Commission Regulation (EU) No 1016/2010 of 10 November 2010 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household dishwashers (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1016/2010

of 10 November 2010

implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for 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 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 in terms of their environmental impact without entailing excessive costs.

(2) Article 16(2), first indent, 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 an implementing measure for domestic appliances, including household dishwashers.

(3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of household dishwashers typically used in households. The study has been developed together with stakeholders and interested parties from the Union and third countries, and the results have been made publicly available.

(4) This Regulation should cover products designed for washing tableware in households.

(5) The environmental aspect of household dishwashers, identified as significant for the purposes of this Regulation, is energy consumption in the use phase. The annual electricity consumption of products subject to this Regulation was estimated to have been 24,7 TWh in the Union in 2005 corresponding to 13 million tonnes of CO_2. Unless specific measures are taken, annual electricity consumption is estimated to

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 1016/2010. 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*

increase to 35 TWh in 2020. The preparatory study shows that the electricity and water consumption of products subject to this Regulation can be significantly reduced.

(6) 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 of household dishwashers in the use phase is by far the most important environmental aspect.

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

(8) 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 additional environmental impacts during the production phase.

(9) The ecodesign requirements should be introduced gradually in order to provide a sufficient time-frame for manufacturers to redesign products subject to this Regulation. The timing should be set in such a way 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.

(10) Measurements of the relevant product parameters should be performed using 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 98/34/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[(2)].

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

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

(13) 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 lifecycle environmental performance of products subject to this Regulation.

(14) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 19(1) of Directive 2009/125/EC,

HAS ADOPTED THIS REGULATION:

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) No 1016/2010. 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*

Article 1

Subject matter and scope

This Regulation establishes ecodesign requirements for the placing on the market of electric mains-operated household dishwashers and electric mains-operated household 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 2009/125/EC, 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 manufacturer, which can be treated in a household dishwasher on the programme selected when loaded in accordance with the manufacturer’s instructions;

(5) ‘programme’ means a series of operations that are pre-defined and are declared as suitable by the manufacturer for specified levels of soil or types 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 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 manufacturer’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 machine without any further intervention of the end-user;

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 1016/2010. 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*

(10) 'equivalent 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 manufacturer.

Article 3

Ecodesign requirements

The generic ecodesign requirements for household dishwashers are set out in point 1 of Annex I.

The specific ecodesign requirements for household dishwashers are set out in point 2 of Annex I.

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 system 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.

Where the information included in the technical documentation for a particular household dishwasher model has been obtained by calculation on the basis of design, or extrapolation from other equivalent household dishwashers, or both, the technical documentation shall include details of such calculations or extrapolations, or both, and of tests undertaken by manufacturers to verify the accuracy of the calculations undertaken. In such cases, the technical documentation shall also include a list of all other equivalent household dishwasher models where the information included in the technical documentation was obtained on the same basis.

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 the requirements set out in Annex I to this Regulation.

Article 6

Benchmarks

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

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) No 1016/2010. 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*

Article 7

Revision

The Commission shall review this Regulation in the light of technological progress no later than 4 years after its entry into force and present the result of this review to the Ecodesign Consultation Forum. The review shall in particular assess the verification tolerances set out in Annex III, the possibilities for setting requirements with regard to the water consumption of household dishwashers and the potential for hot water inlet.

Article 8

Entry into force and application

1 This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

2 It shall apply from 1 December 2011.

However, the ecodesign requirements listed below shall apply in accordance with the following timetable:

a the generic ecodesign requirements set out in point 1(1) of Annex I shall apply from 1 December 2012;

b the generic ecodesign requirements set out in point 1(2) of Annex I shall apply from 1 June 2012;

c the specific ecodesign requirements set out in point 2(2) of Annex I shall apply from 1 December 2013;

d the specific ecodesign requirements set out in point 2(3) of Annex I shall apply from 1 December 2016;

This Regulation shall be binding in its entirety and directly applicable in all Member States.