

The FTAO's feedback on Commission Implementing Regulation (EU) laying down the implementation arrangements for the digital product passport registry set up under Regulation (EU) 2024/1781 (ESPR)

27 May 2026

1. Introduction

The Fair Trade Advocacy Office (FTAO) welcomes the Commission's initiative to establish the technical architecture for the Digital Product Passport (DPP) registry under Regulation (EU) 2024/1781 (ESPR). The registry will form the operational backbone through which product sustainability data flows across global supply chains. The core architecture of the draft regulation, covering operator verification, registration procedures, logging, and security, is sound, and the FTAO broadly supports its objectives.

The FTAO's experience and recommendations relevant to this paper draw primarily from the textile sector, where supply chain actors span multiple tiers from garment manufacturing to upstream agricultural production. However, the FTAO recognises that the implementing regulation establishes the DPP registry as horizontal infrastructure applicable across all product groups covered by ESPR delegated acts, as well as batteries, construction products, toys, and detergents. It governs who may register in the registry and on what verification terms, how DPPs are submitted, validated, and stored, what is logged and for how long, how the system is secured, and the responsibilities of economic operators, value chain actors, national authorities, and the Commission. While the content of individual DPPs is governed by product-specific delegated acts, this regulation determines who can access that content, who can contribute to it, and under what conditions. Given its horizontal character, the governance choices made here will apply across all sectors and product groups, even if the FTAO's inputs are rooted primarily in experiences from the textile sector.

This paper proposes targeted adjustments to address four categories of gaps in the draft regulation:

- First, the implementing regulation risks narrowing the registry architecture in ways that foreclose operationalising the access rights of the full range of actors identified in ESPR Article 11(b) in future product-specific delegated acts. The FTAO recommends targeted amendments to ensure the infrastructure remains sufficiently flexible.
- Second, the implementing regulation's eIDAS-based verification requirements may constitute a practical barrier for non-EU civil actors seeking access under ESPR Article 11(b). The FTAO recommends examining whether verification requirements in Articles 4 and 5 are accessible in practice for all relevant actors.
- Third, the implementing regulation does not address how compliance costs should be allocated across supply chains, creating a risk that obligations cascade disproportionately to smaller upstream suppliers. The FTAO recommends targeted amendments to Articles 19

and 20 to establish the principle of proportionate shared responsibility and to clarify data ownership.

- Fourth, public procurement authorities qualify as national authorities under the implementing regulation but are not explicitly named in Recital (10), creating a risk that Member States designate only market surveillance and customs bodies for registry access. The FTAO recommends a targeted amendment to Recital (10) to make procurement authorities, and the independent monitoring organisations acting on their behalf, explicit, given their central role in operationalising mandatory sustainable public procurement under ESPR Article 65.

2. Recommendations

The FTAO recommends the following amendments to the draft regulation. Each is addressed in a dedicated sub-section below and reflected in the amendment table in section 3.

2.1 Operationalise ESPR Article 11(b): establish civil society organisations, trade unions, and other relevant actors as verified registry users

The draft regulation refers throughout to “value chain actors” as a category eligible for verified status. Recitals (4) and (8) enumerate examples: repairers, refurbishers, remanufacturers, and recyclers. However, these are exclusively commercial downstream actors. ESPR Article 11(b) goes substantially further: it identifies a broad range of actors entitled to free and easy access to DPP data, namely customers, manufacturers, importers, distributors, dealers, professional repairers, independent operators, refurbishers, remanufacturers, recyclers, market surveillance authorities and customs authorities, civil society organisations, trade unions and other relevant actors. Several of these actors are not reflected in the implementing regulation's enumeration of eligible actors. Article 11(f) further provides for the right to introduce, modify, or update data. Neither Article 11(b) nor 11(f) is operationalised in the current draft.

While the Textiles DA and other product-specific delegated acts are the appropriate vehicle for specifying access rights in detail, this implementing regulation establishes the technical infrastructure within which those rights will operate. The FTAO is concerned that the current drafting risks locking down the architecture in a way that forecloses the operationalisation of Article 11(b) in future instruments.

