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Explanatory Memorandum to

COMMISSION REGULATION (EU) No .../..

of **XXX**

amending Commission 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 Commission Regulation (EC) No 642/2009 with regard to ecodesign requirements for televisions

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

Grounds for and objectives of the proposal

The Ecodesign Directive 2009/125/EC¹ of the European Parliament and of the Council lays down a framework for the Commission, assisted by a Regulatory Committee, to set eco-design requirements for energy-related products.

Electrical and electronic household and office equipment is subject to Commission Regulation (EC) Nr. 1275/2008 ("Standby Regulation") and hence obliged to switch into standby/off-mode after the shortest possible time appropriate for the intended use. The requirement does not apply where the power management requirements are inappropriate for the product's intended use (Annex II, 2(d)). This is the case for products that provide network availability for the purpose of resuming an application and that are able to be reactivated via a maintained network link or connection, such as gateways, printers, complex set top boxes and networked televisions. So far, products do not systematically offer a low power mode which still allows them to maintain network connectivity but this functionality is typically out of a high power mod, such as idle or active mode, which can easily mean a consumption of 50-100 Watt even when no main function is needed.

A "networked standby" condition that maintains a certain level of network connectivity but deactivates main function(s) could decrease overall energy consumption of a "networked" product significantly. According to the preparatory study² that was carried out for networked standby, the energy consumption in networked standby conditions of household and office equipment is estimated to make up 90 TWh by 2020 (approx. the annual final electricity consumption of Finland), while significant potential for cost-effective improvements exists (around 40 TWh per year by 2020).

Technical solutions that would allow products to switch into low power modes are partly already available but have not yet seized the market. It has to be considered that there is little awareness of the operating conditions and power consumption of networked products; low power consumption in a networked standby condition is not an important purchasing criterion. As a consequence, available technical solutions reducing energy consumption in networked standby condition are frequently not applied even if possible and at very low additional costs.

Against this background, it is the objective of the proposed measure to establish ecodesign requirements for the standby condition(s) of products that are able to resume functions and to be reactivated over the network via an external trigger. As explained below, these requirements are proposed to be introduced via an amending act to the existing "Standby Regulation".

Inside this amendment, specifications for the application of the standby-requirements to coffee machines will be added. The background is outlined below.

¹ 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 Official Journal L 285 , 31/10/2009 P. 0010 - 0035

² EuP preparatory study on Networked standby DG ENER Lot 26 (TREN/D3/91-2007-Lot26), see in particular Task 7-report.

General context

Article 16 ("work plan") of the old Ecodesign Directive 2005/32/EC stipulated that a separate implementing measure reducing stand-by losses for a group of products should be introduced by the Commission. This included per se also networked standby.

Accordingly, networked standby was generally addressed by the technical, environmental and economic study on standby and off mode losses in household and office equipment that was carried out in 2006/2007³. The study showed that network connectivity was to become a common feature of household and office equipment. However, it was agreed in the Regulatory Committee of 16.07.2008 that the technical basis of that study was not sufficient to set ecodesign requirements on low-power operating conditions providing networked connectivity ("networked standby") and that a dedicated preparatory study for networked standby should be carried out. In addition, networked standby was also identified as a priority in the Ecodesign Working Plan 2009-2011⁴.

A preparatory study specifically for networked standby was carried out in 2010/2011 identifying an important saving potential of around 40TWh annually by 2020⁵.

Products that are able to be reactivated over a network and hence would be required to provide a condition of networked standby would typically be IT- and Consumer electronics equipment, like:

- Personal computers
- Displays
- Networked storage
- Imaging equipment
- Consumer electronics
- Networking equipment

Household equipment like washing machines and dishwashers are part of the picture but for the time being there is only a very limited number of appliances in the market which provide network connectivity and for which networked standby is relevant.

As networked connectivity is a feature of a large range of products, including products being introduced in the future, it is proposed to opt for a horizontal approach. It was found that the product scope of the existing "Standby Regulation" that was originally defined along the lines of the "Waste electrical and electronic equipment" (WEEE) Directive⁶ which limits the application to products corresponding to "household" and "office" equipment, would be the appropriate scope for an implementing measure on networked standby as well.

