

Texte zu EU-Regelungen zur umweltgerechten Produktgestaltung und zur Energieverbrauchskennzeichnung in der Beleuchtung – Zusammenstellung <sup>[1]</sup> des Umweltbundesamtes (UBA), Deutschland



## Die bestehenden EG- und EU-Regelungen

Arbeitshilfe:

### **Die Rahmenverordnung 2017/1369/EU und die auf ihr beruhenden Verordnungen**

– Häufig gestellte Fragen zur Auslegung:  
Antworten der EU-Kommission (Stand Januar 2023) –

*Hinweis: Bitte beachten Sie, daß der angehängte Text nur in Englisch verfaßt ist.*

**EN:** Information on EU Lighting Regulations – Ecodesign and Energy Labelling – Compilation <sup>[1]</sup> of the Federal Environment Agency (UBA), Germany

The existing EC and EU Regulations

### **Framework Regulation 2017/1369/EU and the Regulations based on it**

– Work aid: Frequently asked questions on interpretation:  
Answers from the EU Commission (status as of January 2023) –

**FR:** Informations sur réglementations de l'UE concernant l'éclairage – l'écoconception et l'étiquetage énergétique – Compilation <sup>[1]</sup> de l'Agence Fédérale de l'Environnement (UBA), Allemagne

Les règlements existants de la CE et de l'UE

### **Le règlement-cadre 2017/1369/UE et les règlements qui en découlent**

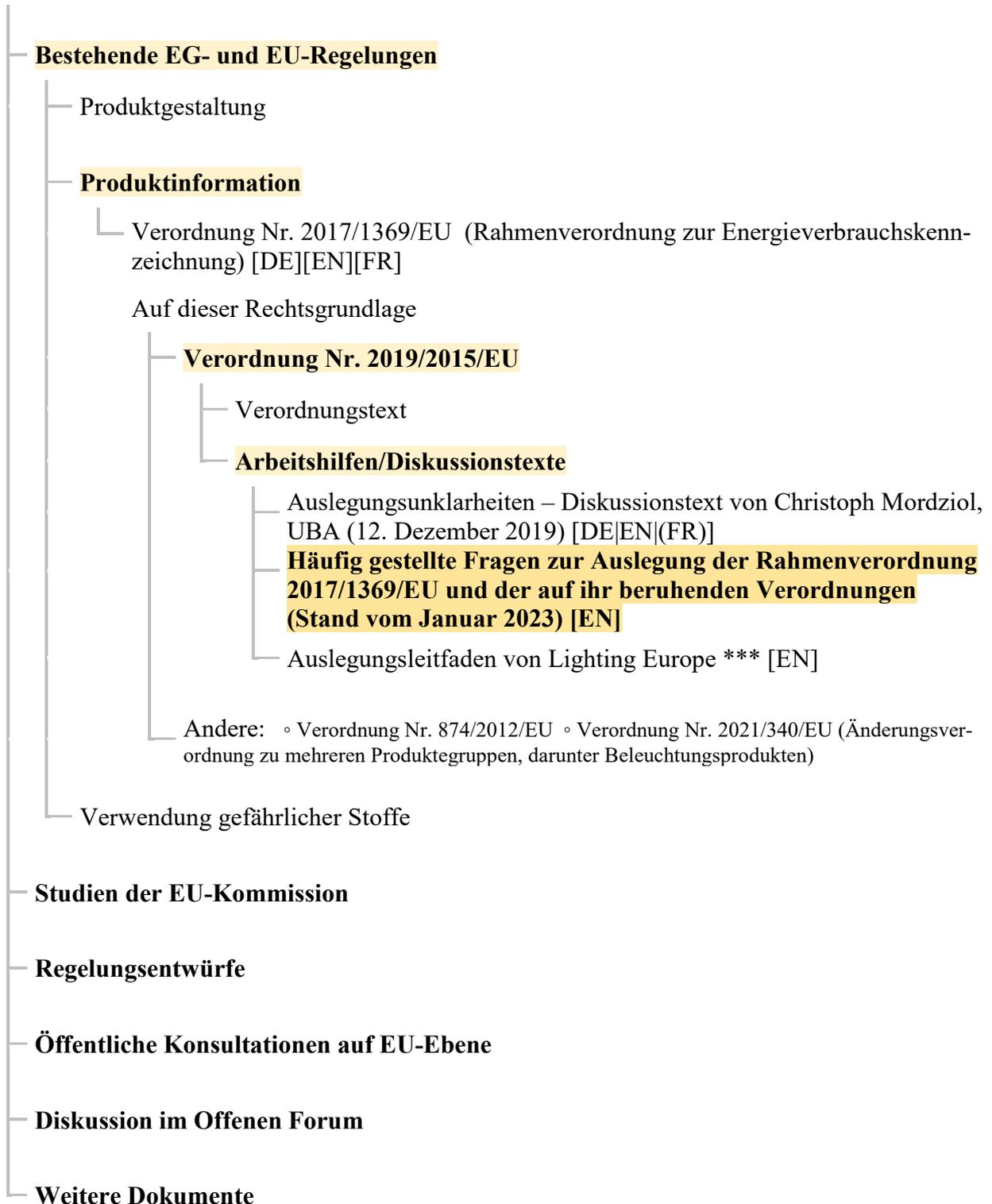
– Aide de travail : Foire aux questions sur l'interprétation :  
Réponses de la Commission européenne (état au janvier 2023) –

