



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR ENERGY

DIRECTORATE C - New and Renewable Energy Sources, Energy Efficiency & Innovation  
**Energy efficiency of products**

Brussels, 19/04/12  
ENER/C3/AC (2012)

## MINUTES of the

### Consultation Forum on horizontal issues - 19/04/2012

**Subject** Consultation Forum on horizontal issues

**Place** Charlemagne Building, Room JENK, Brussels

**Chair** Kirsi Ekroth-Manssila

**EC participants** Ismo Gronroos-Saikala (ENER); Tobias Biermann (ENTR); Cesar Santos Gil (ENTR); Laure Baillargeon (ENTR); Davide Minotti (ENV); Adam Romanowski (ENER); Villö Lelkes (ENER); Matthew Kestner (ENER); Nicola Pusceddu (ENER); Ulrike Nuscheler (ENER); Isabelle Michiels (ENER); Marcos González Álvarez (ENER)

**Participants:** Annex I

#### 1. Welcome of participants and approval of the agenda

**The CHAIR** welcomed the participants and presented the agenda and the participants from the Commission.

The agenda was adopted without changes.

#### 2. Presentation of the state of play of the Ecodesign and Energy Labelling implementing measures

**The COMMISSION** presented the state of play of the regulatory work on the new implementing Ecodesign and Energy Labelling measures. Currently the Commission is working on fifteen implementing ecodesign and energy labelling measures and three voluntary agreements that are planned to be adopted in 2012. Five preparatory studies are to be finished in 2012 while five preparatory studies have been launched during 2012 [presentation available in CIRCA].

**BELGIUM** asked for a clarification on the relationship between the Voluntary Agreement (VA) on complex set top boxes, the JRC code of conduct and the draft regulation on network standby.

**The COMMISSION** explained that the purpose and objective of the JRC code of conduct are very different from those of the VA. Furthermore the EC informed that if the VA on complex set top boxes meets its objectives it will be considered a valid alternative to an ecodesign regulation and thus the Commission will refrain from regulating this product group. It was also clarified that complex set top boxes will have to fulfil the requirements to be set for network standby.

### **3. Review of the Ecodesign and Energy Labelling Directives**

#### *3.1. Main results of the study on the review of the Ecodesign Directive*

**The COMMISSION** presented the main results of the study carried out on the review of the Ecodesign Directive, which is a legal requirement. The results indicate that no immediate revision of the Directive is deemed necessary to increase the effectiveness of the Directive and its implementing measures and that it seems premature to consider extending the scope of the Directive to non-energy related products within the current review process [presentation available in CIRCA].

**AUSTRIA** indicated that market surveillance has not been properly assessed in the study and asked **the COMMISSION** to revise Annex VII to the Ecodesign Directive and to reconsider the 1+3 system by which if one product fails another three have to be tested for market surveillance.

**The NETHERLANDS** indicated that the door to non-energy related products should not be closed but at the same time acknowledged that the extension of the scope of the Directive could pose practical problems because of the lack of a proper methodology and testing procedures.

**SWEDEN** stressed that all aspects of the Directive should be left open for the next review scheduled for 2014.

**GERMANY** supported **AUSTRIA's** comments on market surveillance. Concerning the extension of the scope of the Directive, Germany did not yet have an official position.

**DENMARK** expressed its hesitation with regard to including environmental aspects in the Directive as that could result in slowing down the implementation of energy saving measures.

**EUROFUEL** asked for a greater cohesion between Ecodesign and Energy Labelling measures.

**The EUROPEAN ALUMINIUM ASSOCIATION** asked for a better coordination of the Ecodesign measures with the Construction Products Directive.

#### *3.2. Preparation of the review of the Energy Labelling and Ecodesign Directives 2012 – 2014.*

**The COMMISSION** explained that a study looking at specific aspects of the Energy Labelling Directive would be launched this year for the purposes of the review of the

Directive in 2014, and asked for proposals of issues to be evaluated (in addition to the scope, market surveillance, impact of the implementing measures). Furthermore, the Commission indicated that, for the moment, Comitology will be maintained under the Ecodesign Directive, [presentation available in CIRCA].

