



EUROPEAN
COMMISSION

Brussels, **XXX**
[...] (2025) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

**on the design and content of the harmonised notice of the legal guarantee of conformity
and of the harmonised label for the commercial guarantee of durability**

(Text with EEA Relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

on the design and content of the harmonised notice on the legal guarantee of conformity and of the harmonised label for the commercial guarantee of durability

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council¹ and in particular Article 22a, (2) and (4), thereof,

Whereas:

- (1) Directive 2011/83/EU, as amended by Directive (EU) 2024/825 of the European Parliament and of the Council² aims to improve, among other things, consumers' awareness of their rights in order to promote sustainable purchasing decisions and stimulate both demand for, and supply of, more durable goods. To this end, Directive 2011/83/EU establishes a harmonised notice of the legal guarantee of conformity and a harmonised label for the commercial guarantee of durability, enabling consumers to make informed decisions.
- (2) While the legal guarantee of conformity and the commercial guarantee of durability are two independent types of guarantees, the harmonised notice and harmonised label are designed to complement each other and include cross-references that highlight the differences between those guarantees. The harmonised notice is a mandatory notice at the point of sale, intended to raise consumer awareness of their legal guarantee rights. In contrast, the harmonised label represents a voluntary commercial guarantee of durability, offered by producers that are willing to promote the durability of their goods to consumers.
- (3) Article 5(1), point (e), and Article 6 (1), point (l), of Directive 2011/83/EU require traders to provide consumers, prior to the conclusion of a contract or any corresponding offer, with a reminder of the existence of the legal guarantee of conformity for goods and its main elements, including its minimum duration of two years and a general reference to the possibility that the duration of the legal guarantee of conformity can be longer under national law. That information must be made

¹ OJ L 304, 22.11.2011, p. 64, ELI: <http://data.europa.eu/eli/dir/2011/83/oj>

² Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and through better information (OJ L, 2024/825, 06.03.2024, ELI: <http://data.europa.eu/eli/dir/2024/825/oj>).

available to the consumer in a prominent manner, through the harmonised notice referred to in Article 22a (1) and (3) of Directive 2011/83/EU.

- (4) To improve consumers' understanding of their rights regarding the main elements of the legal guarantee of conformity, the harmonised notice on the legal guarantee of conformity should remind consumers of common situations when they can invoke those rights.
- (5) The harmonised notice on the legal guarantee of conformity should remind consumers of the remedies available to them in the event of a lack of conformity of goods, as well as the fact that sellers are liable to provide such remedies under certain conditions. The notice should also include a general reference to the possibility that the duration of the legal guarantee of conformity may be longer under national law. In addition, the notice should contain practical information on the steps consumers can take in situations when they are faced with non-conform goods and indicate where they can find additional information.
- (6) In order to ensure that the consumers fully understand the difference between the legal guarantee of conformity and different types of commercial guarantees, the harmonised notice on the legal guarantee of conformity should also indicate that sellers and producers may offer commercial guarantees, including a commercial guarantee of durability.
- (7) A good indicator of a good's durability is the commercial guarantee of durability provided by a producer pursuant to Article 17 of Directive (EU) 2019/771 of the European Parliament and of the Council³. That commercial guarantee of durability is a commitment from a producer to the consumer that the good will maintain its required functions and performance through normal use during a certain period.
- (8) Where a producer offers a commercial guarantee of durability at no additional cost for a particular good, covering the entire good and with a duration of more than two years, and makes that information available to the trader, Article 5(1), point (ea), and Article 6(1), point (1a), of Directive 2011/83/EU require traders selling goods to inform consumers of the existence and duration of that commercial guarantee, while reminding consumers that they also benefit from the legal guarantee of conformity. This must be done in a prominent manner, through the harmonised label referred to in Article 22a(1) of Directive 2011/83/EU.
- (9) Article 22a(5) of Directive 2011/83/EU requires that both the harmonised notice on the legal guarantee of conformity and the harmonised label for the commercial guarantee of durability are easily recognisable and understandable for consumers, while also easy to use and reproduce for traders. To this end, the Commission has consulted representative groups of stakeholders and also performed a field test with representative groups of consumers, which provided input to the final design and content of the harmonised notice and the harmonised label.
- (10) The harmonised notice on the legal guarantee of conformity and the harmonised label for the commercial guarantee of durability should include a QR code that directs

³ Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28, ELI: <http://data.europa.eu/eli/dir/2019/771/oj>).

consumers to additional useful information made accessible on the Your Europe portal in compliance with Regulation (EU) 2018/1724 of the European Parliament and of the Council⁴.

- (11) The QR code included in the harmonised notice should direct consumers to more detailed information concerning their rights under Union law on the legal guarantee of conformity, as established by Directive (EU) 2019/771. Taking into account that it is important for consumers to be aware of their country-specific rights under the legal guarantee of conformity, the QR code should provide access to Member States' portals where more detailed information is available.
- (12) Given the limited space available on the harmonised label for the commercial guarantee of durability, the QR code included in the harmonised label should direct consumers to more detailed information explaining that the harmonised label represents commercial guarantee of durability, offered by the producer for a particular good, at no additional cost to the consumer, and covers the entire good, and not just a component thereof, for a duration of more than two years.
- (13) In order to ensure that the traders can easily use and reproduce the harmonised notice on the legal guarantee of durability and the harmonised label for the commercial guarantee of durability, when they are presented as pre-contractual information in the context of contracts, other than distance contracts concluded through an online interface, the harmonised notice and the harmonised label may be presented in colour or in black and white.
- (14) Meanwhile, where the contract is to be concluded through an online interface, the notice on the legal guarantee of conformity and the label for the commercial guarantee of durability should be presented in colour. For distance contracts concluded through an online interface, the label may be displayed using a nested format.
- (15) The harmonised label for the commercial guarantee of durability is designed in a language-neutral manner combined with translations which facilitate the easy use and reproduction by traders and producers. The harmonised label consists of the title "GARAN" which is referring to "guarantee" in several EU languages, a tick mark symbol indicating that the good's durability is guaranteed, a calendar symbol representing the duration of the commercial guarantee of durability offered, a visual reminder of the existence of the legal guarantee of conformity and a QR code providing access to additional information. In order to facilitate consumer understanding, it shall include the phrase "producer guarantee in years" at the bottom of the harmonised label, rendered in all official languages of the European Union. The Commission may review and adapt the harmonised label of commercial guarantee of durability if necessary, in the light of future uptake of the label, its related consumer understanding and the implementation of other EU instruments.
- (16) Given that Member States are required to apply the measures transposing Directive (EU) 2024/825 from 27 September 2026, this Regulation should also become applicable from the same date.

⁴ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1724/oj>) .

- (17) The measures provided for in this Regulation are in accordance with the opinion of the Committee on the Directive on Empowering Consumers for the Green Transition, established by Article 22a of Directive 2011/83/EU of the European Parliament and of the Council,

HAS ADOPTED THIS REGULATION:

Article 1

Harmonised notice on the legal guarantee of conformity

The harmonised notice referred to in Article 22a(1) of Directive 2011/83/EU shall comply with the design and content set out in Annex I to this Regulation.

Article 2

Harmonised label for the commercial guarantee of durability

The harmonised label referred to in Article 22a(1) of Directive 2011/83/EU shall comply with the design and content set out in Annex II to this Regulation.

Article 3

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 27 September 2026.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President