Finally, functions and conditions/modes related to standby and networked standby are interlinked; standby requirements and networked standby requirements can, in certain cases, both apply to the same product.

³ EuP Preparatory Study Lot 6 -Standby and Off-mode Losses, TREN/D3/91-2007-Lot6

⁴ Communication from the Commission to the Council and the European Parliament - Establishment of the working plan for 2009-2011 under the Ecodesign Directive, COM/2008/0660 final

⁵ "EuP Preparatory Study Lot 26 "Networked Standby", Fraunhofer IZM, final report of 7 May 2011; documentation available on the DG TREN ecodesign website http://ec.europa.eu/energy/efficiency/studies/ecodesign_en.htm

⁶ Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE), OJ L 37, 13.2.2003, p. 24; recast of the WEEE-Directive about to be adopted very soon.

Concluding, the Commission, in close collaboration with national experts and stakeholders, proposed in the Consultation Forum of 14 September 2011 to address networked standby through an amending act to the existing Commission Regulation (EC) 1275/2008 (“Standby Regulation”). This approach was largely supported.

As a consequence, it is suggested to amend the Standby Regulation by adding the necessary definitions, power management requirements related to networked standby, power consumption levels for the operating conditions and transition periods.

Since televisions were taken out of the scope of the horizontal Standby Regulation when they were addressed by the product-specific Commission Regulation (EC) No 642/2009⁷, requirements for networked standby need to be introduced into this regulation as well. Only recently, the more complex types of televisions have started to provide network connectivity; this is why the TV-regulation does not include networked standby requirements so far. The saving potential linked to networked standby for televisions is considerable (around 10 TWh by 2020).

Finally, the amendment will be used to introduce specifications for the application of the standby requirements to coffee machines, in particular with regard to the delay time after which the coffee machines is automatically switched into standby/off-mode. The Consultation Fora of 16 December 2011 and 18 April 2012 supported the Commission's view that due to legal, methodological and practical problems, coffee machines should not be addressed by a product-specific ecodesign implementing measure but that, instead, it should be ensured that an important part of the potential savings should be realised through a specification of the default delay time. By this, an important share of the overall saving potential can be realised (more than 2 TWh) and which had not been considered in the estimation of the saving potential for standby/off mode losses.

Consistency with other policies and objectives of the Union

Directive 2009/125/EC is an important instrument for achieving the objective of 20% energy savings compared with projections for 2020, and its implementation is one of the priorities in the Commission's Energy Efficiency Action Plan. Furthermore, implementation of the Directive 2009/125/EC will contribute to the EU's target of reducing greenhouse gases by at least 20% by 2020, or 30% if there is an international agreement that commits other developed countries to comparable emissions reductions. The proposed Regulation is a concrete contribution to this process and is in line with the Commission Action Plan on Sustainable Consumption and Production and Sustainable Industrial Policy.

Legal basis

The proposed Regulation is an implementing measure pursuant to Directive 2009/125/EC, in particular its Article 15(1). The Directive is based on Article 95 of the Treaty.

Subsidiarity principle

⁷ Commission Regulation (EC) No 642/2009 of 22 July 2009 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for televisions *Official Journal L 191 , 23/07/2009 P. 0042 - 0052*

The adoption of ecodesign measure for networked standby by individual Member States' legislation would lead to obstacles to the free movement of goods within the Community. Such measures must therefore have the same content throughout the Community. In line with the principle of subsidiarity, it is thus appropriate for the measure in question to be adopted at Community level.

Proportionality principle

In accordance with the principle of proportionality, this measure does not go beyond what is necessary to achieve the objective. It offers requirements which act as an incentive for technology leaders to invest on high-efficiency appliance technology. It also leads to higher savings than any other conceivable option with minimum administrative costs.

Choice of instruments

Proposed instruments: regulation/extension of an existing regulation

The proposed form of action is a Commission Regulation (implementing Directive 2009/125/EC), because the objectives of the action can be achieved most efficiently by fully harmonised requirements throughout the EU (including the date for entry into force), thus ensuring the free movement of complying equipment. No costs arise for national administrations for transposition into national legislation.

