Commission Regulation (EU) No 617/2013 of 26 June 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for computers and computer servers (Text with EEA relevance)

COMMISSION REGULATION (EU) No 617/2013

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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 are to be laid down by the Commission for energy-related products that represent significant volumes of sales and trade, have a significant environmental impact and present significant potential for improvement in terms of their environmental impact without entailing excessive costs.

(2) Article 16(2)(a) of Directive 2009/125/EC provides that the Commission, in accordance with the procedure referred to in Article 19(3) and the criteria set out in Article 15, and after consulting the Consultation Forum, has to introduce, as appropriate, an implementing measure for office equipment.

(3) The Commission has carried out a preparatory study which analysed the technical, environmental and economic aspects of computers. The study involved stakeholders and interested parties from the Union and third countries, and the results have been made publicly available.

(4) The preparatory study showed that the cost-efficient improvement potential in the electricity consumption of computers between 2011 and 2020 was estimated at about 93 TWh, which corresponds to 43 Mt of CO_2 emissions, and in 2020 at between 12,5 TWh and 16,3 TWh, which corresponds to 5,0-6,5 Mt of CO_2 emissions. Consequently, computers constitute a product group for which ecodesign requirements should be established.

(5) Since a lot of the energy-savings potential of desktop thin clients, workstations, small-scale servers and computer servers is linked to the efficiency of their internal power supplies and since the technical specifications of internal power supply for these

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products are similar to those for desktop computers and integrated desktop computers, the provisions on internal power supply efficiency of this Regulation should also apply to the former. However, other environmental performance aspects of desktop thin clients, workstations, mobile workstations, small-scale servers and computer servers could be addressed in a more specific measure implementing Directive 2009/125/EC.

(6) Displays have distinct characteristics and should therefore be excluded from the scope of this Regulation. However, considering their significant environmental impact and their significant potential for improvement, they could be addressed in another measure implementing Directive 2009/125/EC and/or 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[(2)].

(7) The ecodesign requirements should not have any significant negative impact on the functionality of the product or on consumers, and in particular as regards the affordability of the product, the life cycle costs and the industry's competitiveness. Furthermore, the requirements should not impose on manufacturers proprietary technology or excessive administrative burden, nor should they negatively affect health, safety and the environment.

(8) Improvements in the energy efficiency of computers should be achieved by applying existing non-proprietary and cost-effective technologies that can reduce the total combined costs of purchasing and operating them.

(9) The ecodesign requirements should be introduced gradually in order to provide a sufficient time frame for manufacturers to redesign products that are subject to this Regulation. The timing should be such that negative impacts on the supply of computers are avoided, and costs for manufacturers, in particular small and medium-sized enterprises, are taken into account, while ensuring timely achievement of the objectives of this Regulation.

(10) A review of this Regulation is envisaged no later than three and a half years after its entry into force.

(11) The energy efficiency of computers should be determined through reliable, accurate and reproducible measurement methods, which take into account the recognised state of the art, including, where available, harmonised standards established in conformity with the applicable European standardisation legislation[(3)].

(12) As ecodesign requirements for standby and off mode electric power demand of electrical and electronic household and office equipment are not fully appropriate for the characteristics of computers, the requirements of Commission Regulation (EC) No 1275/2008 of 17 December 2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for standby and off mode electric power demand of electrical and electronic household and office equipment[(4)] should not apply to computers. Consequently, specific requirements for power management, as well as for sleep mode, off mode and lowest power state in

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computers should be set in this Regulation, and Regulation (EC) No 1275/2008 should be amended accordingly.

(13) Despite the exclusion of computers from the scope of Regulation (EC) No 1275/2008, provisions of Commission Regulation (EC) No 278/2009 of 6 April 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for no-load condition electric power demand and average active efficiency of external power supplies[(5)] shall apply to external power supplies that are placed on the market with computers.

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

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

(16) To ensure fair competition, the achievement of potential intended energy savings and provision of accurate information of products' energy performance towards consumers, this Regulation should make clear that the tolerances prescribed for the national market surveillance authorities when conducting physical tests to establish whether a specific model of an energy related product is in compliance with this Regulation should not be used by the manufacturers to provide room for declaring a more favourable performance of the model than measurements and calculations declared in the technical documentation of the product can justify.

