Commission Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 812/2013

of 18 February 2013

supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device

(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 but exhibit a wide disparity in performance levels with equivalent functionality.

(2) The energy consumed by water heaters and hot water storage tanks accounts for a significant share of the total energy demand in the Union, and water heaters and hot water storage tanks with equivalent functionality exhibit a wide disparity in terms of water heating energy efficiency and standing loss. The scope for reducing their energy consumption is significant and includes combining water heaters with appropriate solar devices. Water heaters, hot water storage tanks and packages of water heaters and solar devices should therefore be covered by energy labelling requirements.

(3) Water heaters that are designed for using gaseous or liquid fuels predominantly (more than 50 %) produced from biomass have specific technical characteristics which require further technical, economic and environmental analyses. Depending on the outcome of the analyses, energy labelling requirements for those water heaters should be set at a later stage, if appropriate.

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

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 812/2013. 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*

(5) As regards significant energy and cost savings for each type of water heater and for hot water storage tanks, this Regulation should introduce a new single labelling scale from A to G for conventional water heaters, solar water heaters and heat pump water heaters and for hot water storage tanks. A dynamic class A^{+} should be added to the classification after two years to accelerate the market penetration of the most efficient water heaters and hot water storage tanks.

(6) This Regulation should ensure that consumers get more accurate comparative information about the performance of solar water heaters and heat pump water heaters in three European climate zones.

(7) The sound power level of a water heater could be an important consideration for end-users. Information on sound power levels should be included on the labels of water heaters.

(8) The combined effect of this Regulation and Commission Regulation (EU) No 814/2013 of 2 August 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for water heaters and hot water storage tanks[(2)] is expected to result in estimated annual energy savings of around 450 PJ (11 Mtoe) by 2020, corresponding to about 26 Mt CO_2 emissions, compared to what would happen if no measures were taken.

(9) The information provided on the labels should be obtained through reliable, accurate and reproducible measurement and calculation procedures that take into account recognised state-of-the-art measurement and calculation methods including, where available, harmonised standards adopted by the European standardisation bodies under a request from the Commission, in accordance with the procedures laid down in the Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services[(3)], for the purpose of establishing ecodesign requirements.

(10) This Regulation should specify a uniform design and content of product labels for water heaters and hot water storage tanks.

(11) In addition, this Regulation should specify requirements for the product fiche and technical documentation for water heaters and hot water storage tanks.

(12) Moreover, this Regulation should specify requirements for the information to be provided for any form of distance selling of water heaters and hot water storage tanks and in any advertisements and technical promotional material for such products.

(13) In addition to the product labels and fiches for water heaters and hot water storage tanks laid down in this Regulation, a package label and fiche based on product fiches from suppliers should ensure that the end-user has easy access to information on the energy performance of water heaters in combination with solar devices. The most efficient class A^{+++} may be reached by such a package.

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

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HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation establishes requirements for the energy labelling of, and the provision of supplementary product information on, water heaters with a rated heat output ≤ 70 kW, hot water storage tanks with a storage volume ≤ 500 litres and packages of water heater ≤ 70 kW and solar device.

2 This Regulation shall not apply to:

a water heaters specifically designed for using gaseous or liquid fuels predominantly produced from biomass;

b water heaters using solid fuels;

c water heaters within the scope of Directive 2010/75/EU of the European Parliament and of the Council[(4)];

d combination heaters as defined in Article 2 of Commission Delegated Regulation (EU) No 811/2013[(5)];

e water heaters which do not meet at least the load profile with the smallest reference energy, as specified in Annex VII, Table 3;

f water heaters designed for making hot drinks and/or food only.

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) ‘water heater’ means a device that:

(a) is connected to an external supply of drinking or sanitary water;

(b) generates and transfers heat to deliver drinking or sanitary hot water at given temperature levels, quantities and flow rates during given intervals; and

(c) is equipped with one or more heat generators;

(2) ‘heat generator’ means the part of a water heater that generates the heat using one or more of the following processes:

(a) combustion of fossil fuels and/or biomass fuels;

(b) use of the Joule effect in electric resistance heating elements;

(c) capture of ambient heat from an air source, water source or ground source, and/or waste heat;

(3) ‘rated heat output’ means the declared heat output of the water heater when providing water heating at standard rating conditions, expressed in kW;

(4) ‘storage volume’ (V) means the rated volume of a hot water storage tank, expressed in litres;

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(5) 'standard rating conditions' means the operating conditions of water heaters for establishing the rated heat output, water heating energy efficiency and sound power level, and of hot water storage tanks for establishing the standing loss;

