Commission Delegated Regulation (EU) 2015/1186 of 24 April 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of local space heaters (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) 2015/1186

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supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of 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 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products[(1)], and in particular Article 10 thereof,

Whereas:

(1) Directive 2010/30/EU requires the Commission to adopt delegated acts as regards the labelling of energy-related products that have a significant potential for energy savings and a wide disparity in the relevant performance levels with equivalent functionality.

(2) Local space heaters with equivalent functionality exhibit a wide disparity in terms of energy efficiency and the energy they use accounts for a significant share of the total energy demand in the Union. The scope for reducing their energy consumption is significant.

(3) Local space heaters using non-woody biomass have specific technical characteristics and should therefore be exempted from this Regulation.

(4) Harmonised provisions on labelling and standard product information should be laid down in order to provide incentives for manufacturers to improve the energy efficiency of local space heaters, to encourage end-users to purchase energy-efficient products and to contribute to the functioning of the internal market.

(5) As the typical use and therefore also energy consumption of local space heaters is different to that of other space heating products being regulated, this Regulation should introduce a labelling scale different to that of other space heating products.

(6) As luminous and tube local space heaters are products directly purchased by professionals and not by final consumers no energy labelling requirements relating to them are set in this Regulation.

(7) The minimum requirements applying to electric local space heaters under Commission Regulation (EU) 2015/1188[(2)] provide the maximum technical improvement potential of these products. In consequence, no room for differentiation will be left among

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them. Electric local space heaters cannot be directly substituted by more efficient local space heaters using other fuels and in consequence, the label would not achieve the objective of providing information to consumers about the relative efficiency of different products.

(8) Promoting the use of renewable energy in heating products is consistent with the objective of promoting renewable energy. It is therefore appropriate that this Regulation introduces a specific approach for local space heaters, a 'biomass label factor' set at such a level that class A++ can be reached by solid fuel local space heaters using pellets only.

(9) The information provided on the label should be obtained through reliable, accurate and reproducible measurement and calculation procedures which take into account recognised state-of-the-art measurement and calculation methods including, where available, harmonised standards adopted by the European standardisation organisations, in accordance with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council[(3)], for the purpose of establishing ecodesign requirements.

(10) This Regulation should specify a uniform design and content for the product labels of local space heaters.

(11) In addition, this Regulation should specify requirements for the product fiche and technical documentation for local space heaters.

(12) Moreover, this Regulation should specify requirements in respect of the information to be provided in any case of any form of distance selling of local space heaters and in any advertisements and technical promotional material for such local space heaters.

(13) It is appropriate to provide for a review of the provisions of this Regulation taking into account technological progress,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes requirements for the energy labelling of, and the provision of supplementary product information on local space heaters with a nominal heat output of 50 kW or less.

This Regulation shall not apply to:

(a) electric local space heaters;

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

(c) solid fuel local space heaters that are specified for the combustion of non-woody biomass only;

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(d) 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;

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

(f) 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;

(g) solid fuel local space heaters that are not factory assembled, or are not provided as prefabricated components or parts by a single manufacturer which are to be assembled on site;

(h) luminous local space heaters and tube local space heaters;

(i) air heating products;

(j) sauna stoves.

Article 2

Definitions

In addition to the definitions set out in Article 2 of Directive 2010/30/EU, the following definitions shall apply for the purposes of this Regulation:

(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, liquid or solid fuels directly into heat, through use of the Joule effect or combustion of fuels respectively;

(2) ‘solid fuel local space heater’ means an open fronted local space heater, closed fronted local space heater or cooker using solid fuels;

(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) ‘open fronted local space heater’ means a local space heater, using gaseous, liquid or solid 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;

(7) ‘closed fronted local space heater’ means a local space heater, using gaseous, liquid or solid fuels, of which the fire bed and combustion gases can be 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;

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(8) ‘cooker’ means a local space heater, using solid fuels, that integrates in one enclosure the function of a local space heater, and a hob, an oven or both to be used for preparation of food and which is sealed to a chimney or fireplace opening or requires a flue duct for the evacuation of products of combustion;

