Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 1061/2010

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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 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) Provisions on the energy labelling of household washing machines were established by Commission Directive 95/12/EC of 23 May 1995 implementing Council Directive 92/75/EEC with regard to energy labelling of household electric washing machines[(2)].

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

(4) Directive 95/12/EC should be repealed and new provisions should be laid down by this Regulation in order to ensure that the energy label provides dynamic incentives for suppliers to further improve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 washing machines and to accelerate the market transformation towards energy-efficient technologies.

(5) Household combined washer-driers fall within the scope of 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)] and should therefore be excluded from the scope of this Regulation. However, considering that they offer similar functionalities to household washing machines, a revision of Directive 96/60/EC should take place as soon as possible.

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 1061/2010. 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*

(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 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[(4)].

(7) This Regulation should specify a uniform design and content for the label for household washing machines.

(8) In addition, this Regulation should specify requirements as to the technical documentation and the fiche for household washing machines.

(9) Moreover, this Regulation should specify requirements as to the information to be provided for any form of distance selling, advertisements and technical promotional materials for household washing machines.

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

(11) In order to facilitate the transition from Directive 95/12/EC to this Regulation, provisions should be made that household washing machines labelled in accordance with this Regulation should be considered as compliant with Directive 95/12/EC.

(12) Directive 95/12/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 household washing machines and electric mains-operated household washing machines that can also be powered by batteries, including those sold for non-household use and built-in household washing machines.

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

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 washing machine’ means an automatic washing machine which cleans and rinses textiles using water, which also has a spin extraction function and which is designed to be used principally for non-professional purposes;

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

(3) 'automatic washing machine' means a washing machine where the load is fully treated by the machine without the need for user intervention at any point during the programme;

(4) '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;

(5) 'programme' means a series of operations that are pre-defined and which are declared by the supplier as suitable for washing certain types of textile;

(6) 'cycle' means a complete washing, rinsing and spinning process, as defined for the selected programme;

(7) '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;

(8) 'rated capacity' means the maximum mass in kilograms stated by the supplier at 0,5 kg intervals of dry textiles of a particular type, which can be treated in a household washing machine on the selected programme, when loaded in accordance with the supplier's instructions;

(9) 'partial load' means half of the rated capacity of a household washing machine for a given programme;

(10) 'remaining moisture content' means the amount of moisture contained in the load at the end of the spinning phase;

(11) 'off-mode' means a condition where the household washing machine 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 washing machine 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 washing machine reverts to a steady-state power consumption on its own;

(12) '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 washing machine;

(13) 'equivalent household washing machine' means a model of household washing machine placed on the market with the same rated capacity, technical and performance characteristics, energy and water consumption and airborne acoustical noise emissions during washing and spinning as another model of household washing machine placed on the market under a different commercial code number by the same supplier;

(14) 'end-user' means a consumer buying or expected to buy a household washing machine;

(15) 'point of sale' means a location where household washing machines are displayed or offered for sale, hire or hire-purchase.

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Article 3

Responsibilities of suppliers

Suppliers shall ensure that:

(a) each household washing machine, is supplied with a printed label in the format and containing information as set out in Annex I;

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

(c) the 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 washing machine 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 washing machine 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 washing machine 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 washing machine models;**]**

(g) **[**F2an electronic product fiche as set out in Annex II is made available to dealers for each household washing machine 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 washing machine 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).

Article 4

Responsibilities of dealers

Dealers shall ensure that:

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(a) each household washing machine, 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 washing machine, in such a way as to be clearly visible;

(b) **[**[F1]household washing machines offered for sale, hire or hire-purchase where the end-user cannot be expected to see the product displayed are marketed with the information to be provided by suppliers in accordance with Annex IV. 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 washing machine contains a reference to its energy efficiency class, if the advertisement discloses energy-related or price information;

(d) any technical promotional material concerning a specific model of household washing machine, 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 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.

Article 6

Verification procedure for market surveillance purposes

Member States shall apply the procedure laid down in Annex V when assessing the conformity of the declared energy efficiency class, the annual energy consumption, annual water consumption, spin-drying efficiency class, power consumption in off-mode and left-on mode, duration of the left-on mode, remaining moisture content, spin speed and airborne acoustical noise emissions.