(17) Benchmarks for currently available products with high energy efficiency should be identified. This will help to ensure the wide availability and easy accessibility of information, in particular for small and medium-sized enterprises, which will further facilitate the integration of best design technologies and the development of more efficient products for reducing energy consumption.

(18) 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

[[F1]1 This Regulation establishes ecodesign requirements for the placing on the market of computers.**]**

2 This Regulation shall apply to the following products that can be powered directly from the mains alternating current (AC) including via an external or internal power supply:

a desktop computers;

b integrated desktop computers;

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c notebook computers (including tablet computers, slate computers and mobile thin clients);
d desktop thin clients;
e workstations;
f mobile workstations;
g small-scale servers[F1.]
[F2h computer servers.]

3 This Regulation shall not apply to the following product groups:
[F2a blade system and components;
b server appliances;
c multi-node servers;
d computer servers with more than four processor sockets;]
e game consoles;
f docking stations.

Textual Amendments

F1 Substituted by Commission Regulation (EU) 2019/424 of 15 March 2019 laying down ecodesign requirements for servers and data storage products pursuant to Directive 2009/125/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 617/2013 (Text with EEA relevance).

F2 Deleted by Commission Regulation (EU) 2019/424 of 15 March 2019 laying down ecodesign requirements for servers and data storage products pursuant to Directive 2009/125/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 617/2013 (Text with EEA relevance).

Article 2

Definitions

The following definitions shall apply:

(1) ‘Computer’ means a device which performs logical operations and processes data, is capable of using input devices and outputting information to a display, and normally includes a central processing unit (CPU) to perform operations. If no CPU is present, then the device must function as a client gateway to a computer server which acts as a computational processing unit;

(2) [F2. . . . .]

(3) ‘External power supply’ means a device which has the following characteristics:

(a) is designed to convert alternating current (AC) power input from the mains power source input into lower voltage direct current (DC) or AC output;

(b) is able to convert to only one DC or AC output voltage at a time;

(c) is intended to be used with a separate device that constitutes the primary load;

(d) is contained in a physical enclosure separate from the device that constitutes the primary load;

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(e) is connected to the device that constitutes the primary load via a removable or hard-wired male/female electrical connection, cable, cord or other wiring; and

(f) has nameplate output power not exceeding 250 Watts;

(4) **[**F1‘Internal power supply’ means a component designed to convert AC voltage from the mains to DC voltage(s) for the purpose of powering the computer and has the following characteristics:

(a) is contained within the computer casing but is separate from the main computer board;

(b) the power supply connects to the mains through a single cable with no intermediate circuitry between the power supply and the mains power; and

(c) all power connections from the power supply to the computer components, with the exception of a DC connection to a display in an integrated desktop computer, are internal to the computer casing.

Internal DC-to-DC converters used to convert a single DC voltage from an external power supply into multiple voltages for use by a computer are not considered internal power supplies;**]**

(5) ‘Desktop computer’ means a computer where the main unit is intended to be located in a permanent location and is not designed for portability and which is designed for use with an external display and external peripherals such as a keyboard and mouse.

The following categories of desktop computers are defined for the purposes of this Regulation:

(a) ‘Category A’ desktop computer means a desktop computer that does not meet the definition of Category B, Category C or Category D desktop computer;

(b) ‘Category B’ desktop computer means a desktop computer with:

(i) two physical cores within the CPU; and

(ii) a minimum of two gigabytes (GB) of system memory;

(c) ‘Category C’ desktop computer means a desktop computer with:

(i) three or more physical cores within the CPU; and

(ii) a configuration of a minimum of one of the following two characteristics:

— a minimum of two gigabytes (GB) of system memory, and/or

— a discrete graphics card (dGfx);

(d) ‘Category D’ desktop computer means a desktop computer with:

(i) a minimum four physical cores in the CPU; and

(ii) a configuration of a minimum of one of the following two characteristics:

— a minimum of four gigabytes (GB) of system memory, and/or