Commission Regulation (EC) No 641/2009 of 22 July 2009 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products (Text with EEA relevance)

COMMISSION REGULATION (EC) No 641/2009

of 22 July 2009

implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products

(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 should 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) of that Directive, and after consulting the Ecodesign Consultation Forum, the Commission will, as appropriate, introduce an implementing measure for appliances in electric motor systems and heating equipment, such as for circulators.

(3) The Commission has carried out a preparatory study to analyse the technical, environmental and economic aspects of circulators typically used in buildings. 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.

(4) Circulators consume much of the energy used in heating systems in buildings. Furthermore, most standard circulators operate continuously, regardless of heating needs. Circulators are therefore one of the priority products for which ecodesign requirements should be established.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 641/2009. 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) The environmental aspect of circulators that is identified as significant for the purposes of this Regulation is electricity consumption in the use phase.

(6) The preparatory study shows that approximately 14 million circulators are placed on the Community market annually and that their most significant environmental impact out of all life-cycle phases is the use phase energy consumption amounting to 50 TWh in 2005, corresponding to 23 million tonnes of CO_2 emissions. If no specific measures are taken, electricity consumption is predicted to increase to 55 TWh by 2020. The preparatory study shows that use phase electricity consumption can be significantly improved.

(7) The preparatory study shows that requirements regarding other ecodesign parameters referred to in Annex I, Part 1, of Directive 2005/32/EC are not necessary as power consumption of circulators in use phase is by far the most important environmental aspect.

(8) Circulators should be made more efficient by applying existing non-proprietary cost-effective technologies that can reduce the total combined costs of purchasing and operating circulators.

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

(10) To increase the re-use and recycling of circulators, manufacturers should provide information on the assembly and dismantling of circulators.

(11) The ecodesign requirements should not have a negative impact on the functionality of circulators 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.

(12) The ecodesign requirements should be introduced gradually in order to provide a sufficient timeframe for manufacturers to re-design products subject to this Regulation as appropriate. The timing for the introduction of these requirements should be such as to avoid negative impacts on the functionalities of circulators on the market, and to take into account cost impacts for manufacturers, in particular small and medium-sized enterprises, while ensuring timely achievement of the objectives of the Regulation.

(13) Conformity assessment and measurements of the relevant product parameters should be performed using reliable, accurate and reproducible measurement methods, which take into account the generally 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)].

(14) This Regulation should quickly ensure the placing on the market of technologies that reduce the life-cycle environmental impact of circulators, leading to estimated electricity savings of 23 TWh by 2020, corresponding to 11 Mt of CO_2 equivalent, compared with the situation, where no action is taken.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 641/2009. 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*

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

(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.

(17) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to ensure wide availability and easy accessibility of information on the life-cycle environmental performance of circulators.

(18) 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:

[F1 Article 1

Subject matter and scope

1 This Regulation establishes ecodesign requirements for the placing on the market of glandless standalone circulators and glandless circulators integrated in products.

2 This Regulation shall not apply to:

a drinking water circulators, except as regards the product information requirements of Annex I, point 2(1)(d);

[F2b circulators to be integrated in products and placed on the market no later than 1 January 2022 as replacement for identical circulators integrated in products placed on the market no later than 1 August 2015 and specifically marketed as such, except as regards the product information requirements of Annex I, point 2(1)(e).**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 622/2012 of 11 July 2012 amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products (Text with EEA relevance).

F2 Substituted by Commission Regulation (EU) 2019/1781 of 1 October 2019 laying down ecodesign requirements for electric motors and variable speed drives pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products and repealing Commission Regulation (EC) No 640/2009 (Text with EEA relevance).

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

(1) ‘circulator’ means an impeller pump, with or without pump housing, which has the rated hydraulic output power of between 1 W and 2 500 W and is designed for use in heating systems or in secondary circuits of cooling distribution systems;

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 641/2009. 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*

(2) 'glandless circulator' means a circulator with the rotor directly coupled to the impeller and the rotor immersed in the pumped medium;

(3) 'standalone circulator' means a circulator, designed to operate independently from the product;

(4) 'product' means an appliance that generates and/or transfers heat;

(5) 'circulator integrated in a product' means a circulator designed to operate as part of a product carrying at least one of the following design details:

(a) the pump housing is designed to be mounted and used inside a product;

(b) the circulator is designed to be speed controlled by the product;

(c) the circulator is designed for safety features not suitable for standalone operation (ISO IP classes);

(d) the circulator is defined as part of product approval or product CE marking;

(6) 'drinking water circulator' means a circulator specifically designed to be used in the recirculation of water intended for human consumption as defined in Article 2 of the Council Directive 98/83/EC[(3)];

(7) 'pump housing' means the part of an impeller pump which is intended to be connected to the pipe work of the heating systems or secondary circuits of the cooling distribution system.**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 622/2012 of 11 July 2012 amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products (Text with EEA relevance).

Article 3

Ecodesign requirements

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

Compliance with ecodesign requirements shall be measured in accordance with requirements set out in Annex II, point 1.

The calculation method for the energy efficiency index of circulators is set out in Annex II, point 2.

Article 4

Conformity assessment

The procedure for assessing conformity referred to in Article 8 of Directive 2005/32/EC shall be the internal design control system set out in Annex IV to that Directive or the management system for assessing conformity set out in Annex V to that Directive.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 641/2009. 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 5

Verification procedure for market surveillance purposes

When performing the market surveillance checks referred to in Article 3(2) of Directive 2005/32/EC, for the requirements set out in Annex I to this Regulation, the authorities of the Member States shall apply the verification procedure described in Annex III to this Regulation.

Article 6

Benchmarks

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

[*F1**Article 7*

Revision

The Commission shall review this Regulation before 1 January 2017, in the light of technological progress.

The review shall include the assessment of design options that can facilitate reuse and recycling.

The results of the review shall be presented to the Ecodesign Consultation Forum.**]**

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 622/2012 of 11 July 2012 amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products (Text with EEA relevance).

Article 8

Entry into force

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

It shall apply in accordance with the following timetable:

1. from 1 January 2013, glandless standalone circulators shall meet the efficiency level defined in Annex I, point 1(1), with the exception of those specifically designed for primary circuits of thermal solar systems and of heat pumps;

2. from 1 August 2015, glandless standalone circulators and glandless circulators integrated in products shall meet the efficiency level defined in Annex I, point 1(2).