*Indication : Veuillez noter que le présent texte n'est disponible qu'en anglais.*

<sup>[1]</sup> <https://www.eup-network.de/de/eup-netzwerk-deutschland/offenes-forum-eu-regelungen-beleuchtung/dokumente/texte/>

Texte im Offenen Forum

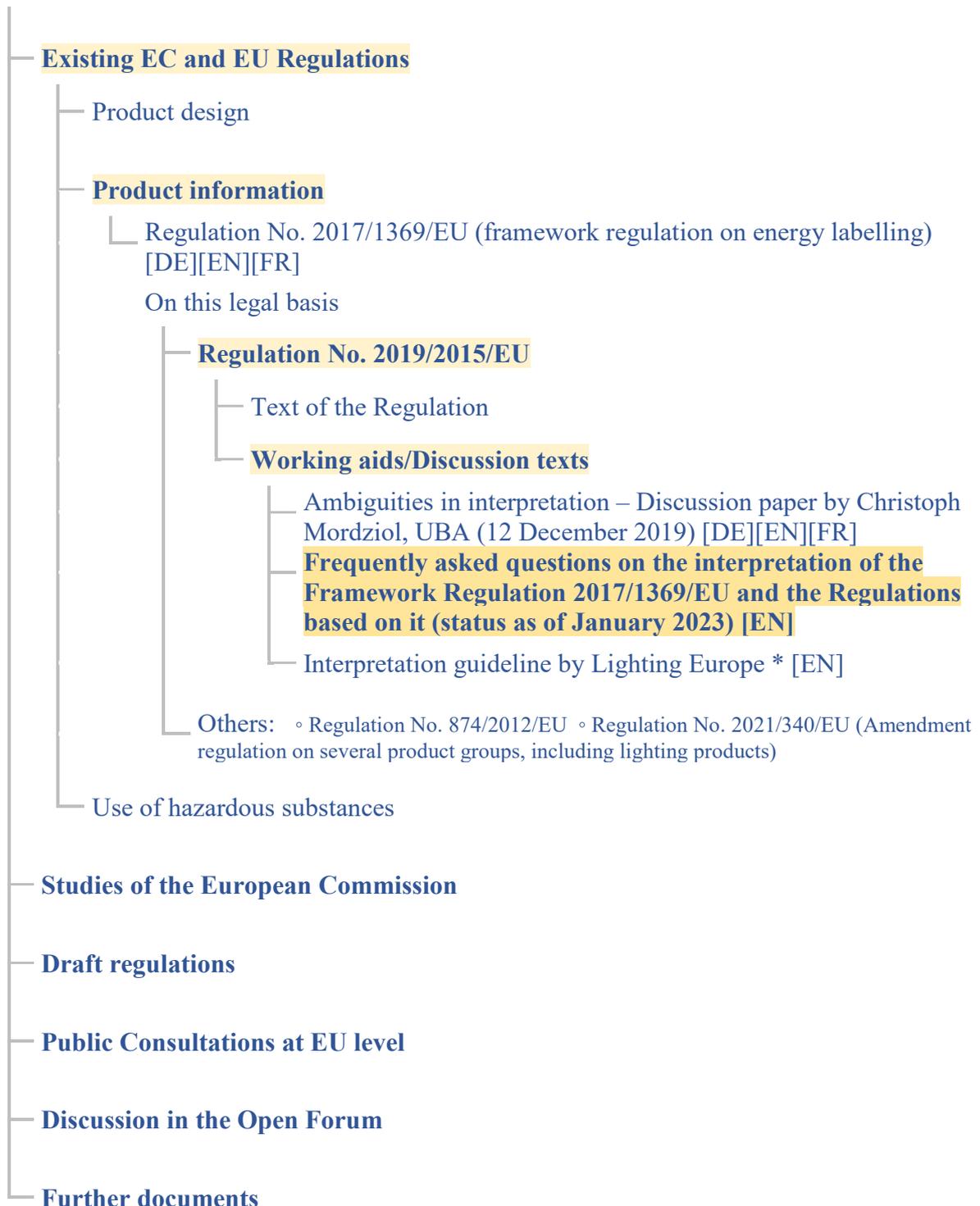
(abc = vorliegender Text)



\* Mittlerweile ist dieser Auslegungsleitfaden nur noch zusammen mit dem zur Produktgestaltung gegen Zahlung von insgesamt 1 000 € + MWSt. zu erhalten.

