

## CAB REYNDERS/1943 - Meeting with Tim Cook CEO of Apple

### ADDENDUM – Consumers issues

#### **Empowering consumers**

- A political agreement with the Parliament and the Council was reached on 19 Sept 2023.
- This piece of legislation is a major contribution to the green transition and the consumers' participation to it.
- The proliferation of sustainability labels and environmental claims and their lack of transparency and reliability is a major obstacle to more sustainable consumption behaviour.
- With the new rules we are requiring such labels to be third party certified. We are also forbidding vague environmental claims like “green” or “environmentally friendly” where the environmental excellent performance of the product cannot be demonstrated, so that consumers are not getting the impression that products are ‘greener’ than they are.
- Moreover, companies will be no longer able to claim that their products are “climate neutral” or “carbon positive” based on offsetting projects outside their value chain. All these measures are important tools for consumers to understand the climate and environmental impact of their choice in clothing, electronics, food, flights, etc.
- We are also introducing bans against premature failures of goods which will protect consumers from poorly produced products that break down sooner than they should.
- Before buying a product, consumers will also be informed through a new EU harmonised label on how long goods will last and about their legal guarantee rights. This will ensure that products we buy last and are used longer and that consumers are aware of their rights in case the product breaks down.
- We are also adding additional information requirements for traders on e.g. software updates, reparability and spare parts, which will help the consumer to consume and use products more sustainably.
- Greenwashing and early obsolescence practices harm the Single Market as it allows companies to gain unfair advantages over their competitors. By introducing these new rules, consumers can choose products that are genuinely better for the environment, which will also encourage competition on sustainable goods.
- This agreement will also strongly promote an economy based on circularity, together with the sister-proposals on Green Claims, Eco-design for sustainable products and the Right to repair.

#### **Right to Repair proposal**

- The proposal for promoting the repair of goods will contribute to consumers' right to repair together with other initiatives such as the proposal for Ecodesign for Sustainable Products Regulation and the proposal for a Directive on empowering consumers for the green transition.

- With this proposal, we want to make repair a more attractive solution to consumers instead of discarding defective products and buying new ones.
- This is why we propose to oblige producers of goods that are subject to current and future reparability requirements under EU law, to offer repair. We also propose that all repairers provide consumers with a European Repair Information Form allowing them to compare offers from different repairers.
- In addition, the national online repair platforms will help consumers to quickly find suitable local repairers as well as help SMEs to reach a wider range of customers.
- The proposal is currently with the co-legislators which are aiming to adopt the proposal still within this EP mandate.

### **Cookies pledge**

- The Commission is currently working on the cookies pledge announced by you on 28 March at the 2023 Consumer Summit.
- The goal of this initiative is to address the issue of ‘cookie fatigue’ and to provide consumers with clearer information and a better understanding of digital advertising models and personalisation techniques as well as means to automatise their decision.
- From the discussions held so far, further reflection is needed on consumers’ understanding of the various types of advertising presented to them and the consequences for their privacy preferences. The feasibility of alternative advertising models (such as for instance contextual advertising) is also being discussed. High level principles for the pledge are still expected to be finalised by the end of 2023.
- Apple participates in the pledge. During the contacts with the Commission Apple underlined that they value the protection of their users’ data and explained the measures implemented by Apple to this aim notably the settings to manage cookies from the browser Safari and iPhone’s Operating Systems.
- We count on Apple to continue its involvement in the work to define the pledging principles, as well to commit to them. It is important that providers of browsers implement easy to use settings in relation to privacy. It is also important that for its own advertising activities, Apple enables users to choose for non tracking based advertising.

### **About Apple’s Appstore geoblocking practice**

- When creating the (required) account for an iPhone, a consumer only sees the AppStore version specific to the nationality, place of residence or place of establishment chosen and cannot access other Appstores.
- This raises issues when users are travelling as they may be blocked to use local apps. Many of the services affected have no element of protected copyrighted material.
- In addition, Apple requires the use of credit cards issued in the country registered in the user account, again this is a problem for persons living in several countries but using one credit cards.
- According to the Geoblocking Regulation this should not happen in the EU as there is free circulation of people and services and payment means are accepted everywhere.