The FTAO recommends that Recitals (4) and (8), which enumerate actor categories eligible for the verification process, be amended to include the full list of actors identified in ESPR Article 11(b), so that the recitals are aligned with the substantive access obligation in the parent regulation. The FTAO also proposes that a new paragraph be added to Article 5 giving effect to Article 11(b), using the same actor list as that article (*see amendment suggestions below*). In the context of textile supply chains, farmer cooperatives and producer representative organisations should be specified as examples of the “other relevant actors” referred to in Article 11(b). Eligibility criteria for civil society organisations and trade unions should be based on recognised social partner status, either at EU level through the Commission's existing representativeness assessment conducted every seven years, or at Member State level through the legal capacity to negotiate collective agreements. This criterion is administratively defined and does not require a new assessment mechanism.

The registry architecture should, at minimum, be capable of accommodating the following access rights for verified actors, which product-specific delegated acts will specify in detail:

- free read access to environmental and traceability data in the registry, consistent with ESPR Article 11(b);
- access to batch and lot identifier links registered under Article 8(3) and (4), which is necessary to trace product-level environmental claims back through the underlying production records.

Trade unions have a particular interest in facility-level environmental data, including data on chemicals, water use, and energy, because environmental conditions at production facilities directly affect workers at those sites and in surrounding communities.

2.2 Verification of non-EU operators

ESPR Article 11(b) entitles a broad range of actors, including civil society organisations, trade unions, and other relevant actors, to free and easy access to DPP data. The product-specific delegated acts may provide differentiated access to data that is not available to the public (Recital 33 ESPR), and the current implementing act establishes the technical infrastructure within which this will be operationalised. The FTAO supports the proposed use of eIDAS as a trust and interoperability framework for verifying natural and legal persons inside the EU. However, for some *non-EU* actors, this may constitute a significant practical barrier.

Article 14 of eIDAS, as amended by Regulation (EU) 2024/1183, provides that third-country trust services may be recognised by means of an implementing act or an agreement pursuant to Article 218 TFEU. So far, no such act or agreement has been concluded with any third country. The principal textile sourcing countries have no pathway to eIDAS recognition on any timeline relevant to DPP implementation. For producer cooperatives, trade unions, and artisan networks in these countries, obtaining an EU-qualified electronic seal may not be technically or financially feasible. This risks making the access rights provided for under ESPR Article 11(b) unworkable in practice for the very actors closest to the production conditions the DPP documents.

The FTAO recommends that the Commission carefully assesses whether the verification requirements as currently designed would create a digital barrier for non-EU actors, and ensures that access rights for all actors identified in ESPR Article 11(b) are operationalised in a way that is technically and financially accessible in practice. Better Regulation Toolbox Tool 28 on digital-ready policymaking provides the relevant framework for this assessment.

2.3 Ensure public procurement authorities are included in national authority access rights

The DPP registry will also be a critical tool for public authorities. Competent national authorities, market surveillance bodies, customs authorities, and public procurement bodies will rely on the registry to carry out enforcement, verify compliance, and apply sustainability criteria in public procurement procedures, including the mandatory green public procurement requirements adopted under ESPR Article 65. Public procurement also functions as a key lever for advancing human rights and environmental due diligence in global supply chains, in line with the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Responsible Business Conduct, and the due diligence obligations applicable to public buyers under EU and national law. The

governance architecture of the registry, including which authorities are assigned access rights and to which data, therefore has direct implications for the effectiveness of public procurement policy under Directive 2014/24/EU as well as for market surveillance.

Recital (10) and Article 7(3) provide that national authorities access the registry for the purposes of carrying out their duties, and that the designated national administrator manages access rights for all relevant national authorities within each Member State. This is a separate access regime from that established for civil society organisations and trade unions under ESPR Article 11(b), reflecting that public authorities derive their registry access from their specific statutory duties rather than from Article 11. The current text of Recital (10) and Article 7(3) do not specify that public procurement authorities are among the national authorities for which access rights may be assigned, nor does it identify the data attributes relevant to public procurement. Evidence from the textile sector illustrates that where transparency criteria are not built into tenders, the origin of publicly procured products remains largely unknown, including significant volumes sourced from high-risk producing countries. Without an explicit reference, Member States may focus access rights solely on market surveillance and customs authorities while overlooking public authorities engaged in public procurement. The DPP registry should be positioned as a verification tool for the sustainability criteria applicable in public procurement procedures (proposal for a revision expected in 2026, in parallel to the development of Green Public Procurement criteria under the ESPR). The FTAO recommends that Recital (10) and Article 7(3) be amended to include an explicit reference to public procurement authorities and the performance data attributes they require to apply and verify sustainability criteria in procurement decisions.

