Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers (Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) No 1059/2010

of 28 September 2010

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

(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 dishwashers were established by Commission Directive 97/17/EC of 16 April 1997 implementing Council Directive 92/75/EEC with regard to energy labelling of household dishwashers[(2)].

(3) The electricity used by household dishwashers 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 dishwashers is substantial.

(4) Directive 97/17/EC should be repealed and new provisions should be laid down by this Regulation in order to ensure that the energy label provides dynamic incentives for suppliers to further improve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 dishwashers and to accelerate the market transformation towards energy-efficient technologies.

(5) 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[(3)].

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 1059/2010. 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) This Regulation should specify a uniform design and content for the label for household dishwashers.

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

(8) 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 dishwashers.

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

(10) In order to facilitate the transition from Directive 97/17/EC to this Regulation, it is appropriate to provide that household dishwashers labelled in accordance with this Regulation are to be considered compliant with Directive 97/17/EC.

(11) Directive 97/17/EC should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

This Regulation establishes requirements for the labelling of and the provision of supplementary product information on electric mains-operated household dishwashers and electric mains-operated dishwashers that can also be powered by batteries, including those sold for non-household use and built-in household dishwashers.

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 purpose of this Regulation:

(1) ‘household dishwasher’ means a machine which cleans, rinses, and dries dishware, glassware, cutlery and cooking utensils by chemical, mechanical, thermal, and electric means and which is designed to be used principally for non-professional purposes;

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

(3) ‘place settings’ means a defined set of crockery, glass and cutlery for use by one person;

(4) ‘rated capacity’ means the maximum number of place settings together with the serving pieces, as stated by the supplier, which can be treated in a household dishwasher on the programme selected, when loaded in accordance with the supplier’s instructions;

***Changes to legislation:** There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 1059/2010. 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*

(5) 'programme' means a series of operations that are pre-defined and are declared as suitable by the supplier for specified levels of soil or type of load, or both, and together form a complete cycle;

(6) '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;

(7) 'cycle' means a complete cleaning, rinsing, and drying process, as defined for the selected programme;

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

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

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

(11) 'end-user' means a consumer buying or expected to buy a household dishwasher;

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

Article 3

Responsibilities of suppliers

Suppliers shall ensure that:

(a) each household dishwasher 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 dishwasher 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 dishwasher 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 dishwasher model placed on the market

Changes to legislation: *There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 1059/2010. 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*

from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household dishwasher models;**]**

(g) **[**[F2]an electronic product fiche as set out in Annex II is made available to dealers for each household dishwasher 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 dishwasher 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:

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

(b) **[**[F1]household dishwashers offered for sale, hire or hire- purchase where the end-user cannot be expected to see the household dishwasher displayed, are marketed with the information 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 dishwasher 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 dishwasher 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,

***Changes to legislation:** There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 1059/2010. 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*

(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 methods, 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, drying efficiency index, programme time, power consumption in off-mode and left-on mode, duration of the left-on mode and airborne acoustical noise emissions.

Article 7

Revision

The Commission shall review this Regulation in the light of technological progress no later than four years after its entry into force. The review shall in particular assess the verification tolerances set out in Annex V.

Article 8

Repeal

Directive 97/17/EC shall be repealed from 20 December 2011.

Article 9

Transitional provisions

1 Articles 3(d), (e), 4(b), (c) and (d) shall not apply to printed advertisement and printed technical promotional material published before 30 March 2012.

2 Household dishwashers placed on the market before 30 November 2011 shall comply with the provisions set out in Directive 97/17/EC.

3 If an implementing measure for Directive 2009/125/EC of the European Parliament and of the Council[(4)] with regards to ecodesign requirements for household dishwashers was adopted, household dishwashers which comply with the provisions of this implementing measure with respect to the cleaning efficiency requirements and with the provisions of this