### *3.3. Review of the study on product labelling options and consumer understanding of these options and the energy label*

**IPSOS MORI** presented the study that was being carried out on the possibilities of improving the understanding of energy labels by consumers, based on requests made during the recast process for the current Energy Labelling Directive.

**The NETHERLANDS** asked about the framework of the study and indicated that they had understood that the study was being carried out to assess how consumers understand the current energy label.

**BEUC/ANEC** appreciated the study and inquired whether the understanding of the energy efficiency classes was being evaluated.

**The COMMISSION** indicated that the study addressed how consumers interpret the symbols on a label not the scale itself.

**CECED** asked if the complexity of a label would be assessed.

**IPSOS MORI** indicated that the complexity would be assessed.

### *3.4. Discussion on the way forward*

**GERMANY** made a presentation on energy-relevant top-performer-products, [presentation available in CIRCA]. They proposed an approach where the best performing products are made visible, by predefining future classes.

**The EUROPEAN CLIMATE FOUNDATION** asked how many of **GERMANY**'s ideas required a revision of the Directives on Ecodesign and Energy Labelling.

**GERMANY** indicated that the preparatory studies should collect specific data to assess the Least Life Cycle Cost (LLCC).

**ORGALIME** made a presentation on the Ecodesign and Energy Labelling Directives and stressed that there was not sufficient evidence to extend the scope of the Directives and that priority should be given to finishing on-going regulatory work, [presentation available in CIRCA].

**CECED** presented their experience in the field. They stressed the importance of enforcement for a proper functioning of the Internal Market. They also noted the complexity of the preparatory and adoption process [presentation available in CIRCA].

**ENVIRONMENTAL NGOs** pointed out the limited resources of Ecodesign and Energy Labelling, and stressed the need for a market monitoring instrument and for a better coordination of the market surveillance activities [presentation available in CIRCA].

**BEUC / ANEC** presented the Energy Label Observatory (ELO) project which aims at monitoring the marketing of ErP products [presentation available in CIRCA].

**ITALY** supported the general objective of the ELO project but indicated that the level of ambition should be realistic.

**FINLAND** indicated that priority should be given to finishing the regulatory work on products that have already been under development and asked about the planning of the alignment of the Ecodesign Directive with the Lisbon Treaty.

**The EUROPEAN CLIMATE FOUNDATION** stressed the importance of market monitoring.

**UNITED TECHNOLOGIES CORPORATION** supported previous comments on the importance of market surveillance.

**ENVIRONMENTAL NGOS** indicated that the curve of costs was theoretical and that it should be analysed for each product group.

**The EUROPEAN ALUMINIUM ASSOCIATION** indicated that opportunities offered by new IT technologies should be analysed which would be particularly useful for construction products.

**PORTUGAL** welcomed the meeting on horizontal issues and indicated that it was beneficial for national market surveillance authorities

**The COMMISSION** indicated that there was no specific date for the alignment of the Ecodesign Directive with the Lisbon Treaty. It also explained that market surveillance was a national responsibility however, support by the EC is given through the Administrative Cooperation Groups (ADCO) and in the context of the annual market surveillance monitoring exercise that was launched in January 2012 with a deadline for comments from Member States by end of May 2012.

**ENVIRONMENTAL NGOS** indicated that non-energy aspects were crucial in the future review and asked for the proper methodology to assess them.

**The COMMISSION** explained that the updated MEErP will be used to run preparatory studies for new product groups.

**GERMANY** welcomed the horizontal Consultation Forum meeting, and asked for the conclusions of the study on the review of the Ecodesign Directive.

**The COMMISSION** indicated that the conclusions of the review would be drafted by **the COMMISSION** based on the documents received from stakeholders and comments received both at and after that meeting.

**AUSTRIA** indicated that the further improvement of market surveillance requires the changes of the provisions of the Ecodesign Directive.

#### **4. Challenges faced at EU level in the implementation and application of the Ecodesign and Energy Labelling Directives.**

The **COMMISSION** presented the challenges faced at EU level concerning the implementation of the Ecodesign and Energy Labelling Directives and its proposals for addressing the most relevant of them [presentation available in CIRCA].

**ENVIRONMENTAL NGOs** inquired about the fast track procedure for reviews and indicated that a guidance document was being developed to present issues that should be covered by approaching reviews, including one more tier non-energy aspects and wider scope.