Interrelation with product specific ecodesign implementing measures

The horizontal approach of the implementing measure does not rule out that networked standby is addressed in vertical, product-specific, implementing measures.

Vertical implementing measures are complementary in the sense that environmental aspects other than standby-mode are addressed, including active mode. In general these should not be less ambitious than those of the horizontal regulation, because the latter sets the "baseline" for networked standby- power consumption.

Products being subject to a vertical implementing measure may be taken out of the scope of the horizontal standby/networked standby regulation.

2. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

Consultation methods, main sectors targeted and general profile of respondents

The preparatory study on networked standby has been developed in an open process, taking into account input from relevant stakeholders including manufacturers and their associations, environmental NGOs, consumer organizations, EU Member State experts, experts from third countries (e.g. USA) and international organisations as e.g. the International Energy Agency (IEA). Information on the preparatory study was made publicly available through a dedicated website⁸ where interim results and further relevant materials were published regularly for

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www.ecostandby.org

timely stakeholder consultation and input. The study website was promoted on the ecodesign-specific websites of DG ENER and DG ENTR.

An open consultation meeting for directly affected stakeholders was organised in the Commission's premises in Brussels on 14 February 2011 for discussing the preliminary results of the study.

The official meeting of the Ecodesign Consultation Forum on Networked Standby was held on 14 September 2011. Building on the results of the preparatory study, the Commission services presented a "working document" proposing ecodesign requirements related to networked standby⁹. The working document had been sent on 28 July 2011 to the members of the Consultation Forum and to the secretariats of the ENVI (Environment, Public Health and Food Safety) and ITRE (Industry, Research and Energy) Committees of the European Parliament for information. The working document was published on DG ENER's ecodesign website, and it was included in the Commission's CIRCA system alongside the stakeholder comments received in writing before and after the meeting.

The main industry stakeholders are the manufacturers of ICT-equipment represented by Digital Europe. Household appliances manufacturers (represented usually by CECED) might be affected in the future as well.

The draft measure was notified to the WTO/TBT on to ensure that no barrier to trade was introduced.

⁹ Available on DG ENER's ecodesign website

Summary of responses and how they have been taken into account

The positions of the main stakeholders, as expressed before, during and after the Consultation Forum meeting on 14 September 2011 as a reaction to the Commission services' working document can be summarised as follows:

The **Member States** supported "horizontal" ecodesign legislation on networked standby as well as the general approach to regulate networked standby through an amending act to the existing standby/off-regulation (EC) 1275/2008. here seemed to be a common understanding that the resume time concept as presented in the preparatory study was difficult to implement and that a different approach was eventually needed, for example by defining High Network Availability-products. There seemed to be a general agreement that having two categories (products with High Network Availability/HiNA and products without High Network Availability) instead of three categories (High Network Availability, Medium Network Availability and Low Network Availability) was a step forward.

The suggested levels for power consumption requirements and the envisaged timing were in general considered appropriate. Only two Member States raised concerns regarding future products, specifically household appliances, fearing that they would not be able to meet the proposed power consumption levels. On the other hand, one Member State advocated a three-staged approach and even more ambitious consumption levels.

The general approach to set mandatory minimum requirements in the framework of ecodesign was largely supported by **Industry** associations. However, some concerns were expressed on the feasibility of "horizontal" legislation on networked standby. It was argued that a horizontal approach was very difficult for networked standby due to the complex terminology and because the very different power consumption requirements of products. The second big concern relates to the overall power limits which are considered to be too demanding for some products (such as work stations, large printers, Complex Set Top Boxes, some IT-technologies) and little ambitious for others (e.g. small printers). The timing with tiers for 2014 and 2016 was perceived as too tight.

Environmental and Consumer NGOs welcomed "horizontal" ecodesign legislation on networked standby and are generally in favour of ambitious consumption levels. Concerns were expressed that consumer features were not sufficiently taken into account, in particular that consumers would not be able to deactivate wireless network connections.