Documents in the Open Forum

(abc = text at hand)



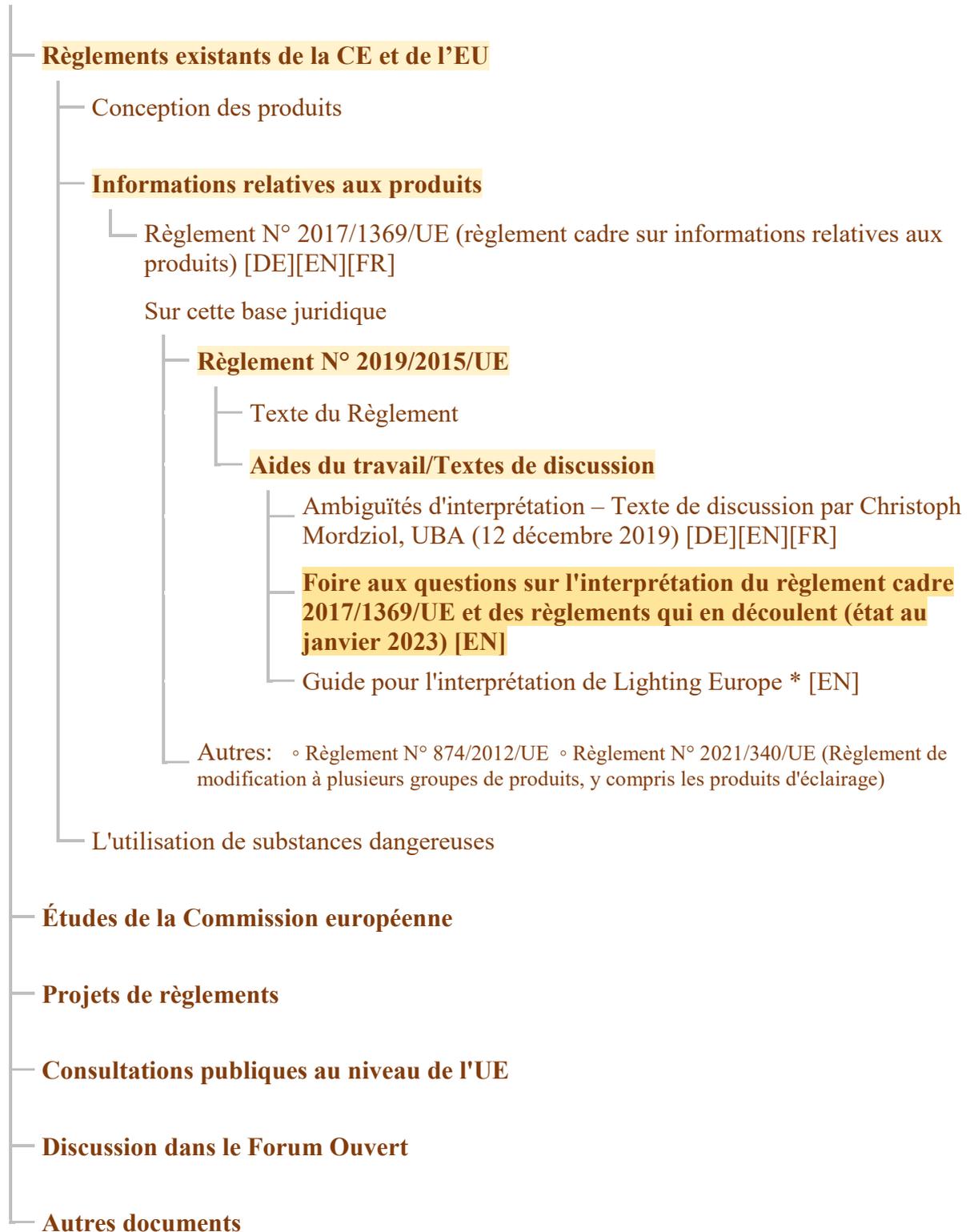
\* In the meantime, this guideline can only be obtained together with the one on product design against payment of a total of € 1 000 + VAT.

Abbreviations: ● EC = European Communities ● EU = European Union

Contents list: Excerpt to the questions i) on the Framework Regulation 2017/1369/EU and ii) on the Regulation 2019/2015/EU on lighting products: → page V

## Documents dans le forum ouvert

(abc = présent document)



\* Entre-temps, ce guide d'interprétation ne peut être obtenu que conjointement avec celui sur la conception des produits, moyennant le paiement d'un total de 1 000 € + TVA.

**Contents list:** Excerpt to the questions i) on the Framework Regulation 2017/1369/EU and ii) on the Regulation 2019/2015/EU on lighting products

Questions that have been added compared to the version of April 2022 are marked in the following overview by a green dashed line in the right margin.



***Energy Labelling Regulation EU 2017/1369 of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/ EU..... 4***

**(1) Question on second hand products (09-2011 adapted 11/2017)**

According to Article 1(2)(a) the Regulation does not apply to “second hand products”. Do the following cases concern second hand products?

- a) Cases of cancellation of contracts. The consumer withdraws the contract. The product is then resold.
- b) Products that have been repaired or refurbished and are then placed on the market and resold.
- c) Swap stocks: products that are held in stock for the purpose of warranty cases and are sold at a later stage as “phase-out model” ..... 4

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What is covered by “putting into service” in Article 2 point 9 of the Regulation?..... 4

**(3) Question on the correct display of the label (04-2012 adapted 11/2017)**

According to Article 5.1(a) of the Regulation and Article 4(a) of various delegated acts, each product placed at the point of sale has to bear the label on the outside of the front or top of the appliance. These provisions raise concerns particularly among kitchen studios and for retailers offering build-in appliances, high-quality kitchen and kitchen equipment. These retailers raise the following concerns and ask if it is possible to place the label:

- a) in the case of build-in devices (e.g. built-in ovens), inside of the appliance,
- b) in the case of high-end appliances with sensitive surfaces in plastic stand-up displays, near the appliance (e.g. to prevent edges caused by solar radiation). Furthermore retailers ask if there are exemptions for sample kitchens which can be found at the point of sale in bigger kitchen studios and which are used for cooking demonstrations for advertising purposes..... 4

**(4) Question on technical documentation for the energy related product (11-2012 adapted 11/2017)**

According to the Energy Labelling Regulation, the supplier has several obligations in relation to technical documentation (e.g. Articles 3(3), 4(2) 4(6) 12(4) 12(5) 20(3) of the Energy Labelling Regulation). According to Regulation (EC) No 765/2008 of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products, market surveillance also applies to products imported from countries within the EU market.

