



TEXTS ADOPTED

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A longer lifetime for products: benefits for consumers and companies

European Parliament resolution of 4 July 2017 on a longer lifetime for products: benefits for consumers and companies (2016/2272(INI))

The European Parliament,

- having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular Article 114 thereof,
- having regard to Articles 191, 192 and 193 of the TFEU, and to the reference to the goal of ensuring the prudent and rational utilisation of natural resources,
- having regard to the Commission communication of 16 July 2008 on the Sustainable Consumption and Production and Sustainable Industrial Policy Action Plan (COM(2008)0397),
- having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products¹,
- having regard to the Commission's Ecodesign Working Plan 2016-2019 (COM(2016)0773), particularly the objective of establishing more product-specific and horizontal requirements in areas such as durability, reparability, upgradeability, design for disassembly, and ease of reuse and recycling,
- having regard to Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products²,
- having regard to Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet'³ (Seventh Environment Action Programme),
- having regard to the opinion of the European Economic and Social Committee of 17

¹ OJ L 285, 31.10.2009, p. 10.

² OJ L 153, 18.6.2010, p. 1.

³ OJ L 354, 28.12.2013, p. 171.

October 2013 entitled ‘Towards more sustainable consumption: industrial product lifetimes and restoring trust through consumer information’¹,

- having regard to the Commission communication of 26 January 2011 entitled ‘A resource-efficient Europe – Flagship initiative under the Europe 2020 strategy’ (COM(2011)0021),
- having regard to the Commission communication of 20 September 2011 entitled ‘Roadmap to a Resource Efficient Europe’ (COM(2011)0571),
- having regard to the Commission communication of 9 April 2013 entitled ‘Building the Single Market for Green Products. Facilitating better information on the environmental performance of products and organisations’ (COM(2013)0196),
- having regard to the Commission communication of 2 July 2014 entitled ‘Towards a circular economy: A zero waste programme for Europe’ (COM(2014)0398),
- having regard to the Commission communication of 2 December 2015 entitled ‘Closing the loop – An EU action plan for the Circular Economy’ (COM(2015)0614) and the Circular Economy Package, which includes in particular the revision of directives on waste (Directive 2008/98/EC, ‘the Waste Framework Directive’), packaging and packaging waste (Directive 94/62/EC), landfill of waste (Directive 1999/31/EC), end-of-life vehicles (Directive 2000/53/EC), batteries and accumulators and their waste (Directive 2006/66/EC), and electrical and electronic waste (Directive 2012/19/EU),
- having regard to the Commission communication of 22 November 2016 entitled ‘Next steps for a sustainable European future. European action for sustainability’ (COM(2016)0739),
- having regard to the Commission proposal for a Directive of the European Parliament and of the Council of 9 December 2015 on certain aspects concerning contracts for the online and other distance sales of goods (COM(2015)0635),
- having regard to Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights²,
- having regard to Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market³,
- having regard to the BEUC report of 18 August 2015 entitled ‘Durable goods: More sustainable products, better consumer rights. Consumer expectations from the EU’s resource efficiency and circular economy agenda’,
- having regard to the European Economic and Social Committee study of 29 March 2016 entitled ‘The influence of lifespan labelling on consumers’,
- having regard to the study carried out in July 2016 at the request of its Committee on

¹ OJ C 67, 6.3.2014, p. 23.

² OJ L 304, 22.11.2011, p. 64.

