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 (Text with EEA relevance)

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

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2005/32/EC of the European Parliament and of the Council of 6 July 2005 establishing a framework for the setting of ecodesign requirements for energy-using products and amending Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council[(1)] and in particular Article 15(1) thereof,

After consulting the Ecodesign Consultation Forum,

Whereas:

(1) Under Directive 2005/32/EC ecodesign requirements are to be set by the Commission for energy-using products representing significant volumes of sales and trade, having a 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 2005/32/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 implementing measures for consumer electronics.

(3) The Commission has carried out a preparatory study which analysed the technical, environmental and economic aspects of televisions. The study has been developed together with stakeholders and interested parties from the Community and third countries, and the results have been made publicly available on the EUROPA website of the Commission.

(4) Televisions represent a significant consumer electronic product group in electricity consumption and are therefore a priority in ecodesign policy.

(5) The environmental aspect of televisions that is identified as significant for the purposes of this Regulation is the electricity consumption in the use phase.

(6) Annual electricity consumption related to televisions was estimated to be 60 TWh in 2007 in the Community, corresponding to 24 Mt CO_2 emissions. If no specific measures are taken to limit this consumption, it is predicted that electricity consumption will

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increase to 132 TWh in 2020. The preparatory study shows that use-phase electricity consumption can be significantly reduced.

(7) Other environmental aspects of relevance relate to hazardous substances used in the production of televisions and waste from televisions disposed at the end of life. Improvements in the related environmental impact are addressed in Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment[(2)], and Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE)[(3)], respectively, and should not be further addressed by this Regulation.

(8) The preparatory study shows that requirements regarding other ecodesign parameters referred to in Annex I, Part 1, to Directive 2005/32/EC are not necessary.

(9) Reduction in the electricity consumption of televisions is possible/viable by applying existing non-proprietary cost-effective technologies which lead to a reduction of the combined expenses for purchasing and operating televisions.

(10) Ecodesign requirements should harmonise electricity consumption requirements for televisions throughout the Community, thus contributing to the functioning of the internal market and to the improvement of the environmental performance of these products.

(11) The ecodesign requirements should not have a negative impact on the functionality of the product or negatively affect health, safety or the environment. In particular, the benefits of reducing electricity consumption during the use phase should more than offset potential additional environmental impacts during the production phase.

(12) A progressive introduction of the ecodesign requirements should provide an appropriate timeframe for manufacturers to adapt their products. The timing should be such that negative impacts on the functionalities of equipment already on the market are avoided, and cost impacts for manufacturers, in particular small and medium-sized enterprises, are taken into account, while ensuring timely achievement of the objectives of the Regulation.

(13) Measurements of the relevant product parameters should be performed 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)].

(14) This Regulation should increase the market penetration of technologies that reduce the environmental impact of televisions, leading to estimated electricity savings of 28 TWh by 2020, compared to the situation without taking any measures.

(15) In conformity with Article 8 of Directive 2005/32/EC, this Regulation should specify the applicable conformity assessment procedures.

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(16) In order to facilitate compliance checks, manufacturers should provide information in the technical documentation referred to in Annexes IV and V to Directive 2005/32/EC in so far as this information relates to the requirements laid down in this Regulation.

(17) The currently best available on-mode energy efficiency and reduced environmental impacts related to hazardous substances are identified by Commission Decision 2009/300/EC of 12 March 2009 establishing the revised ecological criteria for the award of the Community ecolabel to televisions[(5)]. Such reference will help ensure wide availability and easy access to information, in particular for small and medium-sized enterprises and very small firms, which will further facilitate the integration of best design technologies for reducing the environmental impact of televisions. Benchmarks for best available technology should therefore not be identified in this Regulation.

(18) The ecodesign requirements, applicable from 7 January 2013, pursuant to Commission Regulation (EC) No 1275/2008 of 17 December 2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment[(6)] should apply to televisions at an earlier point in time than provided for in that Regulation because technologies which comply with its provisions can be implemented within a shorter time with regard to televisions and additional energy savings can be achieved. Regulation (EC) No 1275/2008 should therefore not apply to televisions and should be amended accordingly.

(19) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) of Directive 2005/32/EC,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Subject matter and scope

This Regulation establishes ecodesign requirements for the placing on the market of televisions.

Article 2

Definitions

In addition to the definitions set out in Directive 2005/32/EC, 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;

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(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, 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:
   — reactivation function, or reactivation function and only an indication of enabled reactivation function, and/or,
   — 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; it also includes:
   (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[7];

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. 'full HD resolution' means a screen resolution with physical pixel count of at least 1 920 × 1 080 pixels[F1;]

12. [F2'network' means a communication infrastructure with a topology of links, an architecture including the physical components, organisational principles, communication procedures and formats (protocols);

13. 'network port' means a wired or wireless physical interface of the network connection located at the television through which the television can be remotely activated;

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14. ‘networked television’ means a television that can connect to a network and has one or more network ports;

15. ‘network availability’ means the capability of the television to resume functions after a remotely initiated trigger has been detected by a network port;

16. ‘remotely initiated trigger’ means a signal that comes from outside the television via a network;

17. ‘networked standby’ means a condition in which the television is able to resume a function through a remotely initiated trigger via a network connection;

18. ‘networked television with high network availability functionality’ (a television with HiNA functionality) means a television with the functionality of a router, network switch, wireless network access point (not being a terminal) or combination thereof included;

19. ‘router’ means a network device that, as its primary function, determines the optimal path along which network traffic should be forwarded. Routers forward packets from one network to another, based on network layer information (L3);

20. ‘network switch’ means a network device that, as its primary function, filters, forwards, and distributes frames based on the destination address of each frame. All switches operate at least at the data link layer (L2);

21. ‘wireless network access point’ means a device that, as its primary function, provides IEEE 802.11 (Wi-Fi) connectivity to multiple clients.**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 801/2013 of 22 August 2013 amending Regulation (EC) No 1275/2008 with regard to ecodesign requirements for standby, off mode electric power consumption of electrical and electronic household and office equipment, and amending Regulation (EC) No 642/2009 with regard to ecodesign requirements for televisions (Text with EEA relevance).

F2 Inserted by Commission Regulation (EU) No 801/2013 of 22 August 2013 amending Regulation (EC) No 1275/2008 with regard to ecodesign requirements for standby, off mode electric power consumption of electrical and electronic household and office equipment, and amending Regulation (EC) No 642/2009 with regard to ecodesign requirements for televisions (Text with EEA relevance).

Article 3

Ecodesign requirements

The ecodesign requirements for televisions are set out in Annex I.

Compliance with the ecodesign requirements shall be measured in accordance with the methods set out in Annex II.