Registry access by contracting authorities for public procurement purposes is also a precondition for the registry to fulfil its broader monitoring potential. Linking DPP data to the EU's central procurement infrastructure, notably the TED (Tenders Electronic Daily) database operated by DG GROW, could in time enable EU-level monitoring of the sustainability profile of publicly procured products, providing a verified evidence base across Member States. This integration is only possible if contracting authorities are first recognised as registry users.

Beyond procurement authorities themselves, the registry should also be accessible to the independent monitoring organisations that increasingly support public buyers in verifying supply chain claims, on the model of Electronics Watch in the ICT sector, with similar initiatives emerging in the textile sector. Such organisations pool verification capacity on behalf of multiple contracting authorities, reducing the administrative burden on individual buyers and increasing collective leverage over suppliers in high-risk sectors. For these monitoring bodies to fulfil their role, they must be empowered to retrieve valid supply chain information through the registry. The FTAO therefore recommends that the secondary legislation makes clear that Member States may extend registry access, under appropriate safeguards, to monitoring organisations operating on behalf of public procurement authorities.

2.4 Strengthen the helpdesk to provide meaningful support to all registry users

Article 13 establishes a helpdesk, which the FTAO welcomes. However, some modifications in the article are needed to ensure that it truly provides meaningful support for all registry users. This provision is adequate for EU-based commercial operators with in-house legal and technical capacity but does not serve the broader range of actors expected to interact with the DPP system in practice. For example, it does not have a guaranteed multilingual component. In the textile sector,

actors expected to contribute to the registry include producer organisations, cooperatives, and representative bodies in non-EU sourcing countries. These actors face timezone barriers, language barriers, and limited familiarity with EU regulatory requirements. A Brussels-centric reactive helpdesk may not be sufficient to reach them. The FTAO proposes that Article 13 be strengthened to include:

- multilingual guidance materials and plain-language templates;
- proactive support components, including training materials and workshops, available before applicable delegated acts enter into force;
- delivery through EU Delegations and trusted local intermediaries;
- and a feedback mechanism enabling the Commission to identify systemic barriers and update guidance accordingly.

These requirements are consistent with ESPR Recital 54 and Article 22(3)(c) and (d) on SME support measures.

2.5 Establish proportionate shared responsibility for compliance costs and protect data ownership

Article 19(1) places full compliance responsibility on the verified value chain actor, and Article 20(1) specifies this remains the case when it authorises a third party to act on its behalf. This is appropriate and the FTAO fully supports this. However, neither Article 19 nor 20 address how compliance costs should be allocated between that actor and other parties in the supply chain to ensure this principle is respected. In practice, DPP registry obligations will cascade through supply chains: smaller upstream suppliers, including farmer cooperatives and producer organisations, will frequently be required to provide data, maintain registry access, and meet verification standards because a downstream buyer contractually demands it. Without a cost allocation principle, the risk is that compliance burdens migrate upstream to actors with the least capacity to absorb them.

Article 18 of the Corporate Sustainability Due Diligence Directive (CSDDD) can serve as a precedent, as it requires the Commission to develop model contract clauses. These model contract clauses shall for instance support companies in understanding how to contractually delineate financial and non-financial investments, support measures and financing towards SME business partners, among other matters. The FTAO proposes that a new paragraph 1a be added to Articles 19 and 20 establishing the principle of proportionate shared responsibility, with a reference to the Commission's authority under ESPR Articles 22 and 68(2)(d) to issue guidance for enforcement.

Articles 19(5) and 20(3) designate any value chain actor uploading data to the registry as the data controller of that data, with the full set of GDPR obligations that entails. However, there is a risk that where large buyers control the data infrastructure through which suppliers submit DPP data, suppliers become dependent on proprietary platforms and lose control over the environmental data they generated. The FTAO proposes two additional paragraphs to address these concerns: One requiring practical guidance for smaller actors on data controller obligations, and one clarifying that environmental data submitted to the registry remains under the ownership and control of the submitting actor.