The comments have been taken into account in the following way:

- The definitions were reviewed and refined; the requirements for the delay time were clarified
- Slightly more time is given to industry to achieve the power limits and the power management (i.e. 2015/2017 for Tiers 1 and 2 instead of 2014/2016)
- The power limits were made slightly less stringent for equipment without High Network Availability; this was mainly a reaction to the argument that the power consumption allowances for the original "Low Network Availability"/LoNA had been allocated to "MENA"-functionalities (resume time under 5 seconds). Instead of 4 and 2 Watts for Tier 1 and 2, the power limits are proposed to be at 6 and 3 Watts.

- NB: At the same time the default delay time was decreased from 1 hour to 20 minutes, which results in higher savings although the power limits have been slightly increased.
- Printers above 750 PSOR (rated power) will be exempted for Tier 1 to allow sufficient time for a re-design;
- Large format printers (i.e. printers with built-in computers and major graphic functions) will be generally exempted.
- Equipment being able to connect to a wireless network connections needs to offer the possibility to the user to deactivate the wireless network connection.

Scientific/expertise domains concerned

External expertise was mainly gathered through the preparatory study providing a technical, environmental and economic analysis, which was carried out by a consortium of external consultants on behalf of the Commission's Directorate General for Energy (DG ENER)¹⁰. In addition and in particular, Member States experts provided continuously technical expertise and contributed substantially towards setting up the working document and the draft regulation. Finally, an external consultant had helped to calculate the impacts of the various policy sub-options for the Impact Assessment.

Methodology used

The methodology followed the provisions of the Directive, in particular its Article 15 and Annexes I and II. The technical, environmental and economic analysis followed the structure of the 'Methodology Study Eco-design of Energy-using Products' developed for the Commission's Directorate General for Enterprise and Industry (DG ENTR) and endorsed by stakeholders.

Impact assessment

An Impact Assessment was carried out. Five policy options and four sub-options were considered. The outcome of the impact assessment can be summarised as follows.

The following **policy options** were considered

Option 1: No EU action

This option would have the following implications: The market failure as outlined under point 1 would persist, although policies addressing specific products (e.g. the voluntary Energy Star programme) to some extent contribute to a reduction of networked standby, in particular for PCs and printers. The energy consumption in networked standby operating conditions modes is expected to increase substantially as more and more products will offer functionalities that require products to keep a higher power mode. Without network standby, they would not have to meet any limitation of power consumption.

¹⁰ "EuP Preparatory Study Lot 26 "Networked Standby", Fraunhofer IZM, final report of 7 May 2011; documentation available on the DG TREN ecodesign website http://ec.europa.eu/energy/efficiency/studies/ecodesign_en.htm

Option 2: Self-regulation

This option is discarded for the following reasons: No initiative for a horizontal self-regulation on networked standby for electrical and electronic equipment has been brought forward by any industrial sector.

Option 3: Ecodesign requirements on networked standby set only in the context of product-specific eco-design implementing measures

This option means that eco-design requirements on networked standby would be set in product specific eco-design implementing measures only, without setting "horizontal" eco-design requirements on networked standby for a group of products. This option would imply that due to the rapid development of new products in the Information and Communication Technology and Consumer Electronics sector, new product categories might fall out of the scope. Moreover, for many products (e.g. gateways, hubs, phones), the overall energy consumption is small and a dedicated vertical eco-design implementing measure may not be justified

Option 4: Labelling targeting specifically the energy consumption of networked standby

This option means that labelling targeting specifically networked standby would be put in place without setting horizontal networked standby eco-design requirements. It would be very difficult to put in place an understandable and consumer-friendly scheme due to the different functionalities and modes. Even if that was found to be possible, it would require a major marketing and awareness raising effort.

Option 5: "Horizontal" eco-design implementing regulation on networked standby

This option means that maximum levels for the related power consumption in networked standby operating conditions would be set horizontally for a range of products. The horizontal – functional - approach has got the advantage that also products will be addressed which are not yet on the market or which have a hybrid nature ("catch-all" clause). Moreover, the horizontal approach is a cost-effective way to address a specific condition/mode common to many products with a high saving potential without having to implement a large number of regulations.

