Commission Regulation (EU) No 666/2013 of 8 July 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for vacuum cleaners (Text with EEA relevance)

COMMISSION REGULATION (EU) No 666/2013

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(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) Under Directive 2009/125/EC ecodesign requirements should be set by the Commission for energy-related products representing significant volumes of sales and trade, having significant environmental impact and presenting 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 has to, as appropriate, introduce implementing measures for domestic appliances, including vacuum cleaners.

(3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of vacuum cleaners typically used in households and commercial premises. The study has been developed together with stakeholders and interested parties from the Union and third countries, and the results have been made publicly available.

(4) Wet, wet and dry, robot, industrial, central and battery operated vacuum cleaners and floor polishers and outdoor vacuums have particular characteristics and should therefore be exempted from the scope of this Regulation.

(5) The environmental aspects of the products covered, identified as significant for the purposes of this Regulation, are energy consumption in the use phase, dust pick-up, dust re-emission, noise (sound power level) and durability. The annual electricity consumption of products subject to this Regulation was estimated to have been 18 TWh in the Union in 2005. Unless specific measures are taken, annual electricity

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consumption is predicted to be 34 TWh in 2020. The preparatory study shows that the energy consumption of products subject to this Regulation can be significantly reduced.

(6) The preparatory study shows that requirements regarding further ecodesign parameters referred to in Part 1 of Annex I to Directive 2009/125/EC are not necessary in the case of vacuum cleaners.

(7) The energy consumption of vacuum cleaners should be made more efficient by applying existing non-proprietary cost-effective technologies that can reduce the combined costs of purchasing and operating these products.

(8) The ecodesign requirements should not affect functionality from the end-user's perspective and should not negatively affect health, safety or the environment. In particular, the benefits of reducing energy consumption during the use phase should more than offset any additional environmental impacts during the production phase and the disposal.

(9) The ecodesign requirements should be introduced gradually in order to provide a sufficient timeframe for manufacturers to re-design products subject to this Regulation. The timing should be such as to avoid negative impacts on the functionalities of equipment on the market, and to take into account cost impacts for end-users and manufacturers, in particular small and medium-sized enterprises, while ensuring timely achievement of the objectives of this Regulation.

(10) A review of this Regulation is foreseen no later than 5 years after its entry into force and in relation to two provisions no later than 1 September 2016.

(11) Commission Regulation (EU) No 327/2011 of 30 March 2011 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to Ecodesign requirements for fans driven by motors with an electric input power between 125 W and 500 kW[(2)] should be amended to exclude fans integrated in vacuum cleaners from its scope in order to prevent specific ecodesign requirements for the same products to be contained in two separate regulations.

(12) Measurements of the relevant product parameters should be performed through reliable, accurate and reproducible measurement methods, which take into account the recognised state of the art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation[(3)].

(13) In accordance with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.

(14) In order to facilitate compliance checks, manufacturers should provide information contained in the technical documentation referred to in Annexes IV and V of Directive 2009/125/EC insofar as this information relates to the requirements laid down in this Regulation.

(15) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to ensure the wide

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availability and easy accessibility of information on the life-cycle environmental performance of products subject to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation establishes eco-design requirements for the placing on the market of electric mains-operated vacuum cleaners, including hybrid vacuum cleaners.

2 This Regulation shall not apply to:

a wet, wet and dry, battery operated, robot, industrial, or central vacuum cleaners;

b floor polishers;

c outdoor vacuums.

Article 2

Definitions

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

(1) ‘vacuum cleaner’ means an appliance that removes soil from a surface to be cleaned by means of an airflow created by underpressure developed within the unit;

(2) ‘hybrid vacuum cleaner’ means a vacuum cleaner that can be powered by both electric mains and batteries;

(3) ‘wet vacuum cleaner’ means a vacuum cleaner that removes dry and/or wet material (soil) from the surface by applying water-based detergent or steam to the surface to be cleaned, and removing it, and the soil by an airflow created by underpressure developed within the unit, including types commonly known as spray-extraction vacuum cleaners;

(4) ‘wet and dry vacuum cleaner’ means a vacuum cleaner designed to remove a volume of more than 2,5 litres, of liquid, in combination with the functionality of a dry vacuum cleaner;

(5) ‘dry vacuum cleaner’ means a vacuum cleaner designed to remove soil that is principally dry (dust, fibre, threads), including types equipped with a battery operated active nozzle;

(6) ‘battery operated active nozzle’ means a cleaning head provided with an agitation device powered by batteries to assist dirt removal;

