# Commission Regulation (EU) 2015/1188 of 28 April 2015 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for local space heaters (Text with EEA relevance)

## COMMISSION REGULATION (EU) 2015/1188

## of 28 April 2015

## implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for local space heaters

## (Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to 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,

After consulting the Consultation Forum referred to in Article 18 of Directive 2009/125/EC,

Whereas:

(1) Directive 2009/125/EC requires the Commission to set ecodesign requirements for energy-related products that represent significant volumes of sales and trade, that have a significant environmental impact and that present significant potential for improvement in terms of their environmental impact without entailing excessive costs.

(2) Article 16(2) of Directive 2009/125/EC provides that in accordance with the procedure referred to in Article 19(3) and the criteria set out in Article 15(2), and after consulting the Consultation Forum, the Commission should, as appropriate, introduce implementing measures for products offering a high potential for cost-effective reduction of greenhouse gas emissions, such as local space heaters.

(3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of local space heaters typically used for heating purposes in residential and commercial buildings. The study has been carried out with stakeholders and interested parties from the Union and third countries, and the results have been made publicly available.

(4) The environmental aspects of local space heaters that have been identified as significant for the purposes of this Regulation are energy consumption and emissions nitrogen oxides in the use phase.

(5) The preparatory study shows that further requirements regarding other ecodesign parameters referred to in Part 1 of Annex I to Directive 2009/125/EC are not necessary in the case of local space heaters.

**Changes to legislation:** *There are outstanding changes not yet made to Commission Regulation (EU) 2015/1188. 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*

(6) The scope of this Regulation should include local space heaters designed to use gaseous or liquid fuels and electricity. Local space heaters that have an indirect fluid heating functionality are also within the scope of this Regulation.

(7) Annual energy consumption related to local space heaters was estimated to have been 1 673 PJ (40,0 Mtoe) in the Union in 2010 corresponding to 75,3 Mt of carbon dioxide ($CO_2$) emissions. Annual energy consumption related to local space heaters is expected to be 1 630 PJ (39,0 Mtoe) in 2020 corresponding to 71,6 Mt of $CO_2$.

(8) The energy consumption of local space heaters can be further reduced by applying existing, non-proprietary technologies without an increase in the combined costs of purchasing and operating these products.

(9) Annual emissions of nitrogen oxides ($NO_x$) from local space heaters were estimated to have been 5,6 kton of sulphur oxides ($SO_x$) equivalent in 2010. As a result of specific measures adopted by Member States and technological development, these emissions are expected to be 4,9 kton of $SO_x$ equivalent in 2020.

(10) The emissions of local space heaters could be further reduced by applying existing, non-proprietary technologies without an increase in the combined costs of purchasing and operating those products.

(11) Together, the ecodesign requirements set out in this Regulation and the Commission Delegated Regulation (EU) 2015/1186[(2)] are expected to result by 2020 in estimated annual energy savings of approximately 157 PJ (3,8 Mtoe), with related $CO_2$ emission reduction of 6,7 Mt.

(12) The ecodesign requirements set out in this Regulation are expected to result by 2020 in a reduction of equivalent $SO_x$ emissions of 0,6 kton/year.

(13) This Regulation covers products with different technical characteristics. If the same efficiency requirements were placed on them certain technologies would be banned from the market, which would result in a negative impact for consumers. For this reason ecodesign requirements relative to the potential of each technology create a level playing field in the market.

(14) Ecodesign requirements should harmonise energy consumption and nitrogen oxides emission requirements for local space heaters throughout the Union, for the internal market to operate better and in order to improve the environmental performance of those products.

(15) The energy efficiency of local space heaters decreases during real life operation when compared with energy efficiency as tested. In order to approach seasonal space heating energy efficiency to useful energy efficiency manufacturers should be encouraged to make use of controls. For this purpose, a global discount for this divergence between these two values is assumed. This discount can be recovered by choosing a number of control options.

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(16) The ecodesign requirements should not affect the functionality or affordability of local space heaters from the end-user's perspective and should not negatively affect health, safety or the environment.

(17) The time frame for introducing the ecodesign requirements should be sufficient for the manufacturers to redesign their products subject to this Regulation. The timing should take into account any cost impact for manufacturers, in particular for small and medium-sized enterprises, is taken into account, while ensuring timely achievement of the objectives of this Regulation.

(18) Product parameters should be measured and calculated using reliable, accurate and reproducible measurement and calculation methods which take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations following a request by the Commission in accordance with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council[(3)].

(19) In accordance with Article 8 of Directive 2009/125/EC, this Regulation specifies which conformity assessment procedures apply.

(20) In order to facilitate compliance checks, manufacturers should provide the information contained 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.

(21) To further limit the environmental impact of local space heaters, manufacturers should provide information on disassembly, recycling and disposal.

(22) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be determined to ensure that information on the life-cycle environmental performance of local space heaters is widely available and easily accessible.

