Commission Regulation (EU) No 206/2012 of 6 March 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans (Text with EEA relevance)

COMMISSION REGULATION (EU) No 206/2012

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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 Ecodesign Consultation Forum,

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 through design in terms of their environmental impact, without entailing excessive costs.

(2) Point (a) of 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 Ecodesign Consultation Forum, the Commission shall, as appropriate, introduce implementing measures offering a high potential for cost-effective reduction of greenhouse gas emissions, such as for products in heating, ventilation and air-conditioning systems.

(3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of air conditioners and comfort fans typically used in households and small commercial establishments. The study has been developed together with stakeholders and interested parties from the EU and third countries, and the results have been made publicly available.

(4) The main environmental aspects of the products covered, identified as significant for the purposes of this Regulation, are energy consumption in use phase and sound power level. The preparatory study also identified possible refrigerant leakage as a significant environmental aspect in form of direct greenhouse gas emissions, representing on average 10-20 % of the combined direct and indirect greenhouse gas emissions.

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(5) As shown in the preparatory study and confirmed during the impact assessment, there is a lack of information on the efficiency of comfort fans. However, in order to provide market surveillance authorities important information and allow efficient monitoring of the market for the purposes of setting minimum energy efficiency requirements in the future, product information requirements on comfort fans will ensure that the efficiency of the appliance and the measurement method used be well visible on the product. Furthermore, standby and off mode requirements are set for comfort fans.

(6) The annual electricity consumption of products subject to this Regulation was estimated to have been 30 TWh in the EU in 2005. Unless specific measures are taken, annual electricity consumption is predicted to be 74 TWh in 2020. The preparatory study shows that the electricity consumption of products subject to this Regulation can be significantly reduced.

(7) The preparatory study shows that requirements regarding other ecodesign parameters referred to in Annex I, Part 1, to Directive 2009/125/EC are not necessary as electricity consumption and sound power level of air conditioners in the use phase are the most significant environmental aspects.

(8) As refrigerants are addressed under Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases[(2)] no specific requirements on refrigerants are set in this Regulation. However, a bonus is proposed under the ecodesign requirements to steer the market towards the use of refrigerants with reduced harmful impact on the environment. The bonus will lead to lower minimum energy efficiency requirements for appliances using low- global warming potential (GWP) refrigerants.

(9) Air conditioners can be part of systems installed in buildings. National legislation based inter alia on Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings[(3)] may set new stricter requirements on those air conditioning systems, using the calculation and measurement methods defined in this Regulation as regards the efficiency of the air conditioner.

(10) Standby and off-mode functions can be responsible for an important part of the total power consumption of these appliances. For air conditioners, except for double and single duct air conditioners, power consumption of these functions is part of the minimum energy performance requirements and of the seasonal efficiency measurement method. Standby and off-mode requirements for double and single duct air conditioners are set on the basis of the Ecodesign requirements of Commission Regulation (EC) No 1275/2008[(4)].

(11) The combined effect of ecodesign requirements set out in this Regulation and Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners[(5)] is expected to result in annual electricity savings of 11 TWh by 2020, compared to the situation if no measures are taken.

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(12) Products subject to this Regulation should be made more energy efficient by applying existing non-proprietary cost-effective technologies that can reduce the combined costs of purchasing and operating these products.

(13) 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 electricity consumption during the use phase should more than offset any possible additional environmental impact during the production phase.

(14) 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.

(15) 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 bodies, as listed in Annex I to Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998 amending Directive 98/34/EC laying down a procedure for the provision of information in the field of technical standards and regulations[(6)].

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

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

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

(19) 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 air conditioners with a rated capacity of ≤ 12 kW for cooling, or heating if the product has no cooling function, and comfort fans with an electric fan power input ≤ 125W.

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2 This Regulation shall not apply to:

a appliances that use non-electric energy sources;

b air conditioners of which the condenser-side or evaporator-side, or both, do not use air for heat transfer medium.

Article 2

Definitions

For the purposes of this Regulation, the definitions in Article 2 of Directive 2009/125/EC of the European Parliament and of the Council shall apply.

In addition, the following definitions shall apply:

1. ‘air conditioner’ means a device capable of cooling or heating, or both, indoor air, using a vapour compression cycle driven by an electric compressor, including air conditioners that provide additional functionalities such as dehumidification, air-purification, ventilation or supplemental air-heating by means of electric resistance heating, as well as appliances that may use water (either condensate water that is formed on the evaporator side or externally added water) for evaporation on the condenser, provided that the device is also able to function without the use of additional water, using air only;

2. ‘double duct air conditioner’ means an air conditioner in which, during cooling or heating, the condenser (or evaporator) intake air is introduced from the outdoor environment to the unit by a duct and rejected to the outdoor environment by a second duct, and which is placed wholly inside the space to be conditioned, near a wall;

3. ‘single duct air conditioner’ means an air conditioner in which, during cooling or heating, the condenser (or evaporator) intake air is introduced from the space containing the unit and discharged outside this space;

4. ‘rated capacity’ (P_{rated}) means the cooling or heating capacity of the vapour compression cycle of the unit at standard rating conditions;

5. ‘comfort fan’ means an appliance primarily designed for creating air movement around or on part of a human body for personal cooling comfort, including comfort fans that can perform additional functionalities such as lighting;

6. ‘fan power input’ (P_F) means the electric power input of a comfort fan in Watt operating at the declared maximum fan flow rate, measured with the oscillating mechanism active (if/when applicable).

For the purposes of the Annexes, additional definitions are set out in Annex I.

Article 3

Ecodesign requirements and timetable

1 The ecodesign requirements for air conditioners and comfort fans are set out in Annex I.

2 Each ecodesign requirement shall apply in accordance with the following timetable:

From 1 January 2013:

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single duct and double duct air conditioners shall correspond to requirements as indicated in Annex I, point 2(a).

From 1 January 2013:

(a) air conditioners, except single and double duct air conditioners, shall correspond to requirements as indicated in Annex I, point 2(b) and points 3(a), 3(b), 3(c);

(b) single ducts and double ducts shall correspond to requirements as indicated in Annex I, points 3(a), 3(b), 3(d);

(c) comfort fans shall correspond to requirements as indicated in Annex I, points 3(a), 3(b), 3(e).

From 1 January 2014:

(a) air conditioners shall correspond to ecodesign requirements as indicated in Annex I, point 2(c);

(b) single duct and double duct air conditioners shall correspond to requirements as indicated in Annex I, point 2(d).

3 Compliance with ecodesign requirements shall be measured and calculated in accordance with requirements 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 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 the results of the calculation set out in Annex II to this Regulation.

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

Benchmarks

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