Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 1062/2010

of 28 September 2010

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

(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 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) The electricity used by televisions accounts for a significant share of total household electricity demand in the Union and televisions with equivalent functionality have a wide disparity in terms of energy efficiency. The energy efficiency of televisions can be significantly improved. Televisions should therefore be covered by requirements on energy labelling.

(3) Harmonised provisions for indicating the energy efficiency and consumption of televisions by labelling and standard product information should be established in order to provide incentives for manufacturers to improve the energy efficiency of televisions, encourage end-users to purchase energy-efficient models, reduce the electricity consumption of these products, and contribute to the functioning of the internal market.

(4) The combined effect of the provisions set out in this Regulation and in Commission Regulation (EC) No 642/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for televisions[(2)] could amounts to annual electricity savings of 43 TWh by 2020, compared to the situation if no measures were taken.

(5) The information provided on the label should be obtained through reliable, accurate and reproducible measurement procedures that 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

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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 and of rules on Information Society services[(3)].

(6) This Regulation should specify a uniform design and content for the label for televisions.

(7) In addition, this Regulation should specify requirements as to the technical documentation and the fiche for televisions.

(8) 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 televisions.

(9) In order to encourage the manufacturing of energy efficient televisions suppliers wishing to place on the market televisions 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.

(10) Provision should be made for a review of this Regulation taking into account technological progress,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes requirements for the labelling and the provision of supplementary product information for televisions.

Article 2

Definitions

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

(1) ‘television’ means a television set or a television monitor;

(2) ‘television set’ means a product designed primarily for the display and reception of audiovisual signals which is placed on the market under one model or system designation, and which consists of:

(a) a display;

(b) one or more tuner(s)/receiver(s) and optional additional functions for data storage and/or display such as digital versatile disc (DVD), hard disk drive (HDD) or videocassette recorder (VCR), either in a single unit combined with the display, or in one or more separate units;

(3) ‘television monitor’ means a product designed to display on an integrated screen a video signal from a variety of sources, including television broadcast signals,

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which optionally controls and reproduces audio signals from an external source device, which is linked through standardised video signal paths including cinch (component, composite), SCART, HDMI, and future wireless standards (but excluding non-standardised video signal paths like DVI and SDI), but cannot receive and process broadcast signals;

(4) 'on-mode' means the condition where the television is connected to the mains power source and produces sound and picture;

(5) 'home-mode' means the television setting which is recommended by the manufacturer for normal home use;

(6) 'standby-mode(s)' means a condition where the equipment is connected to the mains power source, depends on energy input from the mains power source to function properly and offers the following functions *only*, which may persist for an indefinite time:

(a) reactivation function, or reactivation function and only an indication of enabled reactivation function; and/or

(b) information or status display;

(7) 'off-mode' means a condition in which the equipment is connected to the mains power source and is not providing any function; the following shall also be considered as off-mode:

(a) conditions providing only an indication of off-mode condition;

(b) conditions providing only functionalities intended to ensure electromagnetic compatibility pursuant to Directive 2004/108/EC of the European Parliament and of the Council[(4)];

(8) 'reactivation function' means a function facilitating the activation of other modes, including on-mode, by remote switch including remote control, internal sensor, timer to a condition providing additional functions, including on-mode;

(9) 'information or status display' means a continuous function providing information or indicating the status of the equipment on a display, including clocks;

(10) 'forced menu' means a set of television settings, pre-defined by the manufacturer, of which the user of the television must select a particular setting upon initial start-up of the television;

(11) 'peak luminance ratio' means the ratio of the peak luminance of the home-mode condition or of the on-mode condition of the television as set by the supplier, as applicable, and the peak luminance of the brightest on-mode condition;

(12) 'point of sale' means a location where televisions are displayed or offered for sale, hire or hire purchase;

(13) 'end-user' means a consumer buying or expected to buy a television.

Article 3

Responsibilities of suppliers

1 Suppliers shall ensure that:

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a each television is supplied with a printed label in the format and containing information as set out in Annex V;

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 Member States and to the Commission;

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

e any technical promotional material concerning a specific television model, 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 V is made available to dealers for each television model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other television models;**]**

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

2 The energy efficiency classes shall be based on the Energy Efficiency Index calculated in accordance with Annex II.

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

a for televisions placed on the market from 30 November 2011, labels for televisions with energy efficiency classes:

(i) A, B, C, D, E, F, G shall be in accordance with point 1 of Annex V or, where suppliers deem appropriate, with point 2 of that Annex;

(ii) A+ shall be in accordance with point 2 of Annex V;

(iii) A++ shall be in accordance with point 3 of Annex V;

(iv) A+++ shall be in accordance with point 4 of Annex V;

b for televisions placed on the market from 1 January 2014 with energy efficiency classes A+, A, B, C, D, E, F, labels shall be in accordance with point 2 of Annex V or, where suppliers deem appropriate, with point 3 of that Annex;

c for televisions placed on the market from 1 January 2017 with energy efficiency classes A++, A+, A, B, C, D, E, labels shall be in accordance with point 3 of Annex V or, where suppliers deem appropriate, with point 4 of that Annex;

d for televisions placed on the market from 1 January 2020 with energy efficiency classes A+++, A++, A+, A, B, C, D labels shall be in accordance with point 4 of Annex V.

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,

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(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:

(a) each television, at the point of sale, bears the label provided by suppliers in accordance with Article 3(1) on the front of the television, in such a way as to be clearly visible;

(b) **[**[F1]televisions offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the television displayed, are marketed with the information to be provided by the suppliers in accordance with Annex VI. 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 IX shall apply instead;**]**

(c) any advertisement for a specific television model contains the energy efficiency class, if the advertisement discloses energy-related or price information;

(d) any technical promotional material concerning a specific television model, which describes its specific technical parameters, includes 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 pursuant to 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, as set out in Annex VII.

Article 6

Verification procedure for market surveillance purposes

Member States shall apply the procedure laid down in Annex VIII when assessing the conformity of the declared energy efficiency class.