3. Amendment table

Original text	Proposed amendment	Justification
A. Access rights: civil society organisations, trade unions, and other relevant actors		
<p>Recital (4)</p> <p>The verification process should be carried out also by any other actor in the value chain (such as digital product passport service providers, authorised representatives, repairers, refurbishers, remanufacturers, recyclers), who updates the data of a product's digital product passport.</p>	<p>The verification process should be carried out also by any other actor in the value chain (such as digital product passport service providers, authorised representatives, repairers, refurbishers, remanufacturers, recyclers as well as civil society organisations, trade unions and other relevant actors as referred to in Article 11(b) of Regulation (EU) 2024/1781, who updates or contributes to the data of a product's digital product passport.</p>	<p>ESPR Article 11(b) establishes that civil society organisations, trade unions, and other relevant actors shall have free and easy access to DPP data. These actors are not reflected in the current enumeration in Recital (4), which is limited to commercial downstream actors.</p> <p>Expanding the enumeration at this stage ensures the registry architecture is not prematurely locked down in ways that foreclose the operationalisation of Article 11(b) in product-specific delegated acts. In textile supply chains, artisan collectives, farmer cooperatives and producer organisations are among the "other relevant actors" referred to in Article 11(b) given their direct connection to the upstream production conditions documented in the DPP.</p>
<p>Recital (8)</p> <p>In order for other value chain actors (repairers, refurbishers, remanufacturers or other) to get access to the registry or to update information in a digital product passport, [...].</p>	<p>In order for other value chain actors (repairers, refurbishers, remanufacturers or other as well as civil society organisations, trade unions and other relevant actors as referred to in Article 11(b) of Regulation (EU) 2024/1781, to get access to the registry or to update information in a digital product passport, those actors will need to go through a verification process, detailed in Article 5. Therefore, only actors who obtained the status 'verified' shall have access to the digital product passport registry. Their role (such as repairer, recycler, remanufacturer, civil society organisation, trade union, or other relevant actor, or other) and any actions which they perform in the registry should be specified in the delegated acts adopted under Regulation (EU) 2024/1781 or under other Union law.</p>	<p>The recital currently signals legislative intent only for commercial downstream actors. Without an explicit reference to the full range of actors in ESPR Article 11(b) at this stage, the registry architecture risks being designed in ways that make it technically or institutionally harder to accommodate those actors when product-specific delegated acts, including the Textiles DA, come to operationalise their access rights.</p>

Original text	Proposed amendment	Justification
	<p><i>Civil society organisations, trade unions and other relevant actors recognised as social partners at Union level or under the law of a Member State should be eligible for verified status, with access rights consistent with Article 11(b) and 11(f) of Regulation (EU) 2024/1781.</i></p>	
<p>Article 5</p>	<p>New paragraph:</p> <p><i>In accordance with Article 11(b) of Regulation (EU) 2024/1781, customers, manufacturers, importers, distributors, dealers, professional repairers, independent operators, refurbishers, remanufacturers, recyclers, market surveillance authorities and customs authorities, civil society organisations, trade unions and other relevant actors, shall be eligible to obtain verified status in the registry where they demonstrate that they fall within one of the categories referred to in Article 11(b) of Regulation (EU) 2024/1781.</i></p> <p><i>For the purposes of this paragraph, civil society organisations and trade unions shall be considered eligible where they are:</i></p> <p><i>(a) recognised as a European social partner organisation through the representativeness assessment conducted by the Commission; or</i></p> <p><i>(b) recognised under the law of a Member State as having the capacity to negotiate collective agreements, or as a formally constituted civil society or producer representative organisation.</i></p> <p><i>(c) in the case of organisations not established in the Union, recognised under the law of their country of establishment as a representative civil society, trade union, or producer representative organisation.</i></p>	<p>ESPR Article 11(b) provides that the full range of actors listed therein shall have free and easy access to DPP data. This amendment focuses specifically on other value chain actors such as trade unions, CSOs and others mentioned in Art 11(b) ESPR. Their access is not operationalised in the implementing regulation as currently drafted: Articles 4 and 5 establish a verification framework designed exclusively for commercial value chain actors. A dedicated paragraph in Article 5 is necessary to give effect to Article 11(b).</p> <p>Social partner recognition provides a robust and administratively efficient eligibility criterion. The Commission already assesses representativeness of EU-level social partner organisations every seven years, and national-level social partner status is a defined legal concept in all Member States.</p>

B. Access rights: national authorities and public procurement

Recital (10)

Competent national authorities and customs authorities should have access to the registry [...]