³ OJ L 149, 11.6.2005, p. 22.

the Internal Market and Consumer Protection, entitled ‘A longer lifetime for products: benefits for consumers and companies’,

- having regard to the European Consumer Centre’s summary of 18 April 2016 entitled ‘Planned obsolescence or by-products of consumer society’,
 - having regard to Austrian standard ONR 192102 entitled ‘Label of excellence for durable, repair-friendly designed electrical and electronic appliances’,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0214/2017),
- A. whereas the Commission’s Ecodesign Working Plan 2016-2019 includes a reference to the circular economy and to the need to tackle the issues of durability and recyclability;
- B. whereas the adoption of an opinion on product lifetimes by the European Economic and Social Committee (EESC) demonstrates the interest economic players and civil society are taking in this area;
- C. whereas a balance must be struck between extending the lifetime of products and innovation, research and development;
- D. whereas the study commissioned by the Committee on the Internal Market and Consumer Protection shows that broad-based policy measures are needed to promote a longer lifetime for products;
- E. whereas diverse economic and business models coexist, including the usage-based economic model which can help to reduce the adverse consequences for the environment;
- F. whereas there is a need to promote longer product lifespans, in particular by tackling programmed obsolescence;
- G. whereas the European repair sector, which mainly comprises micro, small and medium-sized enterprises, needs to be supported;
- H. whereas greater harmonisation of the arrangements for the re-use of products will boost the local economy and the internal market by creating new jobs and stimulating demand for used goods;
- I. whereas it is both economically and environmentally necessary to preserve raw materials and limit the production of waste, something which the concept of extended producer responsibility has sought to take into account;
- J. whereas, in a Eurobarometer survey conducted in June 2014, 77 % of EU consumers said that they would prefer to try to repair broken goods than to buy new ones; whereas the information provided to consumers on the durability and reparability of products still needs to be improved;

- K. whereas reliable and durable products provide value for money to consumers and prevent the overuse of resources and waste; whereas it is therefore important that the useful lifetime of consumer products is prolonged through design, by ensuring durability and the possibility to repair, upgrade, disassemble and recycle the product;
- L. whereas the decline in consumer confidence in product quality is detrimental to European companies; whereas the 24-month legal guarantee is the current EU-wide minimum threshold and some Member States have laid down more protective provisions for consumers in accordance with Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees;
- M. whereas consumers' right to choose in accordance with their various needs, expectations and preferences should be respected;
- N. whereas, despite the EESC study of March 2016 establishing a positive link between product lifetime labelling and consumer behaviour, consumers are not being properly informed about the lifetimes of products;
- O. whereas the lifetime of a product and how it ages are determined by various natural or artificial factors, such as composition, functionality, cost of repair and consumption patterns;
- P. whereas repairs and spare parts should be made more readily accessible;
- Q. whereas, in addition to a long lifetime, the level of quality of a product throughout its life cycle is fundamental to the contribution it makes to resource protection;
- R. whereas there has been an increase in the number of national initiatives to remedy the problem of premature obsolescence of goods and software; whereas there is a need to develop a common strategy for the single market in this regard;
- S. whereas the lifetime of digital media is crucial to the lifetime of electronic appliances; whereas, given that software is becoming more and more rapidly obsolete, electronic appliances need to be adaptable in order to stay competitive on the market;
- T. whereas products with built-in defects designed to cause them to break down and ultimately cease to function after being used a certain number of times serve only to create consumer distrust and should not be allowed on the market;
- U. whereas, according to Eurobarometer data, 90 % of European citizens believe that products should be clearly labelled to indicate their useful lifespan;
- V. whereas all economic actors can benefit from products with a longer lifetime, including SMEs;
- W. whereas the Seventh Environmental Action Programme calls for specific measures to improve durability, repairability and reusability and to extend the lifetime of products;
- X. whereas extended producer responsibility has an important role to play in this regard;
- Y. whereas the achievement of a circular economy model requires the involvement of

political decision-makers, citizens and businesses, and implies changes not only to the design and sale of products and services, but also to the mentality and expectations of consumers and in business activity, through the creation of new markets that respond to changes in consumption patterns, evolving towards the use, reuse and sharing of products, thereby helping to extend their useful life and to create competitive, lasting and sustainable products;

