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Sustainable Retail: Navigating the ESPR and Ban on Destruction of Unsold Consumer Goods

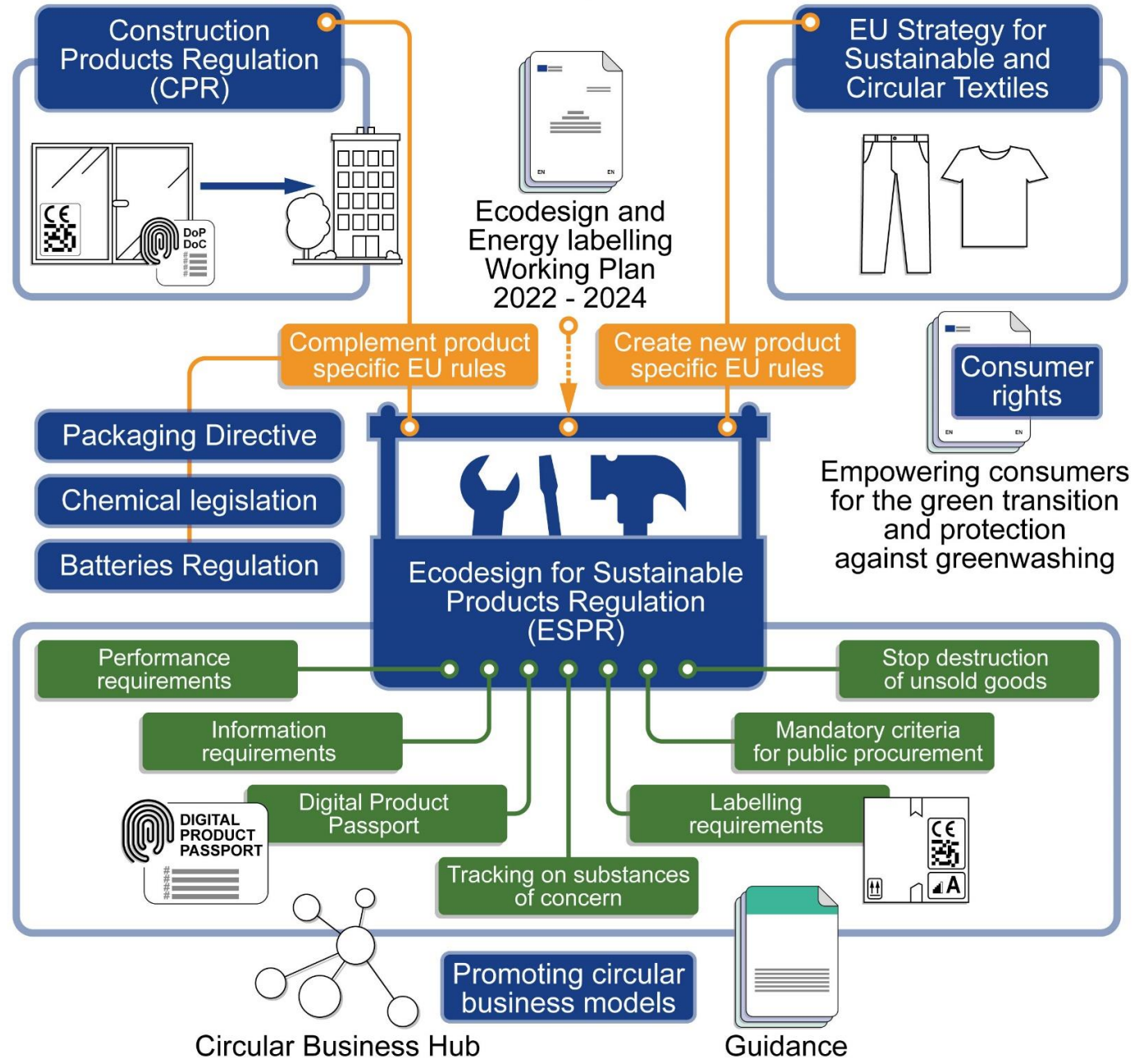
Presentation to the Retail Forum Green Transition Working Group
5 March 2025

Aisling McCarthy, Climate Programmes Unit,
Department of Enterprise, Trade and
Employment

The Circular Economy package

Proposed 30 March 2022

Making sustainable products the norm



Main features of ESPR



Replaces 2009 Ecodesign Directive (32 product groups)

