

Feedback to the Commission proposal to promote the repair of goods

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APPLiA welcomes the publication of both Commission initiatives to promote repair and to substantiate green claims. The two texts bring stakeholders the complete picture of proposed requirements in the area of environmental and consumer protection together with the initiatives on ESPR and empowering consumers.

Looking specifically at the provisions proposed in the Commission text on promoting the repair of goods, APPLiA would like to share some initial observations as follow:

Repair as the first remedy in the hierarchy

Consistently with APPLiA's position at the time the Sales of Goods Directive was under discussion, our members support this change to the current hierarchy of remedies. In the event of a defect, a repair should always be considered first. In many cases, this is more sustainable than a replacement product and corresponds to consumer interests. Promoting repair allows extending the useful life of products, in total coherence with the sustainability objectives the EU set itself with the Green Deal. As proposed by the Commission, the principle of economic viability must continue to be taken into account.

Refurbished goods and parts

We appreciate that the set up of the online platform will help consumers identify refurbished goods. We believe that such products could benefit from greater visibility and increase their offer - whenever part of a company business model - to consumers.

Refurbishment is an increasing business model that presents many advantages in terms of sustainability. Refurbishing a good means preparing or modifying it to restore its performance or functionality, close to what a consumer could expect from a "new good".

Where offered by the producer and when repair is not the adequate solution as per Article 12 of the proposal, allowing replacing a defective good with a refurbished one or a product with refurbished parts should be considered.

Although not a remedy per se under the current consumer rules on sales of goods, we think the replacement of products with refurbished ones or with refurbished parts, should be promoted as a remedy in between repair and replacement with a new good. This would totally fit with a sustainable consumption of goods. Yet, this should remain optional as an adequate refurbished product is not always available, e.g. in the case of new product launches.



On the promotion of repair beyond the legal guarantee

We support self-repair thanks to the availability of repair-related information and access to spare parts as set in the Ecodesign measures applicable to several home appliances. An appropriate and reasonable extension to other product groups is very likely to happen in the near future.

Yet, in many cases, repairing home appliances not only requires professional skills and even specific mandatory certifications when it comes to heating and cooling refrigerant-based equipment, but also related liability insurance to make sure the consumer is not deprived of its right in case the repair service goes wrong. A sector's priority is that repairs are carried out by professional repairers in order to ensure the integrity of the goods and protect consumers from any damage. Consumers not only have a right to repair, but most importantly "a right to have their products repaired right".

The proposed definition of 'repairer' should integrate this dimension and refer to the definition of professional repairer and its related obligations under Ecodesign product Regulation such as the one for refrigerating appliances.

Furthermore, spare parts must fulfil the performance requirements of the original part and function identically with the associated systems and components so that the function and safety of the device are not impaired. Therefore, spare parts must continue to fulfil the legal requirements that were binding at the time of product introduction ("repair as produced". New regulatory requirements should therefore not be applied "retroactively" to (possibly already produced) spare parts for existing devices. This would lead to regulatory obsolescence of the products, as re-approval of products with modified spare parts is not practicable.

With repair requests growing and likely to grow further, our industry has thus supported the development of educational programmes and manuals addressed to professional repairers and future technicians willing to professionalise in home appliance repair. On top of revamping a disappearing profession, the programme aims to generate new skilled professionals into the market.

We support the creation of online national platforms similar to our call for a European registry of professional repairers.

Such platforms shall also integrate requirements for repairers to prove compliance with the existing applicable national legislation ruling professional repair, including inter alia VAT and other relevant tax declarations, national enterprise/industrial registry number, compliance with consumer rights legislation, and insurance covering liabilities resulting from their activity. Those official registries shall be the reference for consumers. Member States shall maintain good communication on the existence of such platforms to ensure consumers remain informed and thus avoid rogue websites/entities.

Finally, such a platform could also be of good use to remind local consumers about their rights within the framework of the legal guarantee.

Finally, it is fully sensible that consumers are protected too where producers are established outside the EU, in line with the Blue Guide rules.

Cases where the producer sells its goods directly into the EU should also be duly considered and described in paragraph 2 of Article 5.

APPLiA - Home Appliance Europe represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 50 billion, investing over EUR 1.4 billion in R&D activities and creating nearly 1 million jobs