- Z. whereas in many lamps bulbs cannot be replaced, which can lead to problems if a bulb stops working, if newer, more efficient bulbs appear on the market or if the customer's preference, for example as regards the colour of the light emitted, changes, because the whole lamp has to be replaced;
- AA. whereas LED bulbs should ideally be replaceable, not irremovable, elements;
- AB. whereas, as the circular economy develops, further steps must be taken to encourage the repairability, adaptability, upgradeability, durability and recyclability of products, in order to extend the lifetimes and the useful life of products and/or product components;
- AC. whereas ever greater product diversity, ever shorter innovation cycles and constantly changing fashions are increasing the frequency with which new products are purchased, thus shortening the useful life of products;
- AD. whereas great potential is offered by the repair, second-hand and exchange sector, i.e. the sector working with the aim of extending product lifetimes;
- AE. whereas a balance should be struck between the aim of extending product lifetimes and safeguarding an environment which still offers incentives for innovation and further development;

Designing robust, durable and high-quality products

1. Calls on the Commission to encourage, where practicable, the establishment of minimum resistance criteria covering, *inter alia*, robustness, repairability and upgradeability for each product category from the design stage onwards, facilitated by standards developed by all three European Standardisation Organisations (ESOs) (CEN, CENELEC and ETSI);
2. Stresses that a balance must be struck between the extension of product lifetimes, the conversion of waste into resources (secondary raw materials), industrial symbiosis, innovation, consumer demand, environmental protection and growth policy in all the phases of the product cycle, and considers that the development of increasingly resource-efficient products must not encourage short lifetimes or the premature disposal of products;
3. Points out that issues such as product durability, extended warranties, the availability of spare parts, ease of repair and the interchangeability of components should be part of a manufacturer's commercial offer in meeting the various needs, expectations and preferences of consumers, and are an important aspect of free market competition;
4. Notes the role of commercial strategies, such as product leasing, in the design of durable products, whereby leasing firms retain ownership of the leased units and have an incentive to remarket products and to invest in designing more durable products,

resulting in a lower volume of new production and disposal products;

5. Recalls Parliament's position on the revision of the Circular Economy Package amending the Waste Directive, which strengthened the principle of extended producer responsibility and thus created incentives for more sustainable product design;
6. Calls on the Commission and the Member States to support producers of modular designs which are easy to dismantle and interchange;
7. States that the pursuit of product durability and repairability should go alongside the objective of sustainability by means of, for instance, the use of environmentally friendly materials;
8. Notes with concern the amount of electronic waste generated by modems, routers, and TV decoders/set-top boxes when consumers switch to a new telecom provider; reminds consumers and telecom providers that, according to Regulation (EU) 2015/2120, consumers already have the right to use the terminal equipment of their choice when switching to a new telecom provider;

Promoting repairability and longevity

9. Calls on the Commission to promote product repairability:
 - by encouraging and facilitating measures that make the option to repair goods attractive to the consumer,
 - by using construction techniques and materials that render repair of the item or the replacement of its components easier and less expensive; consumers should not find themselves in an endless cycle of repairing and maintaining faulty products,
 - by encouraging, in the event of a recurrent lack of conformity or a repair period in excess of one month, extension of the guarantee by a period equivalent to the time required to carry out the repair,
 - by urging that parts which are crucial to the functioning of the product should be replaceable and repairable, by including the product's repairability among its essential features when beneficial, and by discouraging, unless justified for safety reasons, the fixing-in of essential components such as batteries and LEDs into products,
 - by urging manufacturers to provide maintenance guides and repair indications at the time of purchase, in particular for products for which maintenance and repair are important, in order to improve the chance of extending product lifespan,
 - by ensuring the possibility of using substitutes of equal quality and performance for original parts, for the purposes of repairing all products in accordance with applicable law,
 - by developing the standardisation, where practicable, of spare parts and tools necessary for repair, in order to improve the performance of repair services,
 - by encouraging manufacturers to provide maintenance guides and repair

