

European Commission Communication: The European Green Deal [COM(2019) 640 final]

General assessment: The document contains many important and ground-breaking statements. As a political declaration of intent, it must - together with the EP and the Council of Ministers - be translated into binding law which must then be implemented by the Member States and social actors. The way is thus paved – but it's a long road to go.

In terms of content, one passage (on p. 7) and the field of action contained therein are of utmost importance:

The circular economy action plan will include a 'sustainable products' policy to support the circular design of all products based on a common methodology and principles. It will prioritise reducing and reusing materials before recycling them. It will foster new business models and set minimum requirements to prevent environmentally harmful products from being placed on the EU market. Extended producer responsibility will also be strengthened.

Linked to this, the document contains a problem description: "From 1970 to 2017, the annual global extraction of materials tripled and it continues to grow, posing a major global risk. About half of total green-house gas emissions and more than 90% of biodiversity loss and water stress come from resource extraction and processing of materials, fuels and food." This shows that production and consumption patterns (SDG 12) are "key" to the Green Deal. The EU leaves its largest footprint on other continents.

As the largest consumer market in the world, the EU not only has a particular responsibility but also a great deal of leverage. The necessary innovations in the direction of SDG 12 must be tackled by the key players (from the raw materials and chemical industries to the manufacturing industry, brands and trade). Their "extended producer responsibility" (EPR) must be strengthened primarily in four points (and thus bring to life the last sentence of the passage quoted):

1. Unlike in the past, product responsibility begins with the extraction of raw materials. Following the example of the European Timber Regulation, **due diligence obligations for all primary raw materials** must be placed here (and not only for "conflict materials"; ultimately, according to the Commission's analysis, all materials are "critical"), which allow **traceability** of both the raw material sources and the environmental and social conditions during their **extraction** and **further processing**.
2. Responsibility towards reuse, refurbishment and recycling must not - as in the past - be shifted to collective systems (e.g., "Green Dot" used in Germany) and thus watered down. Instead, effective incentives must be formulated for producers. What is needed, therefore, is an "individually tangible" product responsibility (**individual EPR**).
3. With regard to the recycling of materials, a **"risk cycle"** must also be prevented. Problematic ingredients must be banned from the products; existing material flows must be "detoxified" (see the goal of the "toxic-free environment", based on the "zero pollution ambition" under 2.1.8. on p. 14 and the "chemicals strategy for sustainability" on p. 15). The prerequisite for this is (in future) **full transparency** regarding the **ingredients** of the products, which must be guaranteed along the entire value-added chain.
4. Ultimately, the **design phase** is decisive for a sustainable products policy. In order to create incentives towards longevity and thus the conservation of resources, not only the supply of spare parts must be guaranteed - as in the recently adopted implementing regulations for the Eco-Design Directive - but above all **clear economic signals** are required. Such a signal would be clearest if the **warranty** periods were gradually stretched, in a product group-specific and predictable manner. The designers of the manufacturers would then have to develop more durable products that can be repaired. At the same time, this means **employment opportunities** in all regions of Europe.

In a nutshell, the correct analysis of the paper must be translated into a regulatory framework that grants **market advantages** to those companies that are on the way towards the four points mentioned above and thus contribute to SDG 12. To pass the buck on to consumers here would be to massively overburden their role. Suppliers of products are obliged to make progress; but they need support from an appropriate institutional framework.

The "Green Deal" Communication contains many correct insights for this; the implementation however is still pending.