Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/2023

of 1 October 2019

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to Article 114 of the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products[(1)], and in particular Article 15(1) thereof,

Whereas:

(1) Pursuant to Directive 2009/125/EC the Commission should set ecodesign requirements for energy-related products which account for significant volumes of sales and trade in the Union and which have a significant environmental impact and presenting significant potential for improvement through design in terms of their environmental impact, without entailing excessive costs.

(2) The Communication from the Commission COM(2016)773[(2)] (ecodesign working plan) established by the Commission in application of Article 16(1) of Directive 2009/125/EC sets out the working priorities under the ecodesign and energy labelling framework for the period 2016-2019. The Working Plan identifies the energy-related product groups to be considered as priorities for the undertaking of preparatory studies and eventual adoption of implementing measures, as well as the review of Commission Regulation (EU) No 1015/2010[(3)], Commission Delegated Regulation (EU) No 1061/2010[(4)] and Commission Directive 96/60/EC[(5)].

(3) Measures from the Working Plan have an estimated potential to deliver a total in excess of 260 TWh of annual final energy savings in 2030, which is equivalent to reducing greenhouse gas emissions by approximately 100 million tonnes per year in 2030. Household washing machines and household washer-dryers are among the product groups listed in the Working Plan, with estimated annual electricity savings of 2,5 TWh, leading to GHG emission reductions of 0,8 Mt CO_2 eq/year, and estimated water savings of 711 million m^3 in 2030.

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(4) The Commission established ecodesign requirements for household washing machines in Regulation (EU) No 1015/2010 and pursuant to that Regulation, the Commission should review it in light of technological progress.

(5) The Commission has reviewed Regulation (EU) No 1015/2010 and analysed the technical, environmental and economic aspects of household washing machines and household washer-dryers as well as real-life user behaviour. The review was carried out in close cooperation with stakeholders and interested parties from the Union and third countries. The results of the review were made public and presented to the Consultation Forum established by Article 18 of Directive 2009/125/EC.

(6) It appears from the review study that there is a need to revise the ecodesign requirements for household washing machines and to establish ecodesign requirements for household washer-dryers. The requirements relate to the use of essential resources such as energy and water. There is also a need to introduce requirements related to resource efficiency such as reparability and recyclability.

(7) The environmental aspects of household washing machines and household washer-dryers, which have been identified as significant for the purposes of this Regulation are the consumption of energy and water during the use phase, the generation of waste at the end of life and the emissions to air and water in the production phase (due to the extraction and processing of raw materials) and in the use phase (because of the consumption of electricity and water discharge).

(8) The annual energy and water consumption of products subject to this Regulation in the Union was estimated at 35,3 TWh and 2 496 million m^3 respectively in the Union in 2015. The projected electricity consumption of household washing machines and household washer-dryers in a business as usual scenario is estimated to decrease to 33,5 TWh in 2030 and the water consumption to decrease to 1 764 million m^3 in 2030. That decrease in energy and water consumption may be accelerated if the existing ecodesign requirements are updated. Finally, the service life-time of household washing machines and household washer-dryers has been estimated to have decreased in recent years to around 12,5 years and the trend is likely to continue in the absence of incentives.

(9) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions COM(2015) 614 final[(6)] (circular economy action plan) and the Communication on the ecodesign working plan[(7)] underline the importance of using the ecodesign framework in order to support the move towards more resource efficient and circular economy. Directive 2012/19/EU[(8)] refers to Directive 2009/125/EC and indicate that ecodesign requirements should facilitate the re-use, dismantling and recovery of waste electrical and electronic equipment (WEEE) by tackling the issues upstream. Therefore this Regulation should lay down appropriate requirements contributing to circular economy objectives.

(10) Non-household washing machines and non-household washer-dryers have distinct characteristics and uses. They are subject to other regulatory work, in particular Directive 2006/42/EC of the European Parliament and of the Council on machinery[(9)],

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and should not be included in the scope of this Regulation. Provisions for household washing machines and household washer-dryers should apply to washing machines and washer-dryers with the same technical characteristics, regardless of the setting they are used in.

(11) Household washing machines and household washer-dryers with more than one drum should be subject to specific rules only if all their drums perform the same function. Otherwise, each drum should be considered as a separate household washing machine or as a separate household washer-dryer.

(12) Specific requirements for the low power modes of household washing machines and household washer-dryers should be laid down. The requirements of Commission Regulation (EC) No 1275/2008[(10)] should not apply to products covered by the scope of this Regulation. Regulation (EC) No 1275/2008 should be amended accordingly.

(13) The relevant product parameters should be measured using reliable, accurate and reproducible methods. Those methods should take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council[(11)].

(14) In accordance with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.