Article 19(1) of Regulation 765/2008 indicates that: “Market surveillance authorities may require economic operators to make such documentation and information available as appear to them to be necessary for the purpose of carrying out their activities, and, where it is necessary and justified, enter the premises of economic operators and take the necessary samples of products. They may destroy or otherwise render inoperable products presenting a serious risk where they deem it necessary.” The definition of economic operator is (Regulation 765/2008, Article 2(7)): "economic operators" shall mean the manufacturer, the authorised representative, the importer and the distributor. The definition of distributor is (Article 2(6)):

"distributor" shall mean any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market.

Considering Regulation 765/2008, can the obligation to submit technical documentation be placed on a national distributor or economic operator, even though the supplier/manufacturer/authorised representative or importer is situated in another Member State? ..... 5

**(5) Question on energy labels not covered by a regulation (05-2013 adapted 11/2017)**

What about labels using the A-G classification and the 7 colours for categories of products not covered by a delegated act? Such labels have been found on the market for energy-related products. Are such labels authorized to be used on the market? Or is this forbidden by Article 6(d) of the Regulation and should market surveillance authorities take action? Would voluntary labelling be allowed if similar rules to those for voluntary agreements in the frame of Ecodesign are followed? ..... 5

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**(7) Question on catalogues (09-2014 adapted 11/2017)**

Several labelling regulations require specific information in catalogues and other publications. Does the date for application of these requirements with the wording “any technical promotional material” mean that these publications can be distributed indefinitely after that date if they were printed before? Some regulations have different date for application regarding printed material but still this does not refer to the date of printing but to the date after which the material has to bear the information. .... 6

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Do energy labelling delegated acts apply to components of and appliances for means of transport?..... 6

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b) When the manufacturer supplies a product with a label, but the retailer sells only to business customers (professional catalogues, online): Can the retailer sell these products without showing the label? What is valid for adverts that are directed only at trade professionals?

c) What happens with products that are technically identical, but sold as part of a “professional” and also a “consumer” product sales line? Which obligations apply to a retailer offering both types of sales (professional and consumer), but with differing product ranges? Must they label all their products? Or only those marketed to consumers? ..... 6

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<i>“The product information sheet may be displayed using a nested display or by referring to the product database, <b>in which case</b> the link used for accessing the product information sheet shall clearly and legibly indicate ‘Product information sheet’.”</i>	
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**EN:** After page XII follows an unchanged original text.

**FR:** Après la page XII suit un texte original inchangé.

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## **Frequently Asked Questions (FAQ) on the Energy Labelling Regulation EU 2017/1369 of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU and its delegated acts.**

*This Frequently Asked Questions (FAQ) document summarises questions and answers of general interest regarding the Energy Labelling Regulation EU 2017/1369 and its delegated acts, including those adopted under the former Energy Labelling Directive 2010/30/EU.*

*Regulation 2017/1396 is in force as of 1<sup>st</sup> of August 2017<sup>1</sup> and replaces Directive 2010/30/EU. Delegated acts adopted under Directive 2010/30/EU remain in force until they are repealed by a new delegated act adopted under Regulation EU 2017/1369. Obligations under the new Regulation apply in relation to product groups adopted under Directive 2010/30/EU. Regulation 2017/1396 is directly applicable and imposes obligations on suppliers, dealers and the Member States which are additional to those contained in delegated acts made under it or Directive 2010/30/EU. Therefore the FAQs related to Energy Labelling Regulation EU 2017/1369 presented in this document are also applicable to product groups covered by delegated acts adopted under the former Energy Labelling Directive 2010/30/EU.*

*The answers provided reflect a common understanding between the Commission services and the Market Surveillance Authorities of Member States. The answers as such are not legally binding. A binding interpretation of Union law is the sole competence of the European Court of Justice.*

*These FAQ cannot go beyond or substitute the requirements of the Energy Labelling Regulation or its delegated acts. The general obligations set out in Regulation 2017/1369 as well as the product-specific rules set out in the delegated acts are binding in their entirety and directly applicable in all Member States.*

**Attention:** some of the regulations referred to in this document were repealed in 2021, following new regulations adopted in 2019. See here for all details:  
[https://ec.europa.eu/energy/topics/energy-efficiency/energy-efficient-products/list-regulations-product-groups-energy-efficient-products\\_en?redir=1](https://ec.europa.eu/energy/topics/energy-efficiency/energy-efficient-products/list-regulations-product-groups-energy-efficient-products_en?redir=1)

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<sup>1</sup> The obligations of suppliers in relation to the product database shall apply from 1 January 2019.

