Commission Delegated Regulation (EU) No 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 392/2012

of 1 March 2012

supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers

(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 for the labelling of energy-related products representing significant potential for energy savings and presenting a wide disparity in performance levels with equivalent functionality.

(2) Provisions for the energy labelling of household tumble driers were established by Commission Directive 95/13/EC of 23 May 1995 implementing Council Directive 92/75/EEC with regard to energy labelling of household electric tumble driers[(2)].

(3) The energy used by household tumble driers accounts for a significant part of total household energy demand in the Union. In addition to the energy efficiency improvements already achieved, the scope for further reducing the energy consumption of household tumble driers is substantial.

(4) Directive 95/13/EC should be repealed and new provisions should be laid down by this Regulation in order to ensure that the energy label provides dynamic incentives for suppliers to further improve the energy efficiency of household tumble driers and to accelerate market transformation towards energy-efficient technologies.

(5) Household combined washer-driers are addressed in Commission Directive 96/60/EC of 19 September 1996 implementing Council Directive 92/75/EEC with regard to energy labelling of household combined washer-driers[(3)]. They have particular characteristics and should therefore be exempted from the scope of this Regulation.

(6) 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 bodies, as listed in Annex I to Directive

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 392/2012. 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*

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[4].

(7) This Regulation should specify a uniform design and content for the label for household tumble driers, including gas-fired driers.

(8) In addition, this Regulation should specify requirements as to the 'technical documentation' and the 'product fiche' for household tumble driers.

(9) Moreover, this Regulation should specify requirements as to the information to be provided for any form of distance selling and advertisement of household tumble driers and any form of technical promotional material for such appliances.

(10) It is appropriate to provide for a review of this Regulation in order to take into account technological progress.

(11) In order to facilitate the transition from Directive 95/13/EC to this Regulation, household tumble driers labelled in accordance with this Regulation should be considered as compliant with Directive 95/13/EC.

(12) Directive 95/13/EC should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation establishes requirements for the labelling of and the provision of supplementary product information on electric mains-operated and gas-fired household tumble driers and built-in household tumble driers, including those sold for non-household use.

2 This Regulation shall not apply to household combined washer-driers and household spin-extractors.

Article 2

Definitions

In addition to the definitions laid down in Article 2 of Directive 2010/30/EU, the following definitions shall apply for the purposes of this Regulation:

(1) 'household tumble drier' means an appliance in which textiles are dried by tumbling in a rotating drum, through which heated air is passed and which is designed to be used principally for non-professional purposes;

(2) 'built-in household tumble drier' means a household tumble drier intended to be installed in a cabinet, a prepared recess in a wall or a similar location, requiring furniture finishing;

(3) 'household combined washer-drier' means a household washing machine which includes both a spin extraction function and also a means for drying the textiles, usually by heating and tumbling;

***Changes to legislation:** There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 392/2012. 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*

(4) 'household spin-extractor', also known commercially as 'spin-drier', means an appliance in which water is removed from the textiles by centrifugal action in a rotating drum and drained through an automatic pump and which is designed to be used principally for non-professional purposes;

(5) 'air-vented tumble drier' means a tumble drier that draws in fresh air, passes it over the textiles and vents the resulting moist air into the room or outside;

(6) 'condenser tumble drier' means a tumble drier which includes a device (either using condensation or any other means) for removing moisture from the air used for the drying process;

(7) 'automatic tumble drier' means a tumble drier which switches off the drying process when a certain moisture content of the load is detected, for example through conductivity or temperature sensing;

(8) 'non-automatic tumble drier' means a tumble drier which switches off the drying process after a predefined period, usually controlled by a timer, but which may also be manually switched off;

(9) 'programme' means a series of operations that are predefined and which are declared by the supplier as suitable for drying certain types of textile;

(10) 'cycle' means a complete drying process, as defined for the selected programme;

(11) 'programme time' means the time that elapses from the initiation of the programme until the completion of the programme, excluding any end-user programmed delay;

(12) 'rated capacity' means the maximum mass in kilograms, indicated by the supplier in 0,5 kilogram increments of dry textiles of a particular type, which can be treated in a household tumble drier with the selected programme, when loaded in accordance with the supplier's instructions;

(13) 'partial load' means half of the rated capacity of a household tumble drier for a given programme;

(14) 'condensation efficiency' means the ratio between the mass of moisture condensed by a condenser tumble drier and the mass of moisture removed from the load at the end of a cycle;

(15) 'off-mode' means a condition where the household tumble drier is switched off using appliance controls or switches accessible to and intended for operation by the end-user during normal use to attain the lowest power consumption that may persist for an indefinite time while the household tumble drier is connected to a power source and used in accordance with the supplier's instructions; where there is no control or switch accessible to the end-user, 'off-mode' means the condition reached after the household tumble drier reverts to a steady-state power consumption on its own;

(16) 'left-on mode' means the lowest power consumption mode that may persist for an indefinite time after completion of the programme without any further intervention by the end-user besides unloading of the household tumble drier;

(17) 'equivalent household tumble drier' means a model of household tumble drier placed on the market with the same rated capacity, technical and performance characteristics, energy consumption, condensation efficiency where relevant, standard cotton programme time and airborne acoustical noise emissions during drying as

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 392/2012. 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*

another model of household tumble drier placed on the market under a different commercial code number by the same supplier;

(18) 'end-user' means a consumer buying or expected to buy a household tumble drier;

(19) 'point of sale' means a location where household tumble driers are displayed or offered for sale, hire or hire-purchase.

(20) 'standard cotton programme' means the cycle which dries cotton laundry with an initial moisture content of the load of 60 % up to a remaining moisture content of the load of 0 %.

Article 3

Responsibilities of suppliers

Suppliers shall ensure that:

(a) each household tumble drier is supplied with a printed label in the format and containing the information set out in Annex I;

(b) a product fiche, as set out in Annex II, is made available;

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

(d) any advertisement for a specific model of household tumble drier contains the energy efficiency class, if the advertisement discloses energy-related or price information;

(e) any technical promotional material concerning a specific model of household tumble drier which describes its specific technical parameters includes the energy efficiency class of that model**[**F1;**]**

(f) **[**F2an 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;**]**

(g) **[**F2an 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.**]**

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).

***Changes to legislation:** There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 392/2012. 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*

Article 4

Responsibilities of dealers

Dealers shall ensure that:

(a) each household tumble drier, at the point of sale, bears the label provided by suppliers in accordance with Article 3(a) on the outside of the front or top of the household tumble drier, in such a way as to be clearly visible;

(b) **[**F1household 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;**]**

(c) any advertisement for a specific model of household tumble drier 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 household tumble drier which describes its specific technical parameters includes a reference to the energy efficiency class of that 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 procedures, which take into account the recognised state-of-the-art measurement methods.

Article 6

Verification procedure for market surveillance purposes

Member States shall apply the procedure set out in Annex V for assessing the conformity of the declared energy efficiency class, the energy consumption per cycle, the condensation efficiency class where applicable, the rated capacity, the power consumption in off-mode and left-on mode, the duration of the left-on mode, the programme time and airborne acoustical noise emissions.