Position of the Union of Entrepreneurs and Employers on the Proposed Amendments to the Draft Standards Concerning the Digital Product Passport

The Union of Entrepreneurs and Employers (ZPP) welcomes the actions of the European Commission and the European Committee for Standardization (CEN) in developing technical standards for the Digital Product Passport (DPP), as envisaged in Regulation (EU) 2024/1781 on Ecodesign for Sustainable Products (ESPR). Pursuant to Article 10 of the ESPR, the Digital Product Passport is intended to enhance supply chain transparency, support the circular economy, and enable consumers to make informed decisions.

We emphasize the necessity of a strict linkage between the content of the standards and the legal framework of the ESPR and future delegated acts. Technical standards should not exceed the mandates provided for in Articles 9–11 of the ESPR.

General Remarks

ZPP supports the harmonization of requirements concerning the DPP, particularly in terms of system interoperability, data security, and information accessibility. At the same time, we call for:

- maintaining transparency and proportionality of requirements, especially for SMEs (Article 9(2) and Recital 33 ESPR);
- conditioning the determination of detailed requirements (including the level of data granularity — model, batch, or item level) on the results of impact assessments and their adoption in delegated acts;
- explicitly indicating that decisions regarding data carriers, the location of markings, and identifiers will be taken within the framework of delegated acts (Article 10(1)(b) and Recital 37 ESPR).

Specific Comments on the Proposed Amendments

- **Access to the DPP via a link** – we support clarifying that access for retailers and online platforms should be provided via a link to the DPP (Article 10(3)(b) ESPR). This is a practical solution in line with the regulation.
- **Compatibility of unique identifiers** – we support limiting the compatibility requirement to “commonly available” devices, ensuring proportionality of requirements and avoiding excessive costs.
- **Schemes for identifying operators and facilities** – we agree that their introduction is not mandatory and should be determined in delegated acts (Recital 36 and Article 10(1) ESPR).
- **Identification at item level** – we oppose the default establishment of item-level identification in standards. In accordance with Article 9(2) and Recital 33 ESPR,

the level of detail (model, batch, or item) should result from a cost-benefit assessment within delegated acts.

- **Data carriers** – we support clarifying that the choice of form and location of the data carrier (on the product, packaging, or documentation) remains within the scope of delegated acts (Article 10(1)(b) ESPR).
- **DPP service providers** – we recommend that standards for DPP service providers be developed only after the adoption of a delegated act under Article 11 ESPR to ensure consistency.
- **Reducing to the minimum the amount of offline data to encode on the data carrier** – offline data should exclusively allow the identification of a product enabling DPP users to access the relevant DPP via the DPP Registry managed by the Commission (Art. 13 of the ESPR). This will enable users to identify the product and access the DPP once they are back online, while still ensuring consumers have access to key information that are on-pack.

Recommendations for Further Work

- continuation of broad consultations with entrepreneurs, including SMEs;
- conducting a full cost-benefit assessment prior to defining detailed requirements (Recital 33 ESPR);
- introducing support mechanisms for SMEs (simplified procedures, technical assistance).

ZPP supports the establishment of the DPP as a tool to advance the EU's sustainable development objectives. At the same time, we urge adherence to the legal framework of the ESPR, ensuring proportionality of requirements, and fully considering the implementation costs for businesses, especially SMEs.

Source:
https://eur-lex.europa.eu/eli/reg/2024/1781/oj/eng