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

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

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 energy-related products[(1)], and in particular Article 10 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 having a wide disparity in performance levels with equivalent functionality.

(2) Provisions for the energy labelling of air conditioners were established by Commission Directive 2002/31/EC of 22 March 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household air-conditioners[(2)]. The implementing Directive establishes different labelling scales for air conditioners using different technologies and the determination of energy efficiency is based on full load operation only.

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

(4) Directive 2002/31/EC should be repealed and new provisions should be laid down by this Regulation in order to ensure that the energy label provides dynamic incentives for manufacturers to further improve the energy efficiency of air conditioners and to accelerate the market transformation towards energy-efficient technologies.

(5) The provisions of this Regulation should apply to air-to-air air conditioners up to 12 kW cooling power output (or heating power output, if only heating function is provided).

(6) Technological developments in the energy efficiency improvement of air conditioners have been very rapid in recent years. This has allowed several third-countries to introduce stringent minimum energy efficiency requirements and led to a process of introducing new energy labelling schemes based on seasonal performance. Today's appliances, excluding single and double duct air conditioners, that achieve the highest

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efficiency levels have largely surpassed the A efficiency levels established by Directive 2002/31/EC.

(7) This Regulation introduces two energy efficiency scales based on the primary function and on specific aspects important to consumer. Given that air conditioners are used mainly in part-load conditions, the efficiency testing should be changed to a seasonal efficiency measurement method, except for single and double duct air conditioners. The seasonal measurement method takes better into account the benefits of the inverter driven technology and the conditions in which these appliances are used. The new efficiency calculation method with an Ecodesign implementing measure setting minimum energy efficiency requirements higher than the current A level, will lead to a reclassification of these appliances. Consequently, split, window and wall air conditioners should have a new A-G energy efficiency class scale with a '+' added on the top of the scale every two years until the A+++ class has been reached.

(8) For double duct and single duct air conditioners, steady-state energy efficiency performance indicators should continue to be applied, as there are currently no inverter units on the market. As no reclassification of these appliances is appropriate, single and double duct air conditioners should have an A+++-D scale. While these, inherently less efficient than split appliances, can go only up to an A+ energy efficiency class in a scale of A+++-D, the more efficient split appliances can reach up to the A+++ energy efficiency class.

(9) This Regulation should ensure that consumers get more accurate comparative information about the performance of air conditioners.

(10) The combined effect of energy labeling set out in this Regulation and of Regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners[(3)] is expected to result in annual electricity savings of 11 TWh by 2020, compared to the situation if no measures are taken.

(11) The noise level of an air conditioner could be an important aspect for end-users. In order to enable them to make an informed decision, information on noise emissions should be included on the label of air conditioners.

(12) 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 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)].

(13) This Regulation should specify a uniform design and requirements as to the content of labels for air conditioners.

(14) In addition, this Regulation should specify requirements as to the technical documentation and the fiche for air conditioners.

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(15) Moreover, this Regulation should specify requirements as to the information to be provided for any form of distance selling, advertisements and technical promotional material of air conditioners.

(16) It is appropriate to provide for a review of the provisions of this Regulation taking into account technological progress.

(17) In order to facilitate the transition from Directive 2002/31/EC to this Regulation, air conditioners labelled in accordance with this Regulation should be considered compliant with Directive 2002/31/EC.

(18) Suppliers wishing to place on the market air conditioners that can meet the requirements for higher energy efficiency classes should be allowed to provide labels showing those classes in advance of the date for mandatory display of such classes.

(19) Directive 2002/31/EC should therefore be repealed,

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 air conditioners with a rated capacity of ≤ 12 kW for cooling, or heating, if the product has no cooling function.

2 This Regulation shall not apply to:

a) appliances that use non-electric energy sources;

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

Article 2

Definitions

In addition to the definitions set out in Article 2 of Directive 2010/30/EU of the European Parliament and of the Council[(5)], 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 and appliances that may use water (either condensate water that is formed on the evaporator side or externally added water) for evaporation on the condensor, 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 condensor 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;

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(3) '*single duct air conditioner*' means an air conditioner in which, during cooling or heating, the condensor 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) '*end-user*' means a consumer buying or expected to buy an air conditioner;

(6) '*point of sale*' means a location where air conditioners are displayed or offered for sale, hire or hire-purchase.

