Commission Delegated Regulation (EU) No 518/2014 of 5 March 2014 amending Commission Delegated Regulations (EU) No 1059/2010, (EU) No 1060/2010, (EU) No 1061/2010, (EU) No 1062/2010, (EU) No 626/2011, (EU) No 392/2012, (EU) No 874/2012, (EU) No 665/2013, (EU) No 811/2013 and (EU) No 812/2013 with regard to labelling of energy-related products on the internet (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 518/2014

of 5 March 2014

amending Commission Delegated Regulations (EU) No 1059/2010, (EU) No 1060/2010, (EU) No 1061/2010, (EU) No 1062/2010, (EU) No 626/2011, (EU) No 392/2012, (EU) No 874/2012, (EU) No 665/2013, (EU) No 811/2013 and (EU) No 812/2013 with regard to labelling of energy-related products on the internet

(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 Articles 7 and 10 thereof,

Whereas:

(1) Directive 2010/30/EU requires the Commission to lay down details relating to the labelling of energy-related products by means of delegated acts which contain measures that ensure that potential end-users are provided with the information specified on the label and in the product fiche in case of distance selling, including mail order, by catalogue, telemarketing or through the internet.

(2) Currently, it is specified that in the case of distance selling the information on the label is to be presented in a specific order. However, there is currently no requirement to display the label itself or the product fiche. Therefore, the ability of end-users to make better informed decisions about their purchases is affected in the case of distance selling because they are neither guided by the colour scale of the label, nor are they informed as to which energy labelling class is the best for the product group or provided with the additional information which is contained in the fiche.

(3) Distance selling through the internet is increasingly becoming a significant share of the sales of energy-related products. When selling through the internet, it is possible to display the label and the fiche without involving an additional administrative burden. Therefore, dealers should display the label and fiche when selling through the internet.

(4) For the label and fiche to be displayed on the internet, suppliers should for each model of an energy-related product provide dealers with an electronic version of the label and the

fiche, e.g. through making them available on a website where they can be downloaded by dealers.

(5) In order to implement the requirements of this Regulation as part of normal business cycles, suppliers should be obliged to make the label and fiche available electronically only for new models, including upgrades of existing models, which in practical terms means those with a new model identifier. For existing models supply of an electronic label and fiche should be on a voluntary basis.

(6) Since displaying the label and the fiche next to the product may require more screen space, it should be allowed to have them displayed using a nested display.

(7) Commission Delegated Regulations (EU) No 1059/2010[(2)], (EU) No 1060/2010[(3)], (EU) No 1061/2010[(4)], (EU) No 1062/2010[(5)], (EU) No 626/2011[(6)], (EU) No 392/2012[(7)], (EU) No 874/2012[(8)], (EU) No 665/2013[(9)], (EU) No 811/2013[(10)], and (EU) No 812/2013[(11)] should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Delegated Regulation (EU) No 1059/2010

Delegated Regulation (EU) No 1059/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) the following point (f) is added:

(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household dishwasher model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household dishwasher models;;

(b) the following point (g) is added:

(g) an electronic product fiche as set out in Annex II is made available to dealers for each household dishwasher model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household dishwasher models.;

(2) in Article 4, point (b) is replaced by the following:

(b) household dishwashers offered for sale, hire or hire- purchase where the end-user cannot be expected to see the household dishwasher displayed, are marketed with the information provided by suppliers in accordance with Annex IV. Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;;

(3) a new Annex VIII is added in accordance with Annex I to this Regulation.

Article 2

Amendments to Delegated Regulation (EU) No 1060/2010

Delegated Regulation (EU) No 1060/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) the following point (f) is added:

(f) an electronic label in the format and containing the information set out in Annex II is made available to dealers for each household refrigerating appliance model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household refrigerating appliance models;;

(b) the following point (g) is added:

(g) an electronic product fiche as set out in Annex III is made available to dealers for each household refrigerating appliance model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household refrigerating appliance models.;

(2) in Article 4, point (b) is replaced by the following:

(b) household refrigerating appliances offered for sale, hire or hire purchase where the end-user cannot be expected to see the product displayed, are marketed with the information to be provided by the suppliers in accordance with Annex V. Where the offer for is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex X shall apply instead;;

(3) a new Annex X is added in accordance with Annex II to this Regulation.

Article 3

Amendments to Delegated Regulation (EU) No 1061/2010

Delegated Regulation (EU) No 1061/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) the following point (f) is added:

(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household washing machine model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household washing machine models;;

(b) the following point (g) is added:

(g) an electronic product fiche as set out in Annex II is made available to dealers for each household washing machine model placed on the market

from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household washing machine models.;

(2) in Article 4, point (b) is replaced by the following:

(b) household washing machines offered for sale, hire or hire-purchase where the end-user cannot be expected to see the product displayed are marketed with the information to be provided by suppliers in accordance with Annex IV. Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;;

(3) a new Annex VIII is added in accordance with Annex III to this Regulation.

Article 4

Amendments to Delegated Regulation (EU) No 1062/2010

Delegated Regulation (EU) No 1062/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) in paragraph 1, the following point (f) is added:

(f) an electronic label in the format and containing the information set out in Annex V is made available to dealers for each television model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other television models;;

(b) in paragraph 1, the following point (g) is added:

(g) an electronic product fiche as set out in Annex III is made available to dealers for each television model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other television models.;

(2) in Article 4, point (b) is replaced by the following:

(b) televisions offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the television displayed, are marketed with the information to be provided by the suppliers in accordance with Annex VI. Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(1)(f) and 3(1)(g) the provisions in Annex IX shall apply instead;;

(3) a new Annex IX is added in accordance with Annex IV to this Regulation.

Article 5

Amendments to Delegated Regulation (EU) No 626/2011

Delegated Regulation (EU) No 626/2011 is amended as follows:

(1) Article 3 is amended as follows:

(a) in paragraph 1, the following point (h) is added:

(h) an electronic label in the format and containing the information set out in Annex III is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new model identifier, respecting energy efficiency classes set out in Annex II. It may also be made available to dealers for other air conditioner models;;

(b) in paragraph 1, the following point (i) is added:

(i) an electronic product fiche as set out in Annex IV is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other air conditioner models.;

(2) in Article 4, point (b) is replaced by the following:

(b) air conditioners offered for sale, hire or hire purchase where the end-user cannot be expected to see the product displayed, are marketed with the information provided by suppliers in accordance with Annexes IV and VI. Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(1)(h) and 3(1)(i) the provisions of Annex IX shall apply instead;;

(3) a new Annex IX is added in accordance with Annex V to this Regulation.

Article 6

Amendments to Delegated Regulation (EU) No 392/2012

Delegated Regulation (EU) No 392/2012 is amended as follows:

(1) Article 3 is amended as follows:

(a) the following point (f) is added:

(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household tumble drier model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household tumble drier models;;

(b) the following point (g) is added:

(g) an electronic product fiche as set out in Annex II is made available to dealers for each household tumble drier model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household tumble drier models.;

(2) in Article 4, point (b) is replaced by the following:

(b) household tumble driers offered for sale, hire or hire-purchase where the end-user cannot be expected to see the product displayed, as specified in Article 7 of Directive 2010/30/EU, are marketed with the information provided by suppliers in accordance with Annex IV to this Regulation. Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;;