministers will not prioritise green goals in the legislation.

In the lead environment committee in the Parliament, MEP Simona Bonafe (S&D, IT) is the rapporteur. The final text of the ESPR following negotiations with the European Parliament and the Council is expected by mid-2023.



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Environmental Footprint

PEF/OEF method webinar

According to the latest [Commission agenda](#), the Proposal for a Regulation on substantiating environmental claims using the Product/Organisation Environmental Footprint methods (green claims initiative), initially scheduled for adoption on 20 July, is now delayed until 30 November 2022.



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Issues of General Interest

Eco-Management and Audit Scheme

On 31 May the webinar titled "[EMAS and Climate Management](#)" took place as part of the EU Green Week 2022. The webinar aimed to highlight practical ways in which EMAS could be used as an efficient climate management tool, including on how Scope 3 emissions could be addressed in EMAS. The PowerPoint presentations can be found online ([I](#), [II](#)).



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ENERGY

Ecodesign Directive

Ecodesign Working plan 2022-2024

As a reminder, on 30 March 2022, the European Commission published the [Ecodesign and Energy Labelling Working Plan 2022-2024](#), which will guide the Commission's work on individual product categories in the coming years. This will be the final Working Plan under the current Ecodesign Directive, which is subject to replacement by the proposed [Ecodesign for Sustainable Products Regulation](#) (ESPR).

The Commission is expected to launch a public consultation on the categories of products to be selected under the first ESPR Working Plan by the end of 2022.

- **Methodology for Ecodesign of Energy related Products (MEErP):**

On 23 June 2022, the second stakeholder meeting on the revision of the methodology for Ecodesign of Energy related Products (MEErP) took place.

The aim of the meeting was to discuss Tasks 1-5 of the review study. The meeting presentation is available [here](#).

As next steps, by next autumn 2022, the European Commission will draft a final report on the MEErP revision and practical guidelines for consultations to implement the revised methodology.

By October 2022, the revised MEErP will be the reference methodology for Ecodesign studies.



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Ecodesign Directive - Update on Lots / implementing measures

ENER Lot 10: Air conditioners and ENER Lot 20: Local space heaters: on 23 May, the European Commission issued a [public consultation questionnaire](#) for the [Ecodesign](#) revision on the measure concerning local space heaters. The response deadline is 15 August 2022.

Furthermore, on 24 June 2022, the Commission held a Consultation Forum meeting on both product groups, during which it presented and discussed the recently published proposals for a merged energy label under ENER Lots 10 and 20.

ENTR Lot 6: Ventilation units: on 10 March, the Commission held a Consultation Forum meeting, during which it introduced the main commitments for the review of the respective [Ecodesign](#) and [Energy Labelling](#) regulations. These include:

- Extension of the scope of ventilation units to < 30 W.
- Consideration of low-energy consuming filters on energy efficiency.
- Tighter ecodesign requirements with an additional tier.
- SEC calculation and classes for demand-controlled UVUs and BVUs.
- Rescaling of the energy label.

The Commission intends to launch a dedicated technical support study for further analysis in preparation for the impact assessment. It is also expected to hold at least one more stakeholder meeting for technical discussions.

In terms of timescale, the Commission will begin the work in the summer of 2022 and the technical support study will last 12 months.

ENER Lot: 5 Electronic displays, ENER 10: Air conditioners, ENER Lots 8 and 19: Lighting sources, ENER Lot 13: Household refrigerating appliances, and ENER Lot 12: Commercial refrigerators and freezers: On 12 July 2022, the Commission published a technical amendment proposal for the energy labelling requirements on air conditioning, electronic displays, lighting, and refrigerating appliances. The Commission's draft proposals for amending the energy rules for RAC can also be found [here](#).



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Issues of General Interest

Energy Infrastructure Package

Alternative Fuels Infrastructure Directive (AFID)

As a reminder, on 14 July 2021 the European Commission adopted a legislative proposal for a [revised Alternative Fuels Infrastructure Regulation \(AFIR\)](#), to ensure that drivers are able to charge or fuel their zero emission vehicles via a reliable network across the EU.