The following **sub-options within option 5** for the intensity of the measure were considered:

Sub-option 1: This sub-option represents the provisions as set out in the Commission's working document discussed in the Consultation Forum.

- Two stages set for 2014 and 2016;
- Power limits for HiNA equipment for the two tiers at 12 and 8 Watts and for non-HiNA equipment at 4 and 2 Watts;
- The delay time was determined to be a maximum of 1 hour.

Following this option, the savings in 2020 compared to the BAU scenario would be 26 TWh. Despite the high ambition, the calculated savings would be relatively small as the long default delay time has a considerable impact (otherwise around 37 TWh of savings).

Sub-option 2: This sub-option is based on a higher level of ambition and was put forward by one Member State, supported by environmental NGOs.

- Three stages are set for 2013, 2014 and 2016;
- Power limits for HiNA equipment for the two tiers at 12 and 8 Watts and for non-HiNA equipment at 4 and 2 Watts; a final level of ambition is set at 1 Watt for non-HiNA equipment;
- No delay time specified; assumed delay time 30 minutes (corresponding to the average in the preparatory study).

Following this option, the savings would be 36,8 TWh in 2020 and 48,30 TWh in 2025.

Sub-option 3: This sub-option represents the proposal of Digitaleurope, the association representing the IT-industry and the main stakeholder in the process.

- Two stages set for 2015 and 2017
- Power limits for HiNA equipment for the two stages at 12 and 8 Watts and for non-HiNA equipment at 8 and 4 Watts plus exemptions for various products/technologies (e.g. printers, CSTB, DOCSIS etc)
- The default delay time is set at 30 minutes

Following this option, the savings would be 33,3 TWh in 2020 and 46,6 TWh in 2025.

Sub-option 4: This sub-option is based on the Commission's working document taking into account the input received in the context of the Stakeholder Consultation and beyond. It is the basis for the draft regulation.

- Two Stages/Tiers are set for 2015 and 2017.
- Power limits for HiNA equipment for the two stages at 12 and 8 Watts and for non-HiNA equipment at 6 and 3 Watts
- The default delay time is set at 20 minutes.

Following this option, the savings would be 35,5 TWh in 2020 and 49,3 TWh in 2025.

Comparison and conclusion:

Sub-option 1 does not sufficiently take into account that the increase of the delay time decreases the savings substantially. So although the power limits are very ambitious, the savings remain relatively low. At the same time, the timing in this scenario is rather tight not allowing sufficient time to re-design products at appropriate costs/within the normal product cycle.

Sub-option 2 would initially lead to the highest savings but at the same time would impose considerably higher burdens on manufacturers. In the long term, it would not bring about higher savings than sub-option 4. The timing in this scenario is very tight and the final level of ambitions is very high, thus risking that the re-design products at appropriate costs/within the normal product cycle will not be possible.

Sub-options 3 would impose lower burdens on manufacturers, while leading to lower accumulated electricity/CO2/electricity cost savings vis-à-vis sub-option 4.

Hence, it was concluded that sub-option 4 is the preferred option, achieving the appropriate balance between positive environmental impacts and electricity cost savings, and possible risks related to additional costs for manufacturers and jobs, mostly linked to the timing.

Conclusion

Following the principle of proportionality in the analysis effort, policy options 1 to 3 were discarded at an earlier phase of the analysis. The analysis of several sub-options for the intensity of an ecodesign regulation on networked standby power consumption for electrical and electronic household and office equipment shows that sub-option 4 optimally fulfils the objectives as set out in Section 3. In particular, the regulation/sub-option 4 implies:

