Commission Regulation (EU) 2019/2021 of 1 October 2019 laying down ecodesign requirements for electronic displays 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 (EC) No 642/2009 (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/2021

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 Commission established ecodesign requirements for televisions in Commission Regulation (EC) No 642/2009[(2)] and pursuant to that Regulation, the Commission should review the Regulation in the light of technological progress.

(3) The Communication from the Commission COM(2016) 773[(3)] (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 Regulation (EC) No 642/2009.

(4) Measures from the Ecodesign Working Plan have an estimated potential to deliver a total in excess of 260 TWh of annual primary energy savings in 2030, which is equivalent to reducing greenhouse gas emissions by approximately 100 million tonnes per year in 2030. Electronic displays are one of the product groups listed in the working plan.

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(5) Pursuant to Article 6 of Regulation (EC) No 642/2009, the Commission has reviewed the Regulation in light of technological progress and analysed the technical, environmental and economic aspects of televisions and other electronic displays. 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) The review concluded that there was a need for the introduction of new ecodesign energy-related requirements for televisions and that the same requirements should also apply to other displays, such as computer monitors, because of the rapidly increasing functionality overlap between different display types. Projectors use very different technologies and consequently should be out of scope of this Regulation.

(7) Digital signage displays are used in public spaces such as airports, metro and train stations, retail stores, shop windows, restaurants, museums, hotels, conference centres or in prominent positions outside buildings and represent a relevant emerging market. Their energy needs are different and generally higher than those of other electronic displays because they are often used in luminous places and continuously on. Minimum requirements for digital signage displays in on-mode should be evaluated once additional data will be available, however they should at least have minimum requirements on off, standby and networked standby modes and on material efficiency.

(8) The annual energy consumption in 2016 of televisions in the Union constituted more than 3 % of the European Union's electricity consumption. The projected energy consumption of televisions, monitors and digital signage displays would be expected be close to 100 TWh/yr in 2030. This Regulation, together with the accompanying energy labelling regulation, is estimated to reduce the overall consumption by 39 TWh/yr by 2030.

(9) Specific requirements should be laid down for standby, networked standby and off mode electric power demand of electronic displays. Therefore, the requirements of Commission Regulation (EC) No 1275/2008[(4)] that does not apply to televisions, should no longer apply to the additional electronic displays types covered by the scope of this Regulation. Regulation (EC) No 1275/2008 should be amended accordingly.

(10) Electronic displays for professional use such as video-editing, computer-aided design, graphics or for the broadcast sector, possess enhanced performance and very specific features that, although usually involving higher energy use, should be not subject to on-mode energy efficiency requirements set for more generic products.

(11) The Commission Communication on the circular economy[(5)] and the Communication on the ecodesign working plan[(6)] underline the importance of using the ecodesign framework to support the move towards a more resource efficient and circular economy. Recital (11) and Article 4 of Directive 2012/19/EU of the European Parliament and of the Council[(7)] refer as well 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, thus facilitating the

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objectives of waste prevention and recovery in Member States as from Directive (EU) 2018/851 of the European Parliament and of the Council[8]. In addition, Decision No 1386/2013/EU of the European Parliament and of the Council[9] on a General Union Environment Action Programme to 2020 includes the goal 'to turn the Union into a resource-efficient, green and competitive low-carbon economy'. Implementable and enforceable requirements at the product design phase may be appropriate for optimising resource and material efficiency at end of life. Finally, in accordance with the Union action plan for the Circular Economy[10], the Commission should make sure that special emphasis is placed on aspects relevant to the circular economy when setting out or revising ecodesign criteria. This Regulation should therefore lay down appropriate non-energy related requirements contributing to circular economy objectives including requirements to facilitate repair and the availability of spare parts.

(12) Liquid crystal screens (LCD) with a screen area greater than 100 square centimetres are in the scope of the requirements set in Article 8 and Annex VII of the Directive 2012/19/EU in relation to the selective treatment for materials and components of WEEE which means that such displays need to be removed from the product integrating them. Considering, in addition, that screens with a screen area smaller than or equal to 100 square centimetres have very limited energy use, all such electronic displays should be outside the scope of this Regulation both for energy and for requirements contributing to circular economy objectives.