Applies to almost all products + wider range of criteria

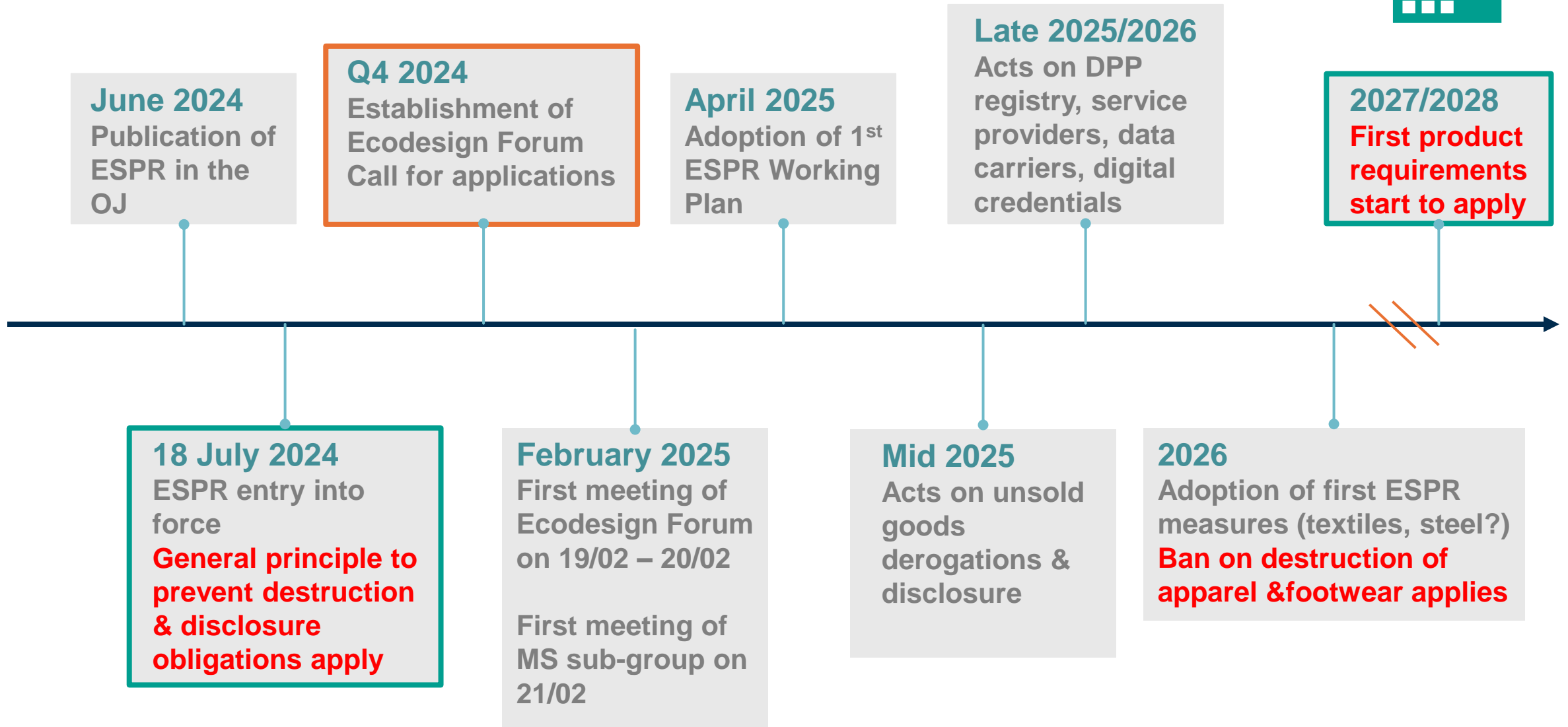
Framework – detail in delegated acts

Introduction of Digital Product Passport

Transparency and prevention of destruction of unsold goods

Green Public Procurement

ESPR: tentative timeline & milestones



Proposed ESPR Working Plan 2025 - 2030



Product / measure	JRC ranking	Market size (EU)	Estimated timeline for adoption
Final Products			
Textiles/Apparel	1 st	175 billion EUR (with footwear, 2021)	End 2026 – early 2027
Furniture	2 nd	140 billion EUR (2021)	2028
Tyres	3 rd	45 billion EUR (2021)	2027
Intermediate Products			
Steel	1 st	152 billion EUR (2023)	Q4 2026
Aluminium	4 th	40 billion EUR (2019)	2027
Horizontal requirements			
Repairability (including scoring)	N/A	N/A	2026
Recyclability and recycled content of electric and electronic equipment	N/A	N/A	2028

Destruction of unsold goods



Why is this being addressed?

- Estimated 4-9%¹ of all textile products put on the market in Europe are destroyed before use.
- 1 in 5 garments sold online are returned, of which on average a third is destroyed.
- Destruction of unsold products in France alone estimated to amount to a value of €630 – 800 million per year²
- In Germany an estimated 10 – 20% of returned clothing and between 4 – 10% of returned electronics are destroyed².



¹Information from [European Environment Agency](#)

²Information from EU Commission

Destruction of unsold goods

Chapter VI and Annex VII



General Principle (Art. 23)

General principle prohibiting the destruction of unsold consumer goods (except in some specific circumstances for e.g. health, safety or hygiene reasons)

Communication

Obligation on large companies to disclose any destruction of unsold goods in a clear and accessible manner on their website.

