



2024/2779

29.10.2024

COMMISSION DECISION (EU) 2024/2779

of 24 October 2024

setting up the group of experts on ecodesign for sustainable products and energy labelling ('the Ecodesign Forum')

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for setting ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC ⁽¹⁾, and in particular Article 19 thereof,

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU ⁽²⁾, and in particular Article 14 thereof,

Whereas:

- (1) With a view to ensuring proper consultation on ecodesign requirements and energy labelling for products via balanced participation of experts designated by Member States and of all interested parties, the Commission needs to call upon the expertise of specialists in an advisory body.
- (2) Article 14 of Regulation (EU) 2017/1369 sets out that the expert group ('the Consultation Forum') established in accordance with it is to be combined with the forum referred to in Article 18 of Directive 2009/125/EC of the European Parliament and of the Council ⁽³⁾, in order to ensure consistency in stakeholder involvement when gathering expertise in relation to Commission proposals on ecodesign and energy labelling. Following the entry into force of Regulation (EU) 2024/1781 and the repeal of Directive 2009/125/EC, the expert group referred to in Article 14 of Regulation (EU) 2017/1369 should be combined with the expert group ('the Ecodesign Forum') set up under the present Decision.
- (3) It is therefore necessary to set up a group of experts in the field of ecodesign and energy labelling, and to define its tasks and its structure, in compliance with Commission Decision C(2016) 3301 establishing horizontal rules on the creation and operation of Commission expert groups.
- (4) The group should help to develop the ecodesign and energy labelling requirements.
- (5) The group should be composed of experts designated by Member States and of other interested parties, such as representatives of industry, including small and medium-sized enterprises (SMEs) as defined in Article 2(1) of the Annex to Commission Recommendation 2003/361/EC ⁽⁴⁾ and craft industry, social enterprises, trade unions, traders, retailers, importers, consumer and environmental organisations, actors involved in circular economy activities, European standardisation organisations and researchers.
- (6) Rules on disclosure of information by members of the group should be laid down.
- (7) Personal data should be processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁵⁾,

⁽¹⁾ OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>.

⁽²⁾ OJ L 198, 28.7.2017, p. 1., ELI: <http://data.europa.eu/eli/reg/2017/1369/oj>.

⁽³⁾ 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 products (OJ L 285, 31.10.2009, p. 10. ELI: <http://data.europa.eu/eli/dir/2009/125/oj>).

⁽⁴⁾ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: <http://data.europa.eu/eli/reco/2003/361/oj>).

⁽⁵⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The group of experts on ecodesign for sustainable products and energy labelling, the Ecodesign Forum ('the group'), is set up.

Article 2

Tasks

The group's tasks shall be:

to carry out the tasks set out in Article 19 of Regulation (EU) 2024/1781;

to assist the Commission in the conduct of its activities under Regulation (EU) 2017/1369;

to assist the Commission in the early preparation of implementing acts referred to in Article 42(1) of Regulation (EU) 2024/1781 in accordance with Article 42(3) of Regulation (EU) 2024/1781 and Article 12(12) of Regulation (EU) 2017/1369, before submission to the committee in accordance with Regulation (EU) No 182/2011;

to bring about an exchange of experience and good practice in the field of sustainable products.

Article 3

Consultation

The responsible Commission services may consult the group on any matter relating to the design and implementation of policies in the area of sustainable products and energy labelling.

Article 4

Membership

1. Members shall be individuals appointed to represent a common interest, organisations, Member States' authorities, or other public entities.
2. The group shall be composed of up to 250 members.
3. Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations.
4. Member States' authorities, organisations and other public entities shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise.
5. Members who are no longer capable of contributing effectively to the group's deliberations, who, in the opinion of the responsible Commission services, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office. The responsible Commission services concerned may also terminate the membership of such members.

*Article 5***Selection process**

1. The selection of individuals appointed to represent a common interest and of organisations as members of the group shall be carried out *via* a continuously open public call for applications, to be published on the Register of Commission expert groups and other similar entities (‘the Register of expert groups’). In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise and the interests to be represented in relation to the work to be performed.
2. Registration in the Transparency Register is required in order for individuals representing a common interest and organisations to be appointed.
3. The members of the group shall be appointed by the responsible Commission services, from applicants with competence in the areas referred to in Article 2 and Article 3.
4. Members shall be appointed for a five-year period, which shall be automatically renewed, unless the responsible Commission services decide otherwise. The members shall remain in office until they are replaced.

*Article 6***Chair**

The group shall be chaired by a representative of the responsible Commission services.

*Article 7***Operation**

1. The group shall act at the request of the responsible Commission services, in compliance with the horizontal rules on expert groups ⁽⁹⁾ (‘the horizontal rules’).
2. Meetings of the group shall, in principle, be held on Commission premises or virtually, depending on the circumstances.
3. The responsible Commission services shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group and its sub-groups.
4. In agreement with the Chair, the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. Members who have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

⁽⁹⁾ Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

*Article 8***Sub-groups**

1. A sub-group composed of experts designated by the Member States ('Member States Expert Group') shall be set up.
2. The responsible Commission services may set up additional sub-groups for the purpose of examining specific questions on the basis of terms of reference that they define. Such additional sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
3. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with Article 5 and the horizontal rules.

*Article 9***Invited experts**

The responsible Commission services may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

*Article 10***Observers**

1. Individuals, organisations, and public entities other than Member States' authorities, may be granted an observer status, in compliance with the horizontal rules, by direct invitation or as a result of a call for applications.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and its sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group and its sub-groups.

*Article 11***Rules of procedure**

On a proposal by and in agreement with the responsible Commission services, the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules. Sub-groups shall operate in compliance with the group's rules of procedure.

*Article 12***Professional secrecy and handling of classified information**

The members of the group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443 ⁽⁷⁾ and 2015/444 ⁽⁸⁾. Should they fail to respect these obligations, the Commission may take all appropriate measures.

*Article 13***Transparency**

1. The group and its sub-groups shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').

2. As concerns the group and sub-groups composition, the following data shall be published on the Register of expert groups:

- the name of Member States' authorities;
- the name of other public entities, including the name of third countries' authorities;
- the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
- the name of member organisations; the interest represented shall be disclosed;
- the name of observers.

3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups. In particular, the agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽⁹⁾.

*Article 14***Financial support**

The Commission may provide financial support to members, in particular consumer organisations, environmental NGOs or SMEs' representatives, especially those of microenterprises as defined in Article 2(3) of the Annex to Recommendation 2003/361/EC, to enable their effective participation in the group, within the limits of the available appropriations under the relevant EU programme envelopes.

⁽⁷⁾ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41, ELI: <http://data.europa.eu/eli/dec/2015/443/oj>).

⁽⁸⁾ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53, ELI: <http://data.europa.eu/eli/dec/2015/444/oj>).

⁽⁹⁾ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

*Article 15***Meeting expenses**

1. Participants in the activities of the Ecodesign Forum and sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred in the activities of the Ecodesign Forum and sub-groups shall be reimbursed by the Commission for one representative per Member State and for experts invited in accordance with Article 9. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

Done at Brussels, 24 October 2024.

*For the Commission,
On behalf of the President,
Maroš ŠEFČOVIČ
Executive Vice-President*