New sentence at end of recital:

Member States should ensure that, where relevant, public procurement authorities are among the national authorities assigned access rights to the registry, and that those authorities have access to the environmental performance data attributes necessary to evaluate and verify sustainability criteria in public procurement procedures.

Recital (10) establishes that the designated national administrator manages access rights for all relevant national authorities. However, it does not specify that public procurement authorities are among those authorities, nor does it identify the datapoints relevant to public procurement. Without an explicit reference, Member States may assign registry access to market surveillance and customs authorities while overlooking public procurement bodies. Given the role of public procurement in driving demand for sustainable products under the ESPR via Green Public Procurement criteria, an explicit reference in the recital is necessary to ensure Member States interpret their access management obligations to include procurement authorities.

C. Non-EU actor access

Article 4

[Current Art 4 ends at paragraph 4]

New paragraph 5:

The Commission shall, when developing secondary legislation under Regulation (EU) No 910/2014, assess whether the verification requirements in paragraphs 1(b) and 2(b) constitute a practical barrier for economic operators not established in the Union that are small and medium-sized enterprises, producer cooperatives, or artisan-led businesses established in third countries for which no mutual recognition arrangement for trust services pursuant to Article 14 of Regulation (EU) No 910/2014 is in place, and shall take appropriate measures to address any such barrier identified.

1. Article 4(2)(b) requires non-EU legal persons to hold an EU-qualified electronic seal. Robust identity verification serves legitimate cybersecurity and conformity assurance objectives for actors placing products on the EU market.
2. For small and medium-sized enterprises, producer cooperatives, and artisan-led businesses in these countries, obtaining an EU-qualified electronic seal may not necessarily be technically or financially feasible, risking exclusion from the registry and therefore from EU market access. No Article 14 eIDAS mutual recognition agreement has been concluded with any third country so far.
3. Consistent with Better Regulation Toolbox Tool 28 on digital-ready policymaking, which requires that the digital requirements of a Union regulatory measure be assessed in light of the practical accessibility of those requirements for all affected actors.

Article 5

[Current Art 5 ends at paragraph 4]

New paragraph 5:

Notwithstanding paragraphs 1(b) and 2(b), value chain actors referred to in Article 11(b) of Regulation (EU) 2024/1781, that are not established in the Union shall be eligible to obtain verified status upon submission of all of the following:

(a) official registration documents issued by a competent national authority confirming the legal establishment of the organisation under the law of its country of establishment;

(b) evidence of representativeness, which shall consist of one of the following:

(i) proof of membership of, or formal recognition by, an internationally recognised federation or network operating in the relevant sector; or

(ii) formal recognition under national law as an organisation having the capacity to negotiate collective agreements, or as a representative civil society or producer representative organisation;

(c) a signed declaration of accountability in which the organisation commits to the accuracy of all information submitted to the registry and compliance with the obligations applicable to verified actors under this Regulation.

The Commission shall publish guidance on the documentation accepted as evidence under points (a) to (c) of this paragraph, in accordance with Article 13.

The Commission shall, when developing the implementing act on procedures for issuing and verifying the digital credentials of economic operators, assess whether the verification requirements in paragraphs 1(b) and 2(b) of this Article constitute a practical barrier for the actors referred to in Article 11(b) of Regulation (EU) 2024/1781, and shall take appropriate measures to address any such barrier identified.