(13) Once delivered to an electrical and electronic equipment waste collection facility at the end of their life, televisions, computer monitors, digital signage displays, professional displays, broadcast displays, security displays, as well as displays integrated into tablets, 'all-in-one' desktop or portable computers are, generally, not distinguishable from each other. Therefore they should all be subject to the same requirements for proper end of life treatment and they should also facilitate circular economy objectives. However electronic displays integrated into computers, such as tablets, laptops or all-in-one desktops, although hardly distinguishable from other electronic displays, should be covered in a review of Commission Regulation (EU) No 617/2013[11] on computers.

(14) Shredding of electronic displays causes large losses of resources and hinders circular economy objectives such as recovery of some rare and precious materials. Moreover, Article 8(1) and (2) of the Directive 2012/19/EU require Member States to ensure that all separately collected waste undergoes proper treatment including, as a minimum, a selective treatment of a number of components – typically present in electronic displays – in preparation for recovery or recycling and before schredding. Dismantling of at least the specific components listed in Annex VII of that Directive should therefore be facilitated. Furthermore, Article 15 makes provision for information to be provided free of charge by producers to facilitate the preparation for re-use and the correct and environmentally sound treatment of WEEE, which can be provided using a voluntary electronic platform[12].

(15) Presence of halogenated flame retardants represents a major issue in the recycling of plastics of electronic displays. Some halogenated compounds have been restricted by Directive 2011/65/EU of the European Parliament and of the Council[13] because of

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their high toxicity, but may be still found in old displays and others are still allowed. Control on maximum content of non permitted compounds in recycled plastic is not cost-effective, resulting in all being incinerated. Alternative solutions would exist for the bulk of the plastic part in an electronic display, such as the enclosure and the stand, permitting higher yields of recycled plastics. Use of halogenated flame retardants in these parts should be limited.

(16) Presence of cadmium, a highly toxic and carcinogenic substance in display panels is an additional obstacle to efficient management of the waste stream. Use of certain hazardous substances in electrical and electronic equipment, including cadmium, is restricted by Directive 2011/65/EU. Use of cadmium in electronic displays, however, is among the applications in Annex III exempted from the restriction for a limited time. A specific marking on displays that contain cadmium, to facilitate the correct and environmentally sound treatment at end of life, should therefore be provided by manufacturers.

(17) The relevant product parameters should be measured using reliable, accurate and reproducible methods, which take into account recognised state-of-the-art measurement methods and, where available, harmonised standards adopted by the European standardisation bodies, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council[(14)].

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

(19) 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. For market surveillance purposes, manufacturers, importers or authorised representatives should be allowed to refer to the product database if the technical documentation as per Commission Delegated Regulation (EU) 2019/2013[(15)] contains the same information.

(20) To improve the effectiveness of this Regulation and to protect consumers, products that automatically alter their performance in test conditions to improve the declared parameters should be prohibited from being placed on the market.

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

(22) A review of this Regulation should assess the appropriateness and effectiveness of its provisions in achieving its goals. The timing of the review should take into account the fast rate of technological progress in the products covered by this Regulation.

(23) Regulation (EC) No 642/2009 should therefore be repealed.

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(24) 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 and putting into service of electronic displays, including televisions, monitors and digital signage displays.

2 This Regulation shall not apply to the following:

a any electronic display with a screen area smaller than or equal to 100 square centimetres;

b projectors;

c all-in-one video conference systems;

d medical displays;

e virtual reality headsets;

f displays integrated or to be integrated into products listed into Article 2, point 3(a) and point 4 of Directive 2012/19/EU;

g displays that are components or subassemblies of products covered by implementing measures adopted under Directive 2009/125/EC.

3 The requirements in points A and B of Annex II shall not apply to the following displays:

a broadcast displays;

b professional displays;

c security displays;

d digital interactive whiteboards;

e digital photo frames;

f digital signage displays.

4 The requirements in points A, B and C of Annex II shall not apply to the following displays:

a status displays;

b control panels.

Article 2

Definitions

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

(1) '*electronic display*' means a display screen and associated electronics that, as its primary function, displays visual information from wired or wireless sources;

(2) '*television*' means an electronic display designed primarily for the display and reception of audiovisual signals and which consists of an electronic display and one or more tuners/receivers;