Additional definitions for the purpose of Annexes II to VIII are set out in Annex I.

Article 3

Responsibilities of suppliers

1 Suppliers shall take action as described in points (a) to (g):

a a printed label is provided for each air conditioner respecting energy efficiency classes as set out in Annex II. The label shall comply with the format and content of information as set out in Annex III. For air conditioners, except single and double duct air conditioners, a printed label must be provided, at least in the packaging of the outdoor unit, for at least one combination of indoor and outdoor units at capacity ratio 1. For other combinations, the information can be alternatively provided on a free access web site;

b a product fiche, as set out in Annex IV, is made available. For air conditioners, except single and double duct air conditioners, a product fiche must be provided at least in the packaging of the out door unit, for at least one combination of indoor and outdoor units at capacity ratio 1. For other combinations, the information can be alternatively provided on a free access web site;

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

d any advertisement for a specific model of an air conditioner shall contain the energy efficiency class, if the advertisement discloses energy-related or price information. Where more than one efficiency class is possible, the supplier or the manufacturer, as appropriate, shall declare the energy efficiency class for heating at least in 'Average' heating season. Information in the cases where end-users cannot be expected to see the product displayed is to be provided as set out in Annex VI;

e any technical promotional material concerning a specific model of an air conditioner which describes its specific technical parameters shall include the energy efficiency class of that model as set out Annex II;

f instructions for use are made available;

g single ducts shall be named '*local air conditioners*' in packaging, product documentation and in any advertisement material, whether electronic or in paper**[**F1**;]**

[F2**h** an electronic label in the format and containing the information set out in Annex III is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new model identifier, respecting energy efficiency classes set out in Annex II. It may also be made available to dealers for other air conditioner models;**]**

[F2**i** an electronic product fiche as set out in Annex IV is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other air conditioner models.**]**

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2 The energy efficiency class shall be determined as set out in Annex VII.

3 The format of the label for air conditioners except for single and double duct air conditioners shall be as set out in Annex III.

4 For the air conditioners, except for single and double duct air conditioners, the format of the label set out in Annex III shall be applied according to the following timetable:

a as regards air conditioners, except single duct and double duct air conditioners, placed on the market from 1 January 2013, labels with energy efficiency classes A, B, C, D, E, F, G shall be in accordance with point 1.1 of Annex III for reversible air conditioners, with point 2.1 of Annex III for cooling-only air conditioners and with point 3.1 of Annex III for heating-only air conditioners;

b as regards air conditioners, except single duct and double duct air conditioners, placed on the market from 1 January 2015, labels with energy efficiency classes A+, A, B, C, D, E, F, shall be in accordance with point 1.2 of Annex III for reversible air conditioners, with point 2.2 of Annex III for cooling-only air conditioners and with point 3.2 of Annex III for heating-only air conditioners;

c as regards air conditioners, except single duct and double duct air conditioners, placed on the market from 1 January 2017, labels with energy efficiency classes A++, A+, A, B, C, D, E, shall be in accordance with point 1.3 of Annex III for reversible air conditioners, with point 2.3 of Annex III for cooling-only air conditioners and with point 3.3 of Annex III for heating-only air conditioners;

d as regards air conditioners, except single duct and double duct air conditioners, placed on the market from 1 January 2019, labels with energy efficiency classes A+++, A++, A+, A, B, C, D shall be in accordance with point 1.4 of Annex III for reversible air conditioners, with point 2.4 of Annex III for cooling-only air conditioners and with point 3.4 of Annex III for heating-only air conditioners.

5 The format of the label for double duct air conditioners placed on the market from 1 January 2013 with energy efficiency classes A+++, A++, A+, A, B, C, D shall be in accordance with point 4.1 of Annex III for reversible double duct air conditioners, with point 4.3 of Annex III for cooling-only double duct air conditioners and with point 4.5 of Annex III for heating-only double duct air conditioners.

6 The format of the label for single duct air conditioners placed on the market from 1 January 2013 with energy efficiency classes A+++, A++, A+, A, B, C, D shall be in accordance with point 5.1 of Annex III for reversible single duct air conditioners, with point 5.3 of Annex III for cooling-only single ducts air conditioners and with point 5.5 of Annex III heating-only single duct air conditioners.

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).