instructions in different languages to repair shops when requested,

- by encouraging manufacturers to develop battery technology to ensure that the lifespan of the batteries and accumulators better matches the expected lifespan of the product or, alternatively, to make battery replacement more accessible at a price that is proportionate to the price of the product;
10. Considers it beneficial to ensure the availability of spare parts essential to the proper and safe functioning of goods:
- by encouraging the accessibility of spare parts in addition to product assemblies,
 - by encouraging economic operators to provide an appropriate technical service for the consumer goods they manufacture or import, and to supply spare parts essential to the proper and safe functioning of goods at a price commensurate with the nature and life-time of the product,
 - by clearly indicating whether spare parts for goods are available or not, on what terms and for how long and, where appropriate, through the establishment of a digital platform;
11. Encourages the Member States to explore appropriate incentives promoting durable, high-quality and repairable products, to stimulate repairs and second-hand sales, and to develop repairs training;
12. Underlines the importance of safeguarding the option of going to an independent repairer, for example by discouraging technical, safety or software solutions which prevent repairs from being performed other than by approved firms or bodies;
13. Calls for efforts to encourage the re-use of spare parts for the second-hand market;
14. Acknowledges the possibility of using 3D printing to provide parts for professionals and consumers; urges that product safety, counterfeiting and copyright protection must be safeguarded in this regard;
15. Recalls that the availability of standardised and modular components, disassembly planning, long-duration product design and efficient production processes have an important role to play in implementing the circular economy successfully;

Operating a usage-oriented economic model and supporting SMEs and employment in the EU

16. Highlights that the shift towards business models such as ‘products as services’ has the potential to improve the sustainability of production and consumption patterns, provided that product-service systems do not result in shortened product lifetimes, and stresses that such business models should not provide opportunities for tax avoidance;
17. Emphasises that the development of new business models, such as internet-based services, new forms of marketing, department stores selling only used goods and the more widespread availability of informal repair facilities (repair cafes, workshops in which people can do their own repairs) can help to extend product lifetimes and, at the same time, increase consumers’ awareness of and trust in products with a long lifetime;

18. Calls on the Member States:

- to consult with all stakeholders concerned in order to encourage the development of a usage-based sales model which benefits everyone,
 - to step up their efforts with measures to promote the development of the functional economy, and to encourage the rental, exchange and borrowing of goods,
 - to encourage local and regional authorities actively promoting the development of economic models, such as the collaborative economy and the circular economy, which encourage a more efficient use of resources, the durability of goods and strengthen repair, re-use and recycling;
19. Encourages the Member States to ensure that the life-cycle costing provision of Directive 2014/24/EU is taken into account in public procurement and to increase the re-use rate of equipment purchased by public authorities;
20. Encourages the Member States and the Commission to support the collaborative economy in their public policies, given the benefits it provides in utilising spare resources and capacity, for example in the transport and accommodation sectors;
21. Calls on the Commission, when promoting the circular economy, to stress the importance of product durability;
22. Calls on the Commission and the Member States to fully apply the waste hierarchy established in EU legislation (Waste Framework Directive (2008/98/EC)), and in particular to keep electrical and electronic devices at their highest utility and value and not consider them as waste, for instance by granting access to waste electrical and electronic equipment (WEEE) collection points for personnel from re-use centres that can make use of such goods and their components;
23. Considers that measures included in this resolution should be applied to SMEs and microenterprises in particular, as defined in Commission Recommendation 2003/361/EC, in a manner that is appropriate and proportionate to the size and capabilities of SME or microenterprises, in order to preserve their development, and encourage employment and training for new professions in the EU;
24. Calls on the Commission to consider how the replaceability of LED bulbs can be encouraged and facilitated and to consider, in addition to ecodesign measures, a less stringent approach involving, for example, labelling, incentive schemes, public procurement or an extended warranty if the bulbs cannot be removed;
25. Urges the Member States to carry out effective market surveillance to ensure that both European and imported products comply with the requirements as regards product policy and ecodesign;
26. Calls on the Commission and the Member States to involve local and regional authorities and to respect their competences;