- cost-effective reduction of electricity losses in conditions having networked standby;
- correction of a market failure and proper functioning of the internal market;
- no significant administrative burdens for manufacturers or retailers;
- insignificant, if any, increase of the purchasing cost, which would be largely overcompensated by savings during the use-phase of the product;
- accumulated electricity savings/electricity cost/CO2 emission savings of 117,6 TWh, 25,0 billion Euro, 38,9 mt CO2 by 2020 and 339,8 TWh/77,3 98,3mt billion EURO by 2025.
- a reduction of the annual electricity consumption of 35,5 TWh (more than the power consumption of Denmark) in 2020 compared to the BAU scenario, corresponding to electricity cost savings of 7,814 billion EURO, and 10,7 mln tons avoided CO2 emissions;
- a reduction of the annual electricity consumption of 49,3 TWh in 2025 compared to the BAU scenario
- costs for re-design and re-assessment upon introduction of the regulation, which are limited in absolute terms, and not significant in relative terms (per product);
- fair competition by creation of a level playing field;
- no significant impacts on the competitiveness of industry, and in particular SMEs due to the small absolute costs related to product re-design and re-assessment;
- a low risk for having negative impacts employment, in particular in SMEs.

3. LEGAL ELEMENTS OF THE PROPOSAL

Summary of the proposed action

It is proposed to address networked standby through an amending act to the existing Commission Regulation (EC) No 1275/2008 and, for televisions, to the existing Commission Regulation (EC) No 642/2009. The amendment to Commission Regulation (EC) No 1275/2008 is also used to introduce specifications for coffee machines.

In summary, the proposed amendment includes three elements:

As Article 1:

- (1) Eco-design requirements for networked standby which are incorporated into the existing Commission Regulation (EC) No 1275/2008 with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment ("standby regulation")
- (2) Specifications regarding the application of the standby requirements to coffee machines which are introduced into Commission Regulation (EC) No 1275/2008

As Article 2:

- (3) Eco-design requirements for networked standby which are incorporated into the existing Commission Regulation (EC) No 642/2009 with regard to ecodesign requirements for televisions.

(a) Scope

The scope of the product categories addressed by an ecodesign measure on networked standby is equivalent with the scope of regulation EC 1275/2008. It addresses plug and play electrical and electronic household and office equipment.

The scope of the Standby Regulation 1275/2008 was originally defined by using an approach similar to the "Waste electrical and electronic equipment" (WEEE) Directive¹¹, while limiting the application to products corresponding to "household" and "office" equipment. In addition, the "catch all" clause ensures that products not being explicitly named in the product list, and/or which are just being placed on the market are covered. Fixed installed equipment and Information and Technology equipment having class A according to the EMC Directive were exempted from the scope and will remain exempted.

Televisions were taken out of the scope of the Standby Regulation when this product group became subject to the product-specific ecodesign implementing measure Commission Regulation (EC) No 642/2009. The product-specific measure does not include requirements for networked standby; these will be introduced via the proposed amendment. The horizontal networked standby requirements and the networked standby requirements for televisions are identical; they were merely adapted to be in line with the specific structure and wording.

(b) Definitions for networked standby

¹¹ Directive 2002/96/EC of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE), OJ L 37, 13.2.2003, p. 24; recast of the WEEE-Directive about to be adopted very soon.

The functionalities of products in networked standby are not defined as such. Network standby is a low-power condition that allows products to be reactivated via the network by an external trigger.

As the power consumption however depends directly on the time that the product needs to resume the main function, it is proposed to distinguish two different categories of network availability: High Network Availability and non-High Network Availability. Equipment with High Network Availability resumes functions within milliseconds; equipment without HiNA resumes functions within more than one second (and generally within 5 seconds). To that end, a very limited group of HiNA-equipment/equipment with HiNA-functionality should be defined for which specific power consumption limits and power management requirements apply.

- Networked equipment with high network availability' (HiNA equipment): Equipment with one or more of the following functionalities but no other, as the main function(s): router, network switch, hub, modem, wireless network access point (not being a terminal), VoIP telephone, video phone;
- Networked equipment with high network availability functionality' (equipment with HiNA functionality): Equipment with the functionality of a router, network switch, hub, wireless network access point (not being a terminal) or combination thereof included, but not being HiNA equipment; (e.g. a Complex Set Top Box with integrated router)

Other definitions concern for example the network, network ports and remotely initiated trigger.

