

Question for written answer E-002831/2025

to the Commission

Rule 144

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Subject: Exemptions to the ban on the destruction of unsold consumer products

Under the EU Ecodesign for Sustainable Products Regulation (ESPR), the destruction of unsold consumer products is recognised as an environmental problem, and the destruction of unsold apparel, clothing accessories and footwear is prohibited. To ensure the measure is proportionate, the regulation allows for exemptions where products cannot be reused and must be recycled or treated as waste. These exemptions are to be defined by the Commission in a delegated regulation.

However, the Commission's draft delegated regulation, currently under consultation¹, proposes broad exemptions – including products deemed unsellable due to intellectual property rights issues, such as branding that cannot be removed, or licensing agreements that restrict resale after a certain period. Additional exemptions proposed by the Commission include products deemed unrepairable or rejected by social enterprises after donation attempts.

These provisions risk creating a back door for companies to continue destroying functional goods.

1. Why is the Commission proposing such broad exemptions to a rule intended to prevent unnecessary waste?
2. How will the Commission ensure that companies do not misuse these exemptions to continue business-as-usual practices and perpetuate the status quo of overproduction and waste, contrary to the objectives of the ESPR?

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¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14591-Sustainable-products-exemptions-to-prohibiting-the-destruction-of-unsold-apparel-and-footwear_en.