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## **Energy Labelling Regulation EU 2017/1369 of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/ EU**

NOTE: The FAQs presented in this section are also applicable to product groups covered by delegated acts adopted under the former Energy Labelling Directive 2010/30/E

### ***(1) Question on second hand products (09-2011 adapted 11/2017)***

According to Article 1(2)(a) the Regulation does not apply to “second hand products”. Do the following cases concern second hand products?

- a) Cases of cancellation of contracts. The consumer withdraws the contract. The product is then resold.
- b) Products that have been repaired or refurbished and are then placed on the market and resold.
- c) Swap stocks: products that are held in stock for the purpose of warranty cases and are sold at a later stage as “phase-out model”.

### ***(1) Answer on second hand products***

- a) This would be considered a second hand good if it has been used.
- b) Yes, repaired products are normally second hand product unless it has been significantly changed and comes e.g. with a new warranty period in which case is can be considered as a new product.
- c) No, this concerns new product because they have not been offered for sale before.

### ***(2) Question on putting into service (09-2011 adapted 11/2017)***

What is covered by “putting into service” in Article 2 point 9 of the Regulation?

### ***(2) Answer on putting into service***

The aim of this definition concerns products which can be used only after an assembly, an installation or other manipulation has been carried, such as boilers and water heaters.

### ***(3) Question on the correct display of the label (04-2012 adapted 11/2017)***

According to Article 5.1(a) of the Regulation and Article 4(a) of various delegated acts, each product placed at the point of sale has to bear the label on the outside of the front or top of the appliance. These provisions raise concerns particularly among kitchen studios and for retailers offering build-in appliances, high-quality kitchen and kitchen equipment. These retailers raise the following concerns and ask if it is possible to place the label:

- a) in the case of build-in devices (e.g. built-in ovens), inside of the appliance,
- b) in the case of high-end appliances with sensitive surfaces in plastic stand-up displays, near the appliance (e.g. to prevent edges caused by solar radiation).

Furthermore retailers ask if there are exemptions for sample kitchens which can be found at the point of sale in bigger kitchen studios and which are used for cooking demonstrations for advertising purposes.

### ***(3) Answer on the correct display of the label***

- a) According to the Regulation and the delegated acts, it is not possible to place the label inside the appliance since this contradicts the general requirement of the Regulation to

display the label in a visible manner and the specific requirements of the relevant delegated acts.

- b) The relevant delegated acts which usually refer to on front or on top of the appliance and thus 'near' the appliance is not specific enough.

Concerning exemptions, the answer depends on the specific case. If the kitchen equipment is not offered for sale, but exclusively used for cooking demonstrations, it is not necessary to put a label on the different appliances: in cases where end-users cannot purchase, hire or hire-purchase the specific product, there is no obligation that the product bears the label. However, in case of advertising purposes a reference to the energy efficiency class of the product has to be displayed if energy-related or price information is disclosed.

***(4) Question on technical documentation for the energy related product (11-2012 adapted 11/2017)***

According to the Energy Labelling Regulation, the supplier has several obligations in relation to technical documentation (e.g. Articles 3(3), 4(2) 4(6) 12(4) 12(5) 20(3) of the Energy Labelling Regulation). According to Regulation (EC) No 765/2008 of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products, market surveillance also applies to products imported from countries within the EU market. Article 19(1) of Regulation 765/2008 indicates that: *“Market surveillance authorities may require economic operators to make such documentation and information available as appear to them to be necessary for the purpose of carrying out their activities, and, where it is necessary and justified, enter the premises of economic operators and take the necessary samples of products. They may destroy or otherwise render inoperable products presenting a serious risk where they deem it necessary.”* The definition of economic operator is (Regulation 765/2008, Article 2(7)): *“economic operators” shall mean the manufacturer, the authorised representative, the importer and the distributor.* The definition of distributor is (Article 2(6)):

*“distributor” shall mean any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market.*

Considering Regulation 765/2008, can the obligation to submit technical documentation be placed on a national distributor or economic operator, even though the supplier/manufacturer/authorised representative or importer is situated in another Member State?

***(4) Answer on technical documentation for energy related products***

The obligations related to the technical documentation lie with the economic operator which places a product on the market or puts it into service, regardless of where the product is imported from.

***(5) Question on energy labels not covered by a regulation (05-2013 adapted 11/2017)***

What about labels using the A-G classification and the 7 colours for categories of products not covered by a delegated act? Such labels have been found on the market for energy-related products. Are such labels authorized to be used on the market? Or is this forbidden by Article 6(d) of the Regulation and should market surveillance authorities take action? Would voluntary labelling be allowed if similar rules to those for voluntary agreements in the frame of Ecodesign are followed?

***(5) Answer on energy labels not covered by a regulation***

Article 6(d) of Regulation EU 2017/1369 clearly forbids the supply or display of labels which mimic the labels provided for in the Regulation or in delegated acts, unless the label is

provided for by national law Market surveillance authorities have the power to take action against unauthorised use of labels. The Energy Labelling Regulation does not contain any provisions for voluntary agreements on energy labels.