(9) ‘fuel fired local space heater’ means either an open fronted local space heater, closed fronted local space heater or cooker;

(10) ‘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;

(11) ‘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;

(12) ‘flueless heater’ means a local space heater, using gaseous, liquid or solid fuel, emitting the products of combustion into the space where the product is situated, other than a luminous local space heater;

(13) ‘open to chimney heater’ means a local space heater, using gaseous, liquid or solid fuels intended to sit under a chimney or in a fireplace without sealing between the product and the chimney or fireplace opening, and allowing the products of combustion pass unrestricted from the fire bed to the chimney or flue;

(14) ‘air heating product’ means a product providing heat to an air-based heating system only that can be ducted and is designed to be used while fastened or secured in a specific location or wall mounted which distributes the air by means of an air moving device in order to reach and maintain a certain level of human thermal comfort within an enclosed space in which the product is situated;

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

(16) ‘solid fuel’ means a fuel which is solid at normal indoor room temperatures, including solid biomass and solid fossil fuel;

(17) ‘biomass’ means the biodegradable fraction of products, waste and residues from biological origin from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture, as well as the biodegradable fraction of industrial and municipal waste;

(18) ‘woody biomass’ means biomass originating from trees, bushes and shrubs, including log wood, chipped wood, compressed wood in the form of pellets, compressed wood in the form of briquettes, and sawdust;

(19) ‘non-woody biomass’ means biomass other than woody biomass, including, inter alia, straw, miscanthus, reeds, kernels, grains, olive stones, olive cakes and nut shells;

(20) ‘preferred fuel’ means the single fuel which is to be preferably used for the local space heater according to the supplier's instructions;

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(21) 'fossil solid fuel' means solid fuel other than biomass, including anthracite and dry steam coal, hard coke, low temperature coke, bituminous coal, lignite, a blend of fossil fuels or a blend of biomass and fossil fuel; for the purposes of this Regulation it also includes peat;

(22) 'other suitable fuel' means a fuel, other than the preferred fuel, which can be used in the local space heater according to the supplier's instructions and includes any fuel that is mentioned in the instruction manual for installers and end-users, on free access websites of manufacturers and suppliers, in technical or promotional material and in advertisements;

(23) 'direct heat output' means the heat output of the product by radiation and convection of heat, as emitted by or from the product itself to air, excluding the heat output of the product to a heat transfer fluid, expressed in kW;

(24) 'indirect heat output' means the heat output of the product to a heat transfer fluid by the same heat generation process that provides the direct heat output of the product, expressed in kW;

(25) 'indirect heating functionality' means the product is capable of transferring part of the total heat output to a heat transfer fluid, for use as space heating or domestic hot water generation.

(26) 'nominal heat output' (P_{nom}) means the heat output of a local space heater comprising both direct heat output and indirect heat output (where applicable), when operating at the setting for the maximum heat output that can be maintained over an extended period, as declared by the supplier, expressed in kW;

(27) 'minimum heat output' (P_{min}) means the heat output of a local space heater comprising both direct heat output and indirect heat output (where applicable), when operating at the setting for the lowest heat output, as declared by the supplier, expressed in kW;

(28) 'intended for outdoor use' means the product is suitable for safe operation outside enclosed spaces, including possible use in outdoor conditions;

(29) 'equivalent model' means a model placed on the market with the same technical parameters set out in Table 2 or Table 3 of Annex V as another model placed on the market by the same supplier.

For the purposes of Annexes II to IX, additional definitions are set out in Annex I.

Article 3

Responsibilities of suppliers and timetable

1 From 1 January 2018 suppliers placing on the market or putting into service local space heaters that are not flueless heaters using solid fuels or open to chimney heaters using solid fuels shall ensure that:

a such local space heater is provided with a printed label in the format and containing the information set out in point 1 of Annex III and conforming to the energy efficiency classes set out in Annex II;

b an electronic label in the format and containing the information set out in point 1 of Annex III and conforming to the energy efficiency classes set out Annex II is made available to dealers for such local space heater model;

c a product fiche in accordance with Annex IV, is provided for such local space heater;