Ban on the destruction of unsold consumer products

- From 19 July 2026, the ban on destruction of unsold apparel, clothing accessories and footwear will apply.
- The Commission is empowered, in conjunction with Member States, to introduce bans on destruction of further product groups via delegated acts.

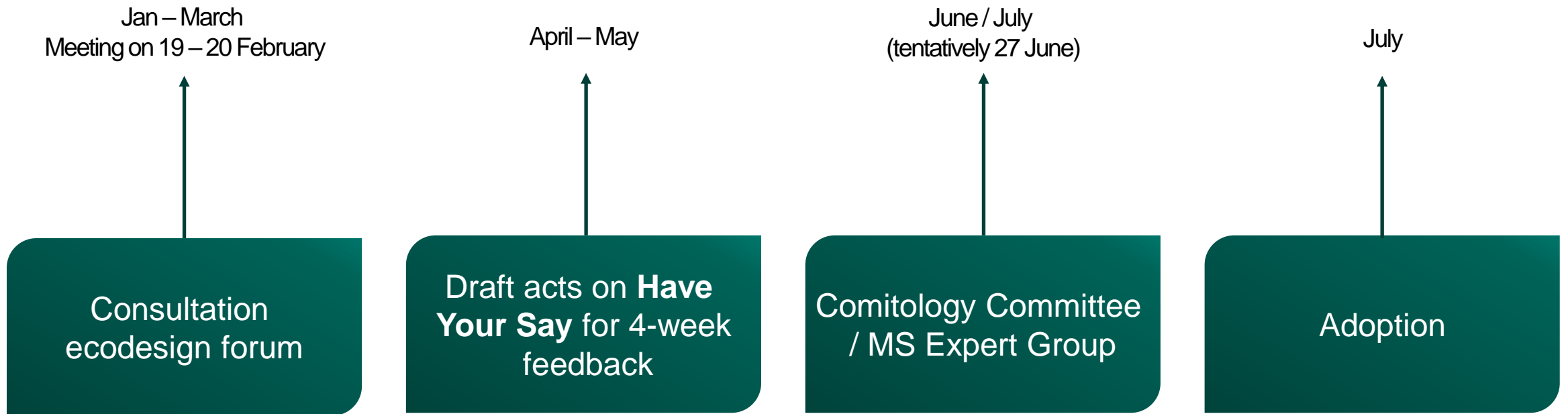
Not applicable to small and micro businesses

ESPR Timeline on Destruction of unsold consumer goods



By July 2025:

- Implementing Act – Disclosure on unsold consumer good obligation
- Delegated Act – Derogations to the prohibition on the destruction of apparel and footwear products



Digital Product Passport (DPP)

– Articles 9 - 15

- Further details to be set out in delegated acts*.
- Help consumers and businesses to make informed decisions when buying products, facilitate repairs and recycling, and improve transparency about products' life cycle impacts on the environment.
- DPP must be digitally accessible for all stakeholders, including consumers, repairers and recyclers throughout the product's lifecycle.
- See [CIRPASS – Digital Product Passport \(cirpassproject.eu\)](https://cirpassproject.eu) and [Cirpass2](#) for more information.
- Product specific rules from Q1 2027.



DPP-system

“How”: will be developed horizontally for all product groups and legislations



DPP-data

“What”: to be developed through product-group specific dedicated legislation

* Delegated acts are non-legislative acts adopted by the Commission in consultation with member states to supplement or add detail to requirements of the legislation (ESPR in this case)

Digital Product Passport Roadmap



Milestone	From – To
DPP Standardisation Milestones (CEN – CENELEC)	
Development and adoption CEN – CENELEC Standards	Q3, 2024 – Q1, 2026
Legal Milestones	
DPP system secondary legislation	Q3, 2024 – Q4, 2026
Product-specific rules	From Q1, 2027
DPP Digital Implementation Milestones	
DPP Registry	Q1, 2025 – Q2, 2026 (testing Q3, 2026 – Q1, 2027)
Web portal	From Q3, 2026
Stakeholders Engagement and Communication	
Engage stakeholders	From Q2, 2024

Next steps:



Government

Appropriate and effective market surveillance regime

- Challenges
- MSAs
- Legislation

Attend Ecodesign Forum and consult on issues arising

Enterprise Ireland

EI to work with impacted sectors to:

- Support in building readiness (information, financial supports)
- Advise on opportunities for growth

Attend Ecodesign Forum and consult on issues arising

Industry

Identify and link in with trade associations in your sector

Talk to your supply chain

Seek support from EI or your Local Enterprise Office

Further guidance

[New EU sustainability rules explained:
Ecodesign Regulation FAQs - European
Commission](#)

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