***(6) Question on post-labelling (01-2014)***

Do you have to add a label to a product that has been placed on the market before the labelling deadline of a relevant regulation? In the case that a product that did not require labelling beforehand is still on the market when labelling is required, do you have to add the label?

***(6) Answer on post-labelling***

The regulations require dealers to show the label provided by suppliers. Unless a regulation specifies otherwise, if suppliers were not required to supply a (new) label at the time the specific product was placed on the market, the dealer is not required to show a (new) label.

***(7) Question on catalogues (09-2014 adapted 11/2017)***

Several labelling regulations require specific information in catalogues and other publications. Does the date for application of these requirements with the wording “any technical promotional material” mean that these publications can be distributed indefinitely after that date if they were printed before? Some regulations have different date for application regarding printed material but still this does not refer to the date of printing but to the date after which the material has to bear the information.

***(7) Answer on catalogues***

The date of printing is not relevant for the requirements. Such material has to comply with the specific requirements of the labelling regulation for the product in question as they apply when the material is made available/distributed for the first time.

***(8) Question on components of and appliances for means of transport (04-2015 adapted 11/2017)***

Do energy labelling delegated acts apply to components of and appliances for means of transport?

***(8) Answer on components of and appliances for means of transport***

The delegated acts do not specifically mention whether components of and appliances for means of transport fall under their scope, but the Energy Labelling Regulation specifies in its Article 1(2)(b) that the Regulation does not apply to "any means of transport for persons or goods". Therefore, products that are specifically constructed only for application in means of transport (including mobile homes and caravans) and no other applications are exempted from delegated acts.

***(9) Question on energy labels in business-business transactions (04-2015 adapted 11/2017)***

The Energy Labelling Regulation determines that products should only be supplied with a label if they are marketed to customers. How should we proceed when suppliers and sellers do not act in a clear/united manner regarding this point?

a) When a manufacturer supplies a “professional” product without a label, which a retailer then wishes to sell to everyone: Can the retailer demand a label be subsequently supplied?

b) When the manufacturer supplies a product with a label, but the retailer sells only to business customers (professional catalogues, online): Can the retailer sell these products without showing the label? What is valid for adverts that are directed only at trade professionals?

c) What happens with products that are technically identical, but sold as part of a “professional” and also a “consumer” product sales line?

Which obligations apply to a retailer offering both types of sales (professional and consumer), but with differing product ranges? Must they label all their products? Or only those marketed to consumers?

***(9) Answer on energy labels in business-business transactions***

Professionals are also customers, so the products they use are not *a priori* excluded from energy label provisions. Different regulations have different approaches in this regard; each regulation contains specific provisions in which case labels have to be provided.

Dealers shall request labels from suppliers and suppliers shall promptly, and in any event within five working days, deliver them, as provided for in Articles 3(1) and 5(2) of the Energy Labelling Regulation.

***(10) Question on software updates (06-2016 adapted 11/2017)***

Software updates can change product performance, including energy efficiency. If a software update which changes efficiency is provided by the supplier and installed by the dealer before selling the product to the end-user, who is responsible for changing the label?

***(10) Answer on software updates***

If the supplier provides a software update to the dealer which changes the product, including its efficiency, the supplier has to provide a new label and the dealer has to display it. The dealer is not at fault if the supplier did not actively communicate that the update is connected to a change of the label. If the software update is done after the product is put in service, the supplier shall request explicit consent from the customer regarding any changes that would be detrimental to the parameters of the energy efficiency label, as set out in the relevant delegated act. For a period proportionate to the average lifespan of the product, the supplier shall give the customer the option of refusing the update without avoidable loss of functionality as provided for in Article 3.4 of the Energy Labelling Regulation.

***(11) Question on online label requirements for combined products (11-2016 adapted 11/2017)***

New combined white goods are being developed such as a combined hob, oven and dishwasher. How many labels and data sheets have to be shown in the webshop for such appliances?

***(11) Answer on online label requirements for combined products***

Since the product is both a dishwasher and an oven, two labels and two product fiches have to be shown in the webshop, one for the dishwasher part and one for the oven part (there is no energy label for hobs). If however there is a single product with two functions, such as washer/drier, covered by one regulation, then only one label needs to be displayed.

***(12) Question on Article 6(a) – Obligation to show the range of the efficiency classes (11-2017 – revised 09-2019)***

According to Article 6(a), the supplier and the dealer shall make reference to the energy efficiency class of the product and the range of the efficiency classes available on the label in visual advertisements or technical promotional material for a specific model in accordance with the relevant delegated act. Similar obligations existed under the Energy Labelling Directive 2010/30/EU, Article 4, but the reference to the range of the efficiency classes available on the label is a new requirement. Does it apply as of 1st of August 2017 (date of entry into force of Energy Labelling Regulation EU 2017/1369)?

***(12) Answer on Article 6(a) - Obligation to show the range of the efficiency classes***

Technical promotional materials and visual advertisement introduced on the market (i.e. published/distributed) before 1 August 2017 do not need to comply with the requirements of Article 6(a). However, visual advertisements or technical promotional material introduced on the market after 1 August 2017 would have to comply with the new requirements.

Although existing delegated acts do not specify how the range of available efficiency energy classes should be included in visual advertisements, the range of efficiency energy classes is clearly established for specific product groups and set out on the label, and therefore known to suppliers and dealers.

