Commission Delegated Regulation (EU) No 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 665/2013

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supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners

(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 19 May 2010 of the European Parliament and of the Council 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 11 thereof,

Whereas:

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

(2) The energy used by vacuum cleaners accounts for a significant part of total energy demand in the Union. The scope for reducing the energy consumption of vacuum cleaners is substantial.

(3) 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.

(4) The information provided on the label should be obtained through reliable, accurate and reproducible measurement procedures, 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) 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation[(2)].

(5) This Regulation should specify a uniform design and content for the label for vacuum cleaners.

(6) In addition, this Regulation should specify requirements as to the technical documentation and the fiche for vacuum cleaners.

(7) Moreover, this Regulation should specify requirements as to the information to be provided for any form of distance selling, advertisements and technical promotional materials of vacuum cleaners.

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 665/2013. 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*

(8) 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

1 This Regulation establishes requirements for the labelling and the provision of supplementary product information for 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 2010/30/EU, the following definitions shall apply for the purpose of this Regulation:

(1) ‘vacuum cleaner’ means an appliance that removes soil from the surface to be cleaned by 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;

(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;

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(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 its Declaration of Conformity pertaining to Directive 2006/42/EC of the European Parliament and of the Council[3];

(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 its Declaration of Conformity pertaining to Directive 2006/95/EC of the European Parliament and of the Council[4];

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

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Article 3

Responsibilities of suppliers and timetable

1 Suppliers shall ensure that from 1 September 2014:

a each vacuum cleaner is supplied with a printed label in the format and containing the information set out in Annex II;

b a product fiche, as set out in Annex III, is made available;

c the technical documentation as set out in Annex IV is made available on request to the authorities of the Member States and to the Commission;

d any advertisement for a specific model of vacuum cleaner contains the energy efficiency class, if the advertisement discloses energy-related or price information;

e any technical promotional material concerning a specific model of vacuum cleaner which describes its specific technical parameters includes the energy efficiency class of that model**[**F1**;]**

[F2f an electronic label in the format and containing the information set out in Annex II is made available to dealers for each vacuum cleaner model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other vacuum cleaner models;**]**

[F2g an electronic product fiche as set out in Annex III is made available to dealers for each vacuum cleaner model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other vacuum cleaner models.**]**

2 The format of the label set out in Annex II shall be applied according to the following timetable:

a for vacuum cleaners placed on the market from 1 September 2014 labels shall be in accordance with label 1 of Annex II;

b for vacuum cleaners placed on the market from 1 September 2017 labels shall be in accordance with label 2 of Annex II.

Textual Amendments

F1 Substituted by 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).

F2 Inserted by 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).

Article 4

Responsibilities of dealers

Dealers shall ensure that from 1 September 2014:

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(a) each model presented at the point of sale bears the label provided by suppliers in accordance with Article 3 displayed on the outside of the appliance or hung on it, in such a way as to be clearly visible;

(b) **[**[F1]vacuum cleaners 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 V 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(1)(f) and 3(1)(g) the provisions in Annex VIII shall apply instead;**]**

(c) any advertisement for a specific model of vacuum cleaner contains a reference to the energy efficiency class, if the advertisement discloses energy-related or price information;

(d) any technical promotional material concerning a specific model of vacuum cleaner which describes its specific technical parameters includes a reference to the energy efficiency class of the model.

Textual Amendments

F1 Substituted by 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).

Article 5

Measurement methods

The information to be provided under Articles 3 and 4 shall be obtained by reliable, accurate and reproducible measurement and calculations methods, which take into account the recognised state-of-the-art measurement and calculation methods, as set out in Annex VI.

Article 6

Verification procedure for market surveillance purposes

Member States shall apply the procedure set out in Annex VII when assessing the conformity of the declared energy efficiency class, cleaning performance classes, dust re-emission class, annual energy consumption and sound power level.

Article 7

Revision

The Commission shall review this Regulation in light of technological progress no later than five years after its entry into force. The review shall in particular assess the