(6) '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;

(7) 'biomass fuel' means a gaseous or liquid fuel produced from biomass;

(8) 'fossil fuel' means a gaseous or liquid fuel of fossil origin;

(9) 'hot water storage tank' means a vessel for storing hot water for water and/or space heating purposes, including any additives, which is not equipped with any heat generator except possibly one or more back-up immersion heaters;

(10) 'back-up immersion heater' means a Joule effect electric resistance heater that is part of a hot water storage tank and generates heat only when the external heat source is disrupted (including during maintenance periods) or out of order, or that is part of a solar hot water storage tank and provides heat when the solar heat source is not sufficient to satisfy required comfort levels;

(11) 'solar device' means a solar-only system, a solar collector, a solar hot water storage tank or a pump in the collector loop, which are placed on the market separately;

(12) 'solar-only system' means a device that is equipped with one or more solar collectors and solar hot water storage tanks and possibly pumps in the collector loop and other parts, which is placed on the market as one unit and is not equipped with any heat generator except possibly one or more back-up immersion heaters;

(13) 'package of water heater and solar device' means a package offered to the end-user containing one or more water heaters and one or more solar devices;

(14) 'water heating energy efficiency' (η_{wh}) means the ratio between the useful energy provided by a water heater or a package of water heater and solar device and the energy required for its generation, expressed in %;

(15) 'sound power level' (L_{WA}) means the A-weighted sound power level, indoors and/or outdoors, expressed in dB;

(16) 'standing loss' (S) means the heating power dissipated from a hot water storage tank at given water and ambient temperatures, expressed in W;

(17) 'heat pump water heater' means a water heater that uses ambient heat from an air source, water source or ground source, and/or waste heat for heat generation.

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 26 September 2015 suppliers placing water heaters on the market and/or putting them into service, including those integrated in packages of water heater and solar device, shall ensure that:

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a a printed label complying with the format and content of information set out in point 1.1 of Annex III is provided for each water heater conforming to the water heating energy efficiency classes set out in point 1 of Annex II, whereby: for heat pump water heaters, the printed label is provided at least in the packaging of the heat generator; for water heaters intended for use in packages of water heater and solar device, a second label complying with the format and content of information set out in point 3 of Annex III is provided for each water heater;

b a product fiche, as set out in point 1 of Annex IV, is provided for each water heater, whereby: for heat pump water heaters, the product fiche is provided at least for the heat generator; for water heaters intended for use in packages of water heater and solar device, a second fiche, as set out in point 4 of Annex IV, is provided;

c the technical documentation, as set out in point 1 of Annex V, is provided on request to the authorities of the Member States and to the Commission;

d any advertisement relating to a specific water heater model and containing energy-related or price information includes a reference to the water heating energy efficiency class under average climate conditions for that model;

e any technical promotional material concerning a specific water heater model and describing its specific technical parameters includes a reference to the water heating energy efficiency class under average climate conditions for that model**[**F1;**]**

[F2f an electronic label in the format and containing the information set out in point 1.1 of Annex III is made available to dealers for each water heater model conforming to the water heating energy efficiency classes set out in point 1 of Annex II;**]**

[F2g an electronic product fiche as set out in point 1 of Annex IV is made available to dealers for each water heater model, whereby for heat pump water heaters models, the electronic product fiche is made available to dealers at least for the heat generator.**]**

From 26 September 2017 a printed label complying with the format and content of information set out in point 1.2 of Annex III shall be provided for each water heater conforming to the water heating energy efficiency classes set out in point 1 of Annex II, whereby: for heat pump water heaters, the printed label shall be provided at least in the packaging of the heat generator.

[F2From 26 September 2017 an electronic label in the format and containing the information set out in point 1.2 of Annex III shall be made available to dealers for each water heater model conforming to the water heating energy efficiency classes set out in point 1 of Annex II.**]**

2 From 26 September 2015 suppliers placing hot water storage tanks on the market and/or putting them into service shall ensure that:

a a printed label complying with the format and content of information set out in point 2.1 of Annex III is provided for each hot water storage tank conforming to the energy efficiency classes set out in point 2 of Annex II;

b a product fiche, as set out in point 2 of Annex IV, is provided;

c the technical documentation, as set out in point 2 of Annex V, is provided on request to the authorities of the Member States and to the Commission;

d any advertisement relating to a specific hot water storage tank model and containing energy-related or price information includes a reference to the energy efficiency class for that model;

e any technical promotional material concerning a specific hot water storage tank model and describing its specific technical parameters includes a reference to the energy efficiency class for that model**[**F1;**]**