In the absence of harmonised rules, dealers and suppliers have a margin of appreciation how to comply with this obligation. This does mean that the way the range of efficiency classes available for a certain product will be displayed in visual advertisements is likely to be different between different suppliers and dealers. However, in the future, once a new delegated act is adopted under the Energy Labelling Regulation, and its provisions start to apply, this aspect will be exhaustively harmonised at EU level and dealers and suppliers will have to comply with the new requirements. Before the new delegated acts enter into application, dealers and suppliers could even adapt the icon set out in these acts, as using it would not seem to breach Article 6(c) of the energy labelling framework Regulation 2017/1369 in that it would not be “likely to mislead or confuse customers with respect to the consumption of energy...” because in fact it would provide more information to the customer rather than less. This may help dealers and suppliers to anticipate the entry into application of the new acts.

***(13) Question on hand-written labels (10-2018)***

Is it possible to provide the energy label model and manufacturer name written in hand instead of printed?

***(13) Answer on hand-written labels***

The energy labelling Regulation is clear in stating that labels shall be printed. This provision applies from the entry into force of the Regulation to all existing delegated acts.

***(14) Question about language to be used on product fiche (08-2019)***

In which languages does the product fiche have to be written?

***(14) Answer about language to be used on product fiche***

The product fiche has to be written in a language which can be easily understood by consumers and other end-users, as determined by the Member State concerned

***(15) Question on products that are still in the factory (08-2019)***

Does a product have to leave the factory in order to be considered as ‘placed on the market’ ?

***(15) Answer on products that are still in the factory***

A product is placed on the market e.g. if it has been produced and has been made available on the Union or EEA market by the manufacturer or the importer. According to the Blue Guide<sup>2</sup>, this requires an offer (e.g. an invitation to purchase, advertising campaigns) or an agreement

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<sup>2</sup> Commission Notice — The ‘Blue Guide’ on the implementation of EU products rules 2016 (Text with EEA relevance)

C/2016/1958 - JO C 272 du 26.7.2016, p. 1–149

for the transfer of ownership. This can be free of charge, and does not necessarily require the physical handover of the product. That means that the products placed on the market can still physically be at the factory.

***(16) Question about for products with more than one function (08-2019)***

As an example, one product has two functions. It can recirculate indoor air and heat the air (with separate heat generator), and be seen as a fan coil, in regulation 2016/2281. But it can also replace the indoor air with heated outdoor air, and therefore be a ventilation unit, according to regulation 1253/2014. The product can switch between these two applications depending on the current need and is marketed as both.

How should a product with two functions, that fits the definitions of two different regulations, be declared?

***(16) Answer about for products with more than one function***

A product with more than one function, regulated by one or more ecodesign regulation has to comply with the requirements applicable to each function, unless specifically excluded from the regulation.

***(17) Question about labels for product that exist in different colors (08-2019)***

When product does exist in different colors, should a different label be issued for each color variant?

***(17) Answer about labels for product that exist in different colors***

If the products in different colours have the same model identifier, then the product needs a single registration in EPREL, and they will have the same label.

If the model identifier differs, then colour variants should be encoded as equivalent models in EPREL (assuming they have the same technical characteristics relevant for the label and the same product information sheet). EPREL generates the same label (with specific brand, model identifier and, from 1 march 2021 for new/reviewed Regulations, QR code) and fiche for all equivalent models.

If the products do not have the same technical characteristics relevant for the label and the same product information sheet, then they need to be registered as different models that are not equivalent, and they will bear a different label/product fiche.

***(18) Question on technical promotion material on website with links (01-2023)***

Article 6(a) of regulation (EU) 2017/1369 states that visual advertisements or technical promotional material for a specific model shall make reference to the energy efficiency class and the range of the efficiency classes available on the label.

If a website has an overview of products with technical information, a link providing further comprehensive technical information and another link leading to dealer offers for the respective device, should this be considered technical promotion material?

***(18) Answer on technical promotion material on website with link (01-2023)***

When technical information for the appliances as well as links to dealer offers are provided, it is technical promotional material.

***(19) Question on technical promotion material for discontinued products (01-2023)***

Should technical promotional material for products discontinued before 1 March 2021 include reference to the energy efficiency class if the class was determined on the basis of the now repealed regulation?

***(19) Answer on technical promotion material for discontinued products (01-2023)***

Products discontinued before 30 November 2021 can no longer be displayed in shops or for online sales, given that they cannot be sold anymore without the rescaled label.

***(20) Question on nested display of product information sheet (01-2023)***

Annexes of several Energy Labelling Regulations define the way in which the label and the product information sheet have to be presented in online shops, including the design of a possible link to the product information sheet. The annex regarding “Information to be provided in the case of distance selling through the internet” includes the section

*“The product information sheet may be displayed using a nested display or by referring to the product database, **in which case** the link used for accessing the product information sheet shall clearly and legibly indicate ‘Product information sheet’.”*

This implies that there are two ways of presenting the document: via a nested display or via a reference to EPREL. The ambiguity lies in the words “in which case”, because it is unclear to us, whether it means that only for the reference to EPREL the fixed wording ‘Product information sheet’ has to be used or also for the nested display.