(c) Power consumption limits

The following power consumption limits are foreseen to come into force in two stages which are scheduled as follows:

Stage 1, as from 1 January 2015, with the following power consumption requirements:

12 Watt for products with High Network Availability (HiNA) and 6 Watts for equipment without High Network Availability.

This requirement does not apply to:

- a) printing equipment with a power supply of a rated power larger than 750 W;
- b) large format printing equipment;
- c) tele-presence systems.

Stage 2, as from 1 January 2017, with the following power consumption requirements:

8 Watt for products with High Network Availability (HiNA) and 3 Watts for products without High Network Availability. This requirement does not apply to large format printing equipment;

The (temporary) exemptions from the power limits are made for the following reasons:

- Printing equipment that requires a rated power of more than 750 W includes, amongst others, a heating function that goes along with higher energy consumption. A major re-design is necessary to put the technology in place for this printing equipment to meet the power limits, which requires more time than stage 1 would allow.
- Tele-presence systems are comprehensive systems that normally include a user interface, high-definition cameras, displays, sound systems and processing capabilities for efficient encoding and decoding of video and audio, which goes along with higher energy consumption. A major re-design is necessary to establish a condition of networked standby which requires more time than stage 1 would allow.
- Large format printing equipment includes a heating function and requires high memory capacities and additional applications, such as graphic cards, which goes along with higher energy consumption. The power limits for the condition providing networked standby, both for stage one and stage two (i.e. foreseen for 2015 and 2017), do not seem to be appropriate for this kind of equipment. The appropriateness of networked standby power limits could be subject to the review foreseen for a date not later than three years after the regulations entry into force.

(d) Power management

Networked Products in the sense of the regulation need to be automatically switched into a condition having networked standby and meeting the power limits after the shortest possible time appropriate for the intended use. The default delay time should not exceed 20 minutes.

(e) Measurement standard

It is proposed to repeal the 2nd paragraph of Annex II (3) of the Standby Regulation in the light of the result of the standardisation process leading to EN 50564 as some of the required uncertainties were identified as being too tight. At the time the Standby Regulation came into force EN 50564 was not available, and the uncertainties are now correctly specified in EN 50564.

(f) Measurements and verification method

It is set out in the draft regulation (Annex II.6) that the power consumption requirements shall be established by a reliable, accurate and reproducible measurement procedure, which takes into account the generally recognised state of the art.

Member State shall apply the verification procedure which is established in Annex III of the draft regulation. The requirements for standby/off-measurements are complemented by specific test methods for networked standby.

These refer in particular to methods towards determining the network ports for the power consumption measurement and testing the reactivation function.

The model shall be considered to comply with this Regulation if the results for each type of network port do not exceed the limit value by more than 10 %.

(g) Information to be provided by the manufacturers

To facilitate compliance checks, manufacturers are requested to provide information in the technical documentation referred to in Annexes IV and V of Directive 2009/125/EC.

In addition, the following information on networked equipment shall be visibly displayed on free accessible websites of manufacturers:

- Power consumption data in Watts
- Default time after which the power management function switches the equipment automatically into a condition having networked standby.
- Conformity assessment procedures

As required in Article 8 of Directive 2009/125/EC the internal design control set out in Annex IV of that Directive and the management system for assessing conformity set out in Annex V of the same Directive are specified as the applicable procedures for carrying out conformity assessment under this Regulation.

(h) Benchmarks

Based on the currently available technologies, high energy efficiency benchmarks are provided for High Network Availability and Low Network Availability equipment.

(i) Date for evaluation and possible revision

The main issues for a possible revision of the Regulation are:

- The appropriateness of the ecodesign requirements for the power consumption levels in networked standby;

- The appropriateness of the product scope;
- The appropriateness of any product exemption.

The review of the standby/off-requirements and of the networked standby requirements should be done together. Against this background and as Stage 1 of the Networked standby requirements enters into force only in January 2015, it is proposed to postpone the original review date by one year to 7 January 2016.

4. BUDGETARY IMPLICATION

The proposal has no implications for the Community budget.

5. ADDITIONAL INFORMATION

Review/revision/sunset clause

The proposal includes a review clause.

European Economic Area

The proposed act concerns an EEA matter and should therefore extend to the European Economic Area.