On 25 May 2022, the Transport Council unanimously adopted its position (General Approach) on the file based on a compromise text prepared by the previous French Presidency. The main amendments include:

- Introduction of derogations to apply lower targets in areas with lower traffic.
- Introduction of a phased approach for the deployment of charging infrastructure for HDVs – only 15% of the TEN-T network in 2025 and 40% in 2027.
- Ambition on hydrogen infrastructure has been significantly reduced by deleting targets on the TEN-T comprehensive network and in urban nodes.

Despite the support, some member states wanted to see more ambitious targets, e.g., Belgium and Austria for LDVs, and Italy, Germany, Denmark, Netherlands and Austria for HDVs. Meanwhile Bulgaria, Latvia, Croatia, Slovakia, Lithuania, Estonia and Hungary stressed that the agreed targets for the HDVs remain a concern.

As a further reminder, you can access via the following links the lead European Parliament Committee on Transport and Tourism's (TRAN) [draft report](#) of amendments, and the opinion reports on the revision from the [ITRE](#), [ENVI](#) and [REGI](#) Committees.

As next steps, the TRAN Committee will vote on their final report on 10 October 2022, which will be also voted on during a plenary of the European Parliament on the indicative date of 17 October 2022. Once their official position is finalised, the trilogue negotiations between the co-legislators will begin.



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Sector Coupling

Following the European Commission's Communication on "[An EU strategy for Energy System Integration](#)" published in July 2020, the Commission is developing a proposed action plan to drive the energy transition, including a system-wide [Digitalisation of Energy Action Plan](#) that could accelerate the implementation of digital solutions and energy system integration across multiple energy carriers, infrastructures and consumption sectors. According to the [roadmap](#), the Digitalisation of Energy Action Plan will support energy system integration by focusing on five areas:

- Developing a European data-sharing infrastructure
- Empowering citizens by providing them with tools for participation in the energy markets, tailored data driven services and implementing reskilling and upskilling pathways
- Enhancing the uptake of digital technologies in the energy sector by mobilising research, fostering innovation and making use of complementary instruments to support the scaling up of piloted solutions
- Enhancing the cybersecurity of the energy sector
- Supporting the development and uptake of climate neutral solutions for the Information and Communication Technologies sector as complementing in the European Digital Strategy

According to the Commission's roadmap, the Action Plan will primarily focus on electricity, while addressing other energy carriers such as hydrogen and natural gas, at least from an energy system integration perspective.

In terms of timeline, the Commission is expected to publish the Action plan in Q2 2022.



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Energy Efficiency

Energy Efficiency Directive

On 27 June, the Council adopted its negotiating positions ('General Approach') on the Energy Efficiency Directive (EED). The following amendments were introduced:

- Energy efficiency targets: the Council endorsed the initial Commission proposal to reduce final energy consumption in the EU by 36 % and primary energy consumption by 39% by 2030. Nevertheless, the Commission proposed an increase in the binding energy efficiency target from 9% to 13% in the [REPowerEU plan](#) published on 18 May.
 - The 36% target would be binding. All Member States will contribute to achieving the overall EU target through indicative national contributions and trajectories, set by the Member States in their integrated national energy and climate plans (NECPs) to be updated in 2023 and 2024.
 - The formula defined in Annex I for calculating these contributions would be indicative, with the possibility of deviating from it by 2.5%. The Commission would calculate whether all the contributions add up to the overall target and, if not, issue corrections to the national contributions that are lower than what they would have been using the formula. The formula is based on, among other things, energy intensity, GDP per capita, development of renewables and energy savings potential.
- Energy savings obligation: the Council agreed on a gradual increase of the energy savings target for final energy consumption – Member States would ensure savings of 1.1 % of annual final energy consumption from 1 January 2024; 1.3 % from 1 January 2026; and 1.5 % from 1 January 2028 to 31 December 2030, with the possibility to carry over a maximum of 10% of excess savings to the following period. The Council included the possibility to include energy savings realised through fossil fuel combustion technologies in the industrial sector only (in duly justified cases, confirmed by energy audits) in the calculation towards the target.
- Public bodies' buildings: the Council agreed with the Commission's proposal that Member States would be required to renovate each year at least 3% of the total floor area of buildings owned by public bodies, however diluted it – e.g., social housing is excluded.