1. Articles 5(1)(b) and 5(2)(b) require non-EU actors to hold eIDAS-qualified credentials. No Article 14 eIDAS mutual recognition agreement has been concluded with any third country in eleven years, therefore the principal textile sourcing countries have no pathway to recognition on any relevant timeline.
2. For producer cooperatives, trade unions, and artisan networks in sourcing countries, obtaining an EU-qualified electronic seal is not technically or financially feasible, risking making Article 11(b) ESPR access rights unworkable in practice.
3. The proposed document-based pathway (national registration documents, evidence of representativeness, declaration of accountability) provides a proportionate and robust alternative appropriate to the accountability function these actors perform in the registry.
4. The closing subparagraph directs the longer-term systemic fix to the digital credentials implementing act, the more appropriate vehicle, while ensuring an immediate workable solution is available.
5. Consistent with Better Regulation Toolbox Tool 28 on digital-ready policymaking.

D. Support measures

Article 13 New paragraphs 3 to 6

New paragraphs 3 to 6:

3. The helpdesk service shall be designed to be accessible to all categories of registry users, including actors with limited technical, linguistic, or digital capacity. The Commission shall complement the helpdesk with proactive support measures, including multilingual guidance documents, plain-language templates, training materials, and workshops. Such materials shall be made available before the requirements of any applicable product-specific delegated act adopted pursuant to Regulation (EU) 2024/1781 enter into force.

4. The Commission shall ensure that technical support is accessible in practice through EU Delegations, producer organisations, cooperatives, business associations, and civil society organisations in key sourcing regions, in addition to the centralised helpdesk service.

5. The Commission shall establish a mechanism to monitor helpdesk usage patterns, identify systemic barriers to registry access, and update guidance materials accordingly. The Commission shall consult with stakeholders at regular intervals to ensure that support measures remain responsive to implementation experience.

The helpdesk as drafted is a centralised, reactive service available during Commission working hours in Brussels. It does not accommodate the timezone, language, and capacity constraints of actors in non-EU sourcing countries, who represent a significant proportion of those expected to interact with the DPP system.

Delivery through EU Delegations and trusted local intermediaries is consistent with ESRP Recital 54 and Article 22(3)(c) and (d). Proactive support materials must be available before delegated acts enter into force: experience with comparable regulatory tools demonstrates that development timelines are regularly underestimated.

The feedback mechanism in paragraph 5 is necessary because implementation barriers will not always be visible from standard reporting channels.

E. Shared responsibility for compliance costs and data ownership

<p>Article 19(1) New paragraph 1a</p> <p>1. A verified economic operator requesting the registration of a digital product passport shall provide the Commission as manager of the registry with all information necessary for the registration, as provided for in Article 8. The verified economic operator shall be responsible for the accuracy and completeness of the information submitted at the time of registration.</p>	<p>New paragraph 1a:</p> <p><i>1a. Where compliance obligations under the Ecodesign for Sustainable Products Regulation generate costs for actors further upstream in a value chain, the allocation of those costs between downstream buyers and their suppliers should be governed by the principle of proportionate shared responsibility. The Commission shall, in accordance with Article 68(2)(d) and Article 22 of Regulation (EU) 2024/1781, issue guidance on the equitable allocation of compliance costs across the supply chain.</i></p>	<p>Article 19(1) places full compliance responsibility on the verified value chain actor with no reference to how costs are allocated across the supply chain. DPP registry obligations will in practice cascade through supply chains: smaller upstream suppliers will frequently be required to provide data, maintain registry access, and meet verification standards because a downstream buyer contractually demands it.</p> <p>The Corporate Sustainability Due Diligence Directive (CSDDD) Article 18 precedent provides the appropriate framework for guidance on cost allocation. ESPR Article 68(2)(d) provides a basis for issuing guidance on enforcement and application; Article 22 requires support for SMEs. This amendment creates a basis for guidance without requiring cost-sharing rules to be specified in this regulation.</p>
<p>Article 19(5) New paragraphs 6 and 7</p> <p>5. Each verified economic operator shall be responsible for the data it submits to the Commission as manager of the registry and shall be considered as the controller of the data it submits.</p>	<p><i>6. The Commission shall ensure that verified economic actors designated as data controllers under paragraph 3, in particular those with limited legal, technical or digital capacity, receive practical guidance on fulfilling their data controller obligations under Regulation (EU) 2016/679, consistent with Articles 22(2) and 22(3) of Regulation (EU) 2024/1781.</i></p> <p><i>7. Environmental data submitted by a verified economic actor to the registry pursuant to paragraph 3 shall remain under the ownership and control of that actor. The designation as data controller under paragraph 3 shall not entitle any downstream actor, brand, or platform operator to use, repurpose, or commercially exploit that data without the express consent of the submitting actor.</i></p>	<p>The automatic data controller designation under Article 19(5) imposes a full set of GDPR obligations on any actor uploading DPP data. For this to function in practice, support measures are required.</p> <p>New paragraph 7 addresses a related risk: where large buyers control the data infrastructure through which suppliers submit DPP data, suppliers may become dependent on proprietary platforms and lose control over the environmental data they generated. This would deepen existing power asymmetries in supply chains. DPP systems should be built on open standards, and data ownership should be clearly defined.</p>