Ensuring better information for consumers

27. Calls on the Commission to improve product durability information via:
- the consideration of a voluntary European label, covering, in particular: the product's durability, ecodesign features, upgradeability in line with technical progress and repairability,
 - voluntary experiments with companies and other stakeholders at EU-level with a view to developing a designation of a product's expected useful life on the basis of standardised criteria, that could be used by all Member States,
 - the creation of a usage meter for the most relevant consumer products, in particular large electrical appliances,
 - an assessment of the impact of aligning lifespan labelling with the duration of the legal guarantee,
 - the use of digital applications or social media,
 - standardising information in manuals on a product's durability, upgradeability, and repairability to ensure that it is clear, accessible and easy to understand,
 - information based on standard criteria, where the anticipated lifetime of a product is stated;
28. Urges the Member States and the Commission to:
- assist local and regional authorities, companies and associations in conducting consumer awareness campaigns on extending the lifespans of products, in particular by providing information on advice on maintenance, repair, re-use, etc.,
 - promote consumer awareness about early failing and non-repairable products, where appropriate through the development of notification platforms for consumers;
29. Calls on the Commission to encourage regular and structured exchanges of information and sharing of best practices throughout the Union, between the Commission and the Member States, and including regional and municipal authorities;

Measures on planned obsolescence

30. Calls on the Commission to propose, in consultation with consumer organisations, producers and other stakeholders, an EU-level definition of planned obsolescence for tangible goods and software; calls on the Commission, furthermore, in cooperation with market surveillance authorities, to examine the possibility of establishing an independent system that could test and detect the built-in obsolescence in products; calls, in this connection, for better legal protection for 'whistle-blowers' and appropriate dissuasive measures for producers;
31. Refers to the pioneering role of some Member States in this regard, such as the initiative of the Benelux countries to combat planned obsolescence and to extend the lifespan of (electrical) household appliances; stresses the importance of sharing best practices in this regard;

32. Notes that upgradeability of products can slow product obsolescence and reduce the environmental impacts and costs for users;

Strengthening the right to the legal guarantee of conformity

33. Regards it as essential that consumers be better informed about the way the statutory guarantee of conformity works; calls for a reference to the guarantee to appear written out in full on the invoice for the purchase of the product;
34. Calls on the Commission to take initiatives and measures to improve consumer confidence:
- by strengthening consumer protection, especially for those products for which the reasonably expected period of use is longer, and by taking into account the strong consumer protection measures already taken in some Member States,
 - by taking into account the effects of both eco-design legislation and contract law on energy-related products in order to develop a holistic approach to product regulation,
 - by ensuring that consumers are specifically informed, in the sales contract, of their right to a legal guarantee, and by promoting programmes to raise awareness of this right,
 - by simplifying proof of purchase for the consumer by linking the guarantee to the goods rather than the purchaser, and by further encouraging the introduction of e-receipts and digital guarantee schemes across the board;
35. Calls for the implementation of a complaints mechanism at EU level for cases in which the right to a guarantee is not implemented, in order to facilitate the monitoring of the application of European standards by the relevant authorities;
36. Points out that an incentive for more sustainable product design can be provided by strengthening the principle of extended producer responsibility and laying down minimum requirements to be met;

Protecting consumers against software obsolescence

37. Calls for greater transparency on upgradeability, security updates and durability, all of which are necessary aspects to the proper functioning of both software and hardware; calls on the Commission to explore the need to facilitate greater business-to-business cooperation;
38. Encourages transparency from suppliers and manufacturers by stipulations in product contracts of the minimum period for which security updates on operating systems are available; proposes that a definition of a reasonable period of use be established; stresses, in addition, the need for the product supplier, in the case of embedded operating systems, to ensure the delivery of those security updates; calls on producers to provide clear information about the compatibility of software updates and upgrades with embedded operating systems provided to consumers;
39. Calls for essential software updates to be reversible and accompanied by information on

the consequences for the operation of the device and for new essential software to be compatible with the previous-generation software;

40. Calls for the replaceability of parts, including the processor, to be encouraged by means of standardisation, so that products can be kept up to date;

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41. Instructs its President to forward this resolution to the Council and the Commission.