In terms of next steps, the European Parliament is expected to adopt its positions on the EED in the ITRE Committee on 13 July 2022 and in plenary in September 2022. Afterwards, the co-legislators will kick off the trilogue negotiations.



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Energy Performance of Buildings (EPBD)

As a reminder, on 15 December 2021, the European Commission adopted its proposal for a [recast of the Energy Performance of Buildings Directive \(EPBD\)](#), widening its scope, increasing its requirements, and adding new sustainability aspects.

The European Parliament Committee on Industry, Research and Energy (ITRE), which is in the lead of the consultation, presented its first draft amendments on 6 July 2022.

There are available through the links below with their respective numbering:

- [290 - 541](#)
- [542 - 883](#)
- [884 - 1213](#)
- [1214 - 1526](#)
- [1527 - 1568](#)

As next steps, the ITRE Committee will vote on its final amendments on 26 October 2022, which will be followed by a vote during a Plenary meeting in December 2022. With regard to the Energy Council's General Approach, a draft is expected to be available on 25 October 2022 and to be finally adopted on 19 December 2022.



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DECARBONISATION & CLIMATE CHANGE

Sustainable finance

With regard to the EU Taxonomy Regulation, the EU Platform on Sustainable Finance's Task Force on enabling activities is developing a horizontal framework for enabling activities, as per its mandate. The framework would aim to provide guidelines for drafting and refining the technical screening criteria for enabling activities. This will be relevant for 13 enabling activities in the current scope of the Task Force by the end of September, and for any new criteria for enabling activities.

In addition, on 6 July, MEPs [voted](#) in the 4-7 July Plenary Session on the Commission's delegated act on gas and nuclear to be included as transitional activities in the EU taxonomy. In short, MEPs do not object to inclusion of gas and nuclear activities as 278 MEPs voted in favour of the resolution, 328 against and 33 abstained. An absolute majority of 353 MEPs was needed for Parliament to veto the Commission's proposal. If neither the Parliament, nor Council, object to the proposal by 11 July 2022, the Taxonomy Delegated Act will enter into force and apply as of 1 January 2023.



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PUBLICATIONS & EVENTS

PUBLICATIONS

Author	Date	Title
European Commission	29 June	Blue Guide on the implementation of the product rules 2022
European Parliament	30 June	Study: new technologies and new digital solutions for improved safety of products on the internal market
European Parliament	11 July	Study: governing data and artificial intelligence for all: models for sustainable and just data governance
European Parliament	11 July	Study: 'splinternets': addressing the renewed debate on internet fragmentation
Council of the EU	12 July	Research paper: the semiconductor ecosystem
European Commission	12 July	Supporting digitalisation of the construction sector and SMEs

EUROSTAT	12 July	EU trade in goods with Ukraine, Moldova and Georgia
EUROSTAT	8 July	Trade in goods and services by end use: new data

EVENTS

Organiser	Date	Name & Location
EURACTIV	5 October	The future of 5G connectivity in the EU Brussels
CEN-CENELC	6 October 2022	ZA/ZZ informative annex for the Machinery Directive Online
Czech Presidency of the Council of the EU	2-4 November 2022	EU Secure and Innovative Digital Future Prague
European Commission	17 November 2022	The Unitary Patent System – A Game Changer for Innovation in Europe Brussels
European Commission	6 December 2022	SEMIC Conference Brussels

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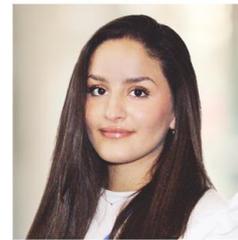
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