Commission Regulation (EU) 2019/2022 of 1 October 2019 laying down ecodesign requirements for household dishwashers 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 1016/2010 (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/2022

of 1 October 2019

laying down ecodesign requirements for household dishwashers 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 1016/2010

(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 ecodesign 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 1016/2010[(3)] and Commission Delegated Regulation (EU) No 1059/2010[(4)].

(3) Measures from the ecodesign 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 dishwashers is one of the product groups listed in the working plan, with estimated annual electricity savings of 2,1 TWh, leading to GHG emission reductions of 0,7 Mt CO_2 eq/year, and estimated water savings of 16 million m^3 in 2030.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2019/2022. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) The Commission established ecodesign requirements for household dishwashers by Regulation (EU) No 1016/2010 and pursuant to that Regulation, the Commission should review it in light of technological progress.

(5) The Commission has reviewed Regulation (EU) No 1016/2010 and analysed the technical, environmental and economic aspects of household dishwashers 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 dishwashers, the requirements related to use of essential resources such as energy and water and also to introduce requirements related to resource efficiency such as reparability and recyclability.

(7) The environmental aspects of household dishwashers, 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).

(8) The annual energy consumption of products subject to this Regulation in the Union was estimated at 31,3 TWh in the Union in 2015, corresponding to 11,1 million tonnes of CO_2 equivalent. The projected energy consumption of household dishwashers in a business as usual scenario is expected to increase to 49,0 TWh in 2030, mainly because of the increase in the total number of dishwashers in use. That increase in energy consumption may however be limited if the existing ecodesign requirements are updated. Similarly, the water consumption of household dishwashers was estimated at 318 million m^3 in 2015 and is expected to increase up to 531 million m^3 in 2030 in the absence of updated requirements. Finally, the service lifetime of household dishwashers 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[(5)] (circular economy action plan) and the Communication on the ecodesign working plan[(6)] 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 of the European Parliament and of the Council[(7)] refers to Directive 2009/125/EC and indicates 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 dishwashers 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[(8)] on machinery, and should not be included in the scope of this

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2019/2022. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Regulation. Provisions for household dishwashers should apply to dishwashers with the same technical characteristics, regardless of the setting they are used in. All household dishwashers should meet minimum requirements on cleaning and drying, irrespective of the methods used.

(11) Specific requirements for the low power modes of household dishwashers should be laid down. The requirements of Commission Regulation (EC) No 1275/2008[(9)] should not apply to household dishwashers covered by the scope of this Regulation. Regulation (EC) No 1275/2008 should be amended accordingly.

(12) The relevant product parameters should be measured using reliable, accurate and reproducible methods. Those methods should take into account 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[(10)].

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

(14) 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.

(15) 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) 2019/2017[(11)], 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[(12)] and should no longer need to provide them to market surveillance authorities as part of the technical documentation.

(16) 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.

(17) 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 Directive 2009/125/EC, Annex I, part 3, point (2).

(18) 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.

(19) Regulation (EU) No 1016/2010 should be repealed.

(20) In order to facilitate the transition between Regulation (EU) No 1016/2010 and this Regulation, the name ‘eco’ should be allowed to be used instead of ‘standard programme’ as from the entry into force of this Regulation.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2019/2022. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(21) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) 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 dishwashers, including built-in household dishwashers and electric mains-operated household dishwashers that can also be powered by batteries.

2 This Regulation shall not apply to:

a dishwashers in the scope of Directive 2006/42/EC;

b battery-operated household dishwashers that can be connected to the mains through an AC/DC converter purchased separately.

Article 2

Definitions

For the purposes 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;

(2) ‘household dishwasher’ means a machine which cleans and rinses tableware, and which is declared by the manufacturer in the Declaration of Conformity to comply with Directive 2014/35/EU of the European Parliament and of the Council[(13)] or with Directive 2014/53/EU of the European Parliament and of the Council[(14)];

(3) ‘built-in household dishwasher’ means a household dishwasher that is designed, tested and marketed exclusively:

(a) to be installed in cabinetry or encased (top, 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;

(4) ‘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;

(5) ‘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;

(6) ‘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

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2019/2022. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

information concerning individual product parameters is accessible by electronic means, an online portal for accessibility and a compliance part, with clearly specified accessibility and security requirements, as laid down in Regulation (EU) 2017/1369;

(7) 'programme' means a series of operations that are pre-defined and are declared by the manufacturer, importer or authorised representative as suitable for specified levels of soil or types of load, or both;

(8) 'eco' means the name of the programme of a household dishwasher declared by the manufacturer, importer or authorised representative as suitable to clean normally soiled tableware, and to which the ecodesign requirements on energy efficiency, cleaning and drying performance relate.

For the purposes of the annexes, additional definitions are set out in Annex I.

Article 3

Ecodesign requirements

The ecodesign requirements set out in Annex II shall apply from the dates indicated therein.

Article 4

Conformity assessment

1 The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control system set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.

2 For the purposes of the conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation shall contain the declared values of parameters listed in Annex II, points 2, 3 and 4, and the details and the results of the calculations undertaken in accordance with Annex III.

3 Where the information included in the technical documentation for a particular model has been obtained:

a from a model that has the same technical characteristics relevant for the technical information to be provided but is produced by a different manufacturer; or

b by calculation on the basis of design or extrapolation from another model of the same or a different manufacturer, or both;

the technical documentation shall include the details of such calculation, the assessment undertaken by the manufacturer to verify the accuracy of the calculation and, where appropriate, the declaration of identity between the models of different manufacturers.

The technical documentation shall include a list of all equivalent models, including the model identifiers.

4 The technical documentation shall include the information in the order and as set out in Annex VI of Regulation (EU) 2019/2017. For market surveillance purposes, manufacturers, importers or authorised representatives may, without prejudice to Annex IV, point 2(g) of Directive 2009/125/EC, refer to the technical documentation uploaded to the product database which contains the same information laid down in Regulation (EU) 2019/2017.