(15) To facilitate compliance checks, manufacturers, importers or authorised representatives should provide information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC in so far as that information relates to the requirements laid down in this Regulation.

(16) Where parameters of the technical documentation, as defined by this Regulation, are identical to parameters of the product information sheet defined by Commission Delegated Regulation (EU) 2019/2014[(12)], manufacturers, importers or authorised representatives should enter the corresponding data into the product database defined by Regulation (EU) 2017/1369 of the European Parliament and of the Council[(13)] and should no longer need to provide them to market surveillance authorities as part of the technical documentation.

(17) To ensure the effectiveness and credibility of the Regulation and to protect consumers, products that automatically alter their performance in test conditions to improve the declared parameters should not be allowed to be placed on the market.

(18) In addition to the requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to make information on the life-cycle environmental performance of products subject to this Regulation widely available and easily accessible, in accordance with point (2), part 3 of Annex I to Directive 2009/125/EC.

(19) This Regulation should be reviewed in order to assess the appropriateness and effectiveness of its provisions in achieving its goals. The timing of the review should be sufficient for all provisions to be implemented and show an effect on the market.

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(20) Regulation (EU) No 1015/2010 should be repealed.

(21) In order to facilitate the transition between Regulation (EU) No 1015/2010 and this Regulation, the new name ‘eco 40-60’ should be allowed to be used as from the entry into force of this Regulation.

(22) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation establishes ecodesign requirements for the placing on the market or the putting into service of electric mains-operated household washing machines and household washer-dryers, including built-in household washing machines and household washer-dryers and electric mains-operated household washing machines and household washer-dryers that can also be powered by batteries.

2 This Regulation shall not apply to:

[[X1]a washing machines and washer-dryers belonging to the scope of Directive 2006/42/EC[(14)];**]**

b battery-operated household washing machines and household washer-dryers that can be connected to the mains through an AC/DC converter purchased separately.

3 The requirements in points 1 to 6, 9(1)(a) and (c), and 9(2)(i) and (vii) of Annex II shall not apply to:

a household washing machines with a rated capacity lower than 2 kg;

b household washer-dryers with a rated washing capacity lower than 2 kg.

Editorial Information

X1 Substituted by Corrigendum to Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (Official Journal of the European Union L 315 of 5 December 2019).

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

(1) ‘mains’ or ‘electric mains’ means the electricity supply from the grid of 230 (± 10 %) volts of alternating current at 50 Hz;

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(2) 'automatic washing machine' means a washing machine where the load is fully treated by the washing machine without the need for user intervention at any point during the programme;

(3) 'household washing machine' means an automatic washing machine which cleans and rinses household laundry by using water, chemical, mechanical and thermal means, which also has a spin extraction function, and which is declared by the manufacturer in the Declaration of Conformity as complying with Directive 2014/35/EU of the European Parliament and of the Council[(15)] or with Directive 2014/53/EU of the European Parliament and of the Council[(16)];

(4) 'household washer-dryer' means a household washing machine which, in addition to the functions of an automatic washing machine, in the same drum includes a means for drying the textiles by heating and tumbling, and which is declared by the manufacturer in the Declaration of Conformity as complying with Directive 2014/35/EU or with Directive 2014/53/EU;

(5) 'built-in household washing machine' means a household washing machine that is designed, tested and marketed exclusively:

(a) to be installed in cabinetry or encased (top and/or bottom, and sides) by panels;

(b) to be securely fastened to the sides, top or floor of the cabinetry or panels; and

(c) to be equipped with an integral factory-finished face or to be fitted with a custom front panel;

(6) 'built-in household washer-dryer' means a household washer-dryer that is designed, tested and marketed exclusively:

(a) to be installed in cabinetry or encased (top and/or bottom, and sides) by panels;

(b) to be securely fastened to the sides, top or floor of the cabinetry or panels; and

(c) to be equipped with an integral factory-finished face or to be fitted with a custom front panel;

(7) 'multi-drum household washing machine' means a household washing machine equipped with more than one drum, whether in separate units or in the same casing;

(8) 'multi-drum household washer-dryer' means a household washer-dryer equipped with more than one drum, whether in separate units or in the same casing;

(9) 'equivalent model' means a model which has the same technical characteristics relevant for the technical information to be provided, but which is placed on the market or put into service by the same manufacturer, importer or authorised representative as another model with a different model identifier;

(10) 'model identifier' means the code, usually alphanumeric, which distinguishes a specific product model from other models with the same trade mark or the same manufacturer's, importer's or authorised representative's name;

(11) 'product database' means a collection of data concerning products, which is arranged in a systematic manner and consists of a consumer-oriented public part, where information concerning individual product parameters is accessible by electronic