(7) ‘battery operated vacuum cleaner’ means a vacuum cleaner powered only by batteries;

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(8) 'robot vacuum cleaner' means a battery operated vacuum cleaner that is capable of operating without human intervention within a defined perimeter, consisting of a mobile part and a docking station and/or other accessories to assist its operation;

(9) 'industrial vacuum cleaner' means a vacuum cleaner designed to be part of a production process, designed for removing hazardous material, designed for removing heavy dust from building, foundry, mining or food industry, part of an industrial machine or tool and/or a commercial vacuum cleaner with a head width exceeding 0,50 m;

(10) 'commercial vacuum cleaner' means a vacuum cleaner for professional housekeeping purposes and intended to be used by laymen, cleaning staff or contracting cleaners in office, shop, hospital and hotel environments, declared by the manufacturer as such in the Declaration of Conformity pertaining to the Directive 2006/42/EC of the European Parliament and of the Council[(4)];

(11) 'central vacuum cleaner' means a vacuum cleaner with a fixed (not movable) underpressure source location and the hose connections located at fixed positions in the building;

(12) 'floor polisher' means an electrical appliance that is designed to protect, smoothen and/or render shiny certain types of floors, usually operated in combination with a polishing means to be rubbed on the floor by the appliance and commonly also equipped with the auxiliary functionality of a vacuum cleaner;

(13) 'outdoor vacuum' means an appliance that is designed for use outdoors to collect debris such as grass clippings and leaves into a collector by means of an airflow created by underpressure developed within the unit and which may contain a shredding device and may also be able to perform as a blower;

(14) 'full size battery operated vacuum cleaner' means a battery operated vacuum cleaner which when fully charged, can clean 15 m^2 of floor area by applying 2 double strokes to each part of the floor without recharge;

(15) 'water filter vacuum cleaner' means a dry vacuum cleaner that uses more than 0,5 litre of water as the main filter medium, whereby the suction air is forced through the water entrapping the removed dry material as it passes through;

(16) 'household vacuum cleaner' means a vacuum cleaner intended for household or domestic use, declared by the manufacturer as such in the Declaration of Conformity pertaining to Directive 2006/95/EC of the European Parliament and of the Council[(5)];

(17) 'general purpose vacuum cleaner' means a vacuum cleaner supplied with a fixed or at least one detachable nozzle designed for cleaning both carpets and hard floors, or supplied with both at least one detachable nozzle designed specifically for cleaning carpets and at least one detachable nozzle for cleaning hard floors;

(18) 'hard floor vacuum cleaner' means a vacuum cleaner supplied with a fixed nozzle designed specifically for cleaning hard floors, or supplied solely with one or more detachable nozzles designed specifically for cleaning hard floors;

(19) 'carpet vacuum cleaner' means a vacuum cleaner supplied with a fixed nozzle designed specifically for cleaning carpets, or supplied solely with one or more detachable nozzles designed specifically for cleaning carpets;

(20) 'equivalent vacuum cleaner' means a model of vacuum cleaner placed on the market with the same input power, annual energy consumption, dust pick up on carpet and

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hard floor, dust re-emission, sound power level, hose durability and operational motor lifetime as another model of vacuum cleaner placed on the market under a different commercial code number by the same manufacturer.

Article 3

Ecodesign requirements

1 The ecodesign requirements for vacuum cleaners are set out in Annex I. They shall apply in accordance with the following timetable:

a from 1 September 2014: as indicated in Annex I, point 1(a) and point 2;

b from 1 September 2017: as indicated in Annex I, point 1(b) and point 2.

2 Compliance with ecodesign requirements shall be measured and calculated in accordance with the methods set out in Annex II.

Article 4

Conformity assessment

1 The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control system set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.

2 For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation file shall contain a copy of the calculations set out in Annex II to this Regulation.

3 Where the information included in the technical documentation for a particular vacuum cleaner model has been obtained by calculation on the basis of an equivalent vacuum cleaner, the technical documentation shall include details of such calculations and of tests undertaken by manufacturers to verify the accuracy of the calculations undertaken. In such cases, the technical documentation shall also include a list of all other equivalent vacuum cleaner models where the information included in the technical documentation was obtained on the same basis.

Article 5

Verification procedure for market surveillance purposes

Member States shall apply the verification procedure described in Annex III to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC for compliance with requirements set out in Annex I to this Regulation.

Article 6

Indicative benchmarks

The indicative benchmarks for best-performing vacuum cleaners available on the market at the time of entry into force of this Regulation are set out in Annex IV.