<p>Article 20(1) New paragraph 1a</p> <p>1. Where a verified value chain actor other than the economic operator authorises a third party to act on its behalf, the verified value chain actor shall remain responsible for compliance with the obligations set out in this Regulation.</p>	<p>New paragraph 1a:</p> <p><i>1a. Where compliance obligations under the Ecodesign for Sustainable Products Regulation generate costs for actors further upstream in a value chain, the allocation of those costs between downstream buyers and their suppliers should be governed by the principle of proportionate shared responsibility. The Commission shall, in accordance with Article 68(2)(d) and Article 22 of Regulation (EU) 2024/1781, issue guidance on the equitable allocation of compliance costs across the supply chain.</i></p>	<p>Article 20(1) places full compliance responsibility on the verified value chain actor with no reference to how costs are allocated across the supply chain. DPP registry obligations will in practice cascade through supply chains: smaller upstream suppliers will frequently be required to provide data, maintain registry access, and meet verification standards because a downstream buyer contractually demands it.</p> <p>The Corporate Sustainability Due Diligence Directive (CSDDD) Article 18 precedent provides the appropriate framework for guidance on cost allocation. ESPR Article 68(2)(d) provides a basis for issuing guidance on enforcement and application; Article 22 requires support for SMEs. This amendment creates a basis for guidance without requiring cost-sharing rules to be specified in this regulation.</p>
<p>Article 20(3) New paragraphs 4 and 5</p> <p>3. Where Union law provides for other value chain actors than economic operators to upload any information to the digital product passport registry, each verified value chain actor shall be responsible for the data it submits to the Commission as manager of the registry and shall be considered as the controller of the data it submits.</p>	<p>New paragraphs 4 and 5:</p> <p><i>4. The Commission shall ensure that value chain actors designated as data controllers under paragraph 3, in particular those with limited legal, technical or digital capacity, receive practical guidance on fulfilling their data controller obligations under Regulation (EU) 2016/679, consistent with Articles 22(2) and 22(3) of Regulation (EU) 2024/1781.</i></p> <p><i>5. Environmental data submitted by a value chain actor to the registry pursuant to paragraph 3 shall remain under the ownership and control of that actor. The designation as data controller under paragraph 3 shall not entitle any downstream actor, brand, or platform operator to use, repurpose, or commercially exploit that data without the express consent of the submitting actor.</i></p>	<p>The automatic data controller designation under Article 20(3) imposes a full set of GDPR obligations on any actor uploading DPP data. For this to function in practice, support measures are required.</p> <p>New paragraph 5 addresses a related risk: where large buyers control the data infrastructure through which suppliers submit DPP data, suppliers may become dependent on proprietary platforms and lose control over the environmental data they generated. This would deepen existing power asymmetries in supply chains. DPP systems should be built on open standards, and data ownership should be clearly defined.</p>

About the Fair Trade Advocacy Office (FTAO):



The Fair Trade Advocacy Office (FTAO) leads political advocacy for the Fair Trade Movement at the EU level. It has the purpose of promoting justice, equity and sustainable development at the heart of trade structures and practices so that everyone, through their work, can maintain a decent and dignified livelihood and develop their full human potential.

The FTAO is a joint initiative of Fairtrade International, the World Fair Trade Organization, and the World Fair Trade Organization-Europe.

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