Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2019/2014

of 11 March 2019

supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU[(1)], and in particular Article 11(5) and Article 16 thereof,

Whereas:

(1) Regulation (EU) 2017/1369 empowers the Commission to adopt delegated acts as regards the labelling or re-scaling of the labelling of product groups representing significant potential for energy savings and, where relevant, other resources.

(2) Provisions on the energy labelling of household washing machines were established by Commission Delegated Regulation (EU) No 1061/2010[(2)].

(3) Provisions on the energy labelling of household washer-dryers were established by Commission Directive 96/60/EC[(3)].

(4) The Communication from the Commission COM(2016)773 final[(4)] (ecodesign working plan) established by the Commission in application of Article 16(1) of Directive 2009/125/EC[(5)] of the European parliament and of the Council 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 1015/2010[(6)], Delegated Regulation (EU) No 1061/2010 and Directive 96/60/EC.

(5) 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 washing machines and household washer-dryers are among the

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product groups listed in the working plan, with estimated annual electricity savings of 2,5 TWh, leading to GHG emission reductions of 0,8 $MtCO_2$ eq/year, and estimated water savings of 711 million m^3 in 2030.

(6) Household washing machines and household washer-dryers are among the product groups mentioned in Article 11(5)(b) of Regulation (EU) 2017/1369 for which the Commission should adopt a delegated act to introduce an A to G rescaled label.

(7) The Commission has reviewed Delegated Regulation (EU) No 1061/2010, as required by its Article 7, and Directive 96/60/EC and analysed technical, environmental and economic aspects of as well as real-life user behaviour. The review was undertaken 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 14 of Regulation (EU) 2017/1369.

(8) The review concluded that there was a need for the introduction of revised energy labelling requirements for household washing machines and household washer-dryers, and that both could be established by the same energy labelling Regulation. The scope of this Regulation should thus comprise household washing machines and household washer-dryers.

(9) 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[7], and should not be included in the scope of this Regulation. This Regulation 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.

(10) The environmental aspects of household washing machines and household washer-dryers, identified as significant for the purposes of this Regulation, are energy and water consumption in the use phase, the generation of waste at the end of life, 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).

(11) It appears from the review that the electricity and water consumption of products subject to this Regulation can be further reduced by implementing energy label measures focusing on better differentiating between products to ensure incentives to suppliers to further improve the energy and resource efficiency of household washing machines and household washer-dryers, and by responding better to the expectations of consumers when using washing or complete washing and drying programmes, as regards their duration in particular.

(12) The energy labelling of household washing machines and household washer-dryers enable consumers to make informed choices towards more energy and resource efficient appliances. The understanding and relevance of the information provided on the label have been confirmed through a specific consumer survey in line with Article 14(2) of Regulation (EU) 2017/1369.

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(13) Household washing machines and household washer-dryers that are displayed at trade fairs should bear the energy label if the first unit of the model has already been placed on the market or is placed on the market on the trade fair.

(14) 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 bodies, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council[8].

(15) Recognising the growth of sales of energy-related products through web-stores and internet sales platforms, rather than directly from suppliers, it should be clarified that hosting service providers of web-stores and internet sales platforms should be responsible for displaying the label provided by the supplier in proximity to the price. They should inform the supplier of that obligation, but should not be responsible for the accuracy or content of the label and the product information sheet provided. However, in application of Article 14(1)(b) of Directive 2000/31/EC of the European Parliament and of the Council[9] on electronic commerce, such internet hosting platforms should act expeditiously to remove or to disable access to information about the product in question if they are aware of the non-compliance (e.g. missing, incomplete or incorrect label or product information sheet) for example if informed by the market surveillance authority. A supplier selling directly to end-users via its own website is covered by dealers' distance selling obligations referred to in Article 5 of Regulation (EU) 2017/1369.

(16) The measures provided for in this Regulation were discussed by the Consultation Forum and with the Member States experts in accordance with Article 17 of Regulation (EU) 2017/1369.

(17) Delegated Regulation (EU) No 1061/2010 and Directive 96/60/EC should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation establishes requirements for the labelling of, and the provision of supplementary product information on, electric mains-operated household washing machines and electric mains-operated household washer-dryers including those which can also be powered by batteries, and including built-in household washing machines and built-in household washer-dryers.

2 This Regulation shall not apply to

a washing machines and washer-dryers in the scope of Directive 2006/42/EC;

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

c household washing machines with a rated capacity lower than 2 kg and household washer-dryers with a rated washing capacity lower than or equal to 2 kg.

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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) ‘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[(10)] or with Directive 2014/53/EU of the European Parliament and of the Council[(11)];

(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) ‘point of sale’ means a location where household washing machines or household washer-dryers, or both, are displayed or offered for sale, hire or hire-purchase.

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

Article 3

Obligations of suppliers

1 Suppliers shall ensure that:

a each household washing machine and household washer-dryer is supplied with a printed label in the format as set out in Annex III and, for a multi-drum household washing machine or a multi-drum household washer-dryer, in accordance with Annex X;

b the parameters of the product information sheet, as set out in Annex V, are entered into the product database;

c if specifically requested by the dealer of household washing machines and household washer-dryers, the product information sheet shall be made available in printed form;

d the content of the technical documentation, set out in Annex VI, is entered into the product database;

e any visual advertisement for a specific model of household washing machine or household washer-dryer contains the energy efficiency class and the range of energy efficiency classes available on the label in accordance with Annex VII and Annex VIII;

f any technical promotional material concerning a specific model of household washing machine or household washer-dryer, including on the internet, which describes its specific technical parameters includes the energy efficiency class of that model and the range of energy efficiency classes available on the label, in accordance with Annex VII;

g an electronic label in the format and containing the information as set out in Annex III is made available to dealers for each model of household washing machine and of household washer-dryer;

h an electronic product information sheet, as set out in Annex V, is made available to dealers for each model of household washing machine and of household washer-dryer.

2 The energy efficiency class and the acoustic airborne noise emission class are defined in Annex II and shall be calculated in accordance with Annex IV.

Article 4

Obligations of dealers

Dealers shall ensure that:

(a) each household washing machine or household washer-dryer, at the point of sale, including at trade fairs, bears the label provided by suppliers in accordance with point 1(a) of Article 3, with the label being displayed for built-in appliances in such a way as to be clearly visible, and for all other appliances in such a way as to be clearly visible on the outside on the front or top of the household washing machine or household washer-dryer;

(b) in the case of distance selling and sale through the internet, the label and product information sheet are provided in accordance with Annexes VII and VIII;

(c) any visual advertisement for a specific model of household washing machine or household washer-dryer contains the energy efficiency class of that model and the range of energy efficiency classes available on the label, in accordance with Annex VII;