**SWEDEN** indicated that the regulatory work should be prioritised and that the focus should be placed on products with the highest savings potential. Sweden was of the opinion that taps and shower heads should be included in the Ecodesign Working Plan.

**DENMARK** supported the idea of prioritising work, and indicated that, as measurement methods become very expensive, the use of standards has to be rethought.

**PORTUGAL** welcomed the considerations about including TIER III. They supported **DENMARK** opinion on the use of standards.

**CECED** mentioned that the reference to BAT as TIER III was not possible within the current legislation. Concerning the database proposed by the Commission, **CECED** stressed a need to clarify its objective and purpose (for statistical purpose or for market surveillance). Furthermore **CECED** stressed that testing has to be carried out as close as possible to real life.

**ORGALIME** indicated that the procedure for the revision of implementing measures should be based on good quality data.

**The EUROPEAN CLIMATE FOUNDATION** asked about the revision of the TV Ecodesign measure. They also recommended considering the reviews of Ecodesign and Energy Labelling Directives at the same time.

**The UNITED KINGDOM** indicated that more cooperation between Member States in the area of market surveillance is needed. **The UNITED KINGDOM** is coordinating a pilot project on market surveillance with 10 Member States participants.

**AUSTRIA** indicated that the control of borders was becoming increasingly important and pointed at possible challenges when applying relevant provisions of Regulation 765/2008.

#### **5. Challenges faced at national level in the application of the Ecodesign and Energy Labelling Directives: measures and best practices applied to improve the situation.**

**The NETHERLANDS** presented its proposal for reducing the time needed by the **COMMISSION** to prepare implementing measures [presentation available in CIRCA].

**The UNITED KINGDOM** commented that there was a risk that this methodology would lead **the COMMISSION** to focus on the less complicated product groups.

**The NETHERLANDS** indicated that the proposed categories were not intended for prioritisation.

**FINLAND** asked to receive a message when new Ecodesign and Energy Labelling requirements are adopted.

## **6. State of play of CEN / CENELEC Work Programme in response to Ecodesign Horizontal Standardisation Mandate M/495.**

**CEN / CENELEC** presented the situation concerning M/495 on Ecodesign which had been accepted in November 2011, and suggested further improvements, [presentation available in CIRCA].

## **7. Tolerances in Ecodesign implementing measures**

This topic was not discussed.

## **8. AOB**

No other questions were raised.

## **9. CONCLUSIONS**

**The CHAIR** thanked the participants, closed the meeting and summarized the conclusions of the meeting.

- **Priorities:** Stakeholders agree with the Commission proposal of focusing on delivering the implementing measures that are already in the pipeline.
- **Review of the Ecodesign Directive 2012:** Most stakeholders and Member States agree with the conclusions of the 2011 study on the review of the Ecodesign Directive (including not immediately extending the scope).

The results of the present study should not prejudice any future review of the Ecodesign Directive or other associated reviews (e.g. the Energy Labelling Directive in 2014).

- **Review of the existing Implementing Measures:** Stakeholders and Member States agreed that a fast-track solution for the reviews of the existing Ecodesign and Energy Labelling Implementing Measures should be identified.
- **Market surveillance:** Stakeholders stress the importance of market surveillance and indicate that this should be a priority for the coming years. Industry and NGOs fully support the annual market surveillance data collection exercise recently launched by

the Commission. Member States pointed out the high costs of market surveillance and testing.

- **Environmental aspects:** More experience is needed on and more focus should be given to addressing environmental aspects of products (when justified) in addition to energy consumption.
- **Coherence:** Stakeholders and Member States request the EC to ensure more coherence between different pieces of legislation (e.g. Ecodesign, WEEE and RoHS Directives).
- **Resources:** Stakeholders call the EC to strengthen resources dedicated to Ecodesign to ensure timely delivery on new regulations, and to set out more detailed planning for the preparation of measures.
- **Planning:** Regular updates and information on planning and timelines would be appreciated by stakeholders and Member States.
- **TV Regulations:** The Commission committed to trying to present a review document for the review of the TV Regulations around the summer.
- Stakeholders were invited to send written comments within the next 4 weeks (before 21<sup>st</sup> May).