(23) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 19(1) of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Subject matter and scope**

This Regulation establishes ecodesign requirements for the placing on the market and putting into service of domestic local space heaters with a nominal heat output of 50 kW or less and commercial local space heaters with a nominal heat output of the product or of a single segment of 120 kW or less.

This Regulation shall not apply to:

(a) local space heaters using a vapour compression cycle or sorption cycle for the generation of heat driven by electric compressors or fuel;

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(b) local space heaters specified for purposes other than indoor space heating to reach and maintain a certain thermal comfort of human beings by means of heat convection or heat radiation;

(c) local space heaters that are specified for outdoor use only;

(d) local space heaters of which the direct heat output is less than 6 % of the combined direct and indirect heat output at nominal heat output;

(e) air heating products;

(f) sauna stoves;

(g) slave heaters.

*Article 2*

**Definitions**

In addition to the definitions set out in Article 2 of Directive 2009/125/EC, the following definitions shall apply:

(1) ‘local space heater’ means a space heating device that emits heat by direct heat transfer or by direct heat transfer in combination with heat transfer to a fluid, in order to reach and maintain a certain level of human thermal comfort within an enclosed space in which the product is situated, possibly combined with a heat output to other spaces and is equipped with one or more heat generators that convert electricity or gaseous or liquid fuels directly into heat, through use of the Joule effect or combustion of fuels respectively;

(2) ‘domestic local space heater’ means a local space heater other than a commercial one;

(3) ‘gaseous fuel local space heater’ means an open fronted local space heater or a closed fronted local space heater using gaseous fuel;

(4) ‘liquid fuel local space heater’ means an open fronted local space heater or a closed fronted local space heater using liquid fuel;

(5) ‘electric local space heater’ means a local space heater using the electric Joule effect to generate heat;

(6) ‘commercial local space heater’ means either a luminous local space heater or tube local space heater;

(7) ‘open fronted local space heater’ means a local space heater, using gaseous or liquid fuels, of which the fire bed and combustion gases are not sealed from the space in which the product is fitted and which is sealed to a chimney or fireplace opening or requires a flue duct for the evacuation of products of combustion;

(8) ‘closed fronted local space heater’ means a local space heater, using gaseous or liquid fuels, of which the fire bed and combustion gases are sealed from the space in which the product is fitted and which is sealed to a chimney or fireplace opening or requires a flue duct for the evacuation of products of combustion;

(9) ‘electric portable local space heater’ means an electric local space heater which is not an electric fixed local space heater, electric storage local space heater, electric

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underfloor local space heater, electric radiant local space heater, electric visibly glowing local space heater or slave heater;

(10) ‘electric fixed local space heater’ means an electric local space heater not intended to accumulate thermal energy and designed to be used while fastened or secured in a specific location or wall mounted and not incorporated in the building structure or building finishing;

(11) ‘electric storage local space heater’ means an electric local space heater designed to store heat in an accumulating isolated core and to discharge it for several hours after the accumulation phase;

(12) ‘electric underfloor local space heater’ means an electric local space heater designed to be used while incorporated in the building structure or building finishing;

(13) ‘electric radiant local space heater’ means an electric local space heater in which the heat emitting element is to be directed towards the place of use so that its thermal radiation directly warms the subjects to be heated and which has a temperature rise of the grill covering the heat emitting element of at least 130 °C in normal use and/or a temperature rise of 100 °C for other surfaces;

(14) ‘electric visibly glowing radiant local space heater’ means an electric local space heater in which the heating element is visible from outside the heater and has a temperature of at least 650 °C in normal use;

(15) ‘sauna stove’ means a space heating product, incorporated in, or declared to be used in, dry or wet sauna's or similar environments;

(16) ‘slave heater’ means an electric local space heater which is not capable of autonomous operation and needs to receive signals sent from an external master controller, not being part of the product but connected to it by pilot wire, wireless, power line communication or an equivalent technique, in order to regulate the emission of heat into the room in which the product is installed;

(17) ‘luminous local space heater’ means a local space heater, using gaseous or liquid fuel which is equipped with a burner; which is to be installed above head level, directed towards the place of use so that the heat emission of the burner, being predominantly infrared radiation, directly warms the subjects to be heated and which emits the products of combustion in the space where it is situated;

(18) ‘tube local space heater’ means a local space heater, using gaseous or liquid fuel, which is equipped with a burner; which is to be installed above head level, near the subjects to be heated, which heats the space primarily by infrared radiation from the tube or tubes heated by the internal passage of products of combustion and of which the products of combustion are to be evacuated through a flue duct;

(19) ‘tube heater system’ means a tube local space heater comprising more than one single burner, of which the products of combustion of one burner may feed into a next burner, and of which the products of combustion of multiple burners are to be evacuated by a single exhaust fan;

(20) ‘tube heater segment’ means a part of a tube heater system that comprises all the elements needed for standalone operation and as such can be tested independently of the other tube heating system parts;