***(20) Answer on nested display of product information sheet (01-2023)***

There seems to be no reason to have different rules for the design of a nested display link to a product information sheet on the shop’s own server compared to a link to EPREL for access to the same data. Therefore, we propose to read the wording as applicable to both cases.

**Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dish washers**

***(1) Question on (non-)compliance in case of missing documentation (11-2012)***

Annex III, point 2 of Regulation (EU) No 1059/2010 with regard to energy labelling of household dishwashers states “*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.*” When read in conjunction with Article 5(b) on the responsibility of the suppliers (“*suppliers produce technical documentation which is sufficient to enable the accuracy of the information contained in the label and the fiche to be assessed*”) it seems that the supplier has to provide documentation that enables the market surveillance authority to verify the manufacturer’s calculation/extrapolation of the energy performance of the ‘equivalent’ dishwasher in order to establish the energy performance of the ‘particular’ dishwasher. If the supplier or manufacturer (same provision on extrapolation in regard to ecodesign) cannot provide such documentation, can the product be considered non-compliant?

***(1) Answer on (non-)compliance in case of missing documentation***

Upon inspection of the documents related to the product, a market surveillance authority can declare a product non-compliant without testing it, if the documentation does not show that the product complies with the relevant delegated act(s).

**Commission Delegated Regulation (EU) No 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances**

***(1) Question on displaying of products at trade fairs (09-2011)***

Do products displayed at trade fairs need to bear the energy label according to Article 4 of Regulation 1060/2010?

***(1) Answer on displaying of products at trade fairs***

The regulation requires dealers to ensure that each household refrigerating appliance bears the label at the point of sale. In cases where end-users cannot purchase, hire or hire-purchase products at a fair, there is no obligation for such products to bear the energy label.

***(2) Question on how to distinguish between household and professional refrigerating appliances ((09-2011, updated 01-2014)***

The Regulation establishes requirements household refrigerating appliances, but how should the distinction be made between household refrigerating appliances and professional refrigerating appliances?

***(2) Answer on how to distinguish between household and professional refrigerating appliances***

Since there are no technical criteria for this distinction referred to in the Regulation, the intended use is the relevant criterion. The intended use is determined by the manufacturer.

***(3) Question on packaged products (09-2011)***

Is a packaged household refrigerating appliance at the point of sale a product that needs to bear the energy label?

***(3) Answer on packaged products***

Packaged household refrigerating appliances at the point of sale need to bear a label. There is no requirement to stamp label on the package, but it has to be clearly visible on the outside of the front or top of the appliance. If the products are stored in a warehouse, there is no need that these products bear a label. Usually there is one product that is displayed as a model at the point of sale; the other models of the same series are stored in a warehouse. If a dealer decides to have all products displayed at the point of sale, then there needs to be a label on each product.

***(4) Question on minibars (01-2014)***

It is unclear to some suppliers whether regulation 1060/2010 applies to Minibars used in hotels etc.. The regulation has two ways to distinguish cold appliances used for the sale of food and drinks from household appliances: 1) Definition of household refrigerating appliance in Art. 2: “intended for refrigerating or freezing foodstuffs, or for the storage of refrigerated or frozen foodstuffs for non-professional purposes,” and 2) the exemption defined in Art. 1, (3) d, which excludes appliances that are technically more like vending machines.

***(4) Answer on minibars***

The issue of whether minibars are covered by Regulation 1060/2010 is not related to the question whether they are used for commercial purposes. The regulation makes no reference to commercial refrigeration, but some specific commercial refrigeration products are excluded from the regulation through Article 1(3)(d) and 1(3)(e). Therefore, the regulation applies to

minibars, including in hotels, as long as the products are for non-professional use (products for professional use are excluded by Article 1(2) and 2(2) ).

**(5) Question on positioning of the label (09-2014)**

Refrigerators have to display the label at the front side. Is it allowed to show the label as a badge attached to the handle (which is at the front of the appliance), in contrast to being stuck on the front surface?

**(5) Answer on positioning of the label**

If clearly visible, then attached to the handle (on the front) is sufficient.

**(6) Question on wine storage appliances (09-2014)**

According to Annex VI, point 3(j) the humidity of wine storage appliances shall be measured in order to establish whether the product is compliant or not. The prescribed humidity for wine storage appliances is given in Annex I, point 1 (iii) as an interval: 50% - 80% relative humidity. In Annex VII, table 1 of regulation 1060/210 it is specified for wine storage appliances: *The measured value for the relative humidity shall not exceed the nominal range by more than 10%*. Thus, when the authority perform compliance checks of wine storage appliances, the allowed relative humidity has to be within the range from 50% up to 80% plus 10% of 80%, which means that the acceptable interval of relative humidity, when measured by the market surveillance authority is 50% to 88%. Is this correct?

**(6) Answer on wine storage appliances**

In fact, the tolerance applies to both ends of the range and the acceptable interval is thus 45-88%.

**(7) Question on sound measurements tolerances (04/2017,)**

Annex VII, table 1 of the regulation states that there is no tolerance on the declared sound level. When measuring this parameter, there is always a degree of uncertainty in the measured value. How should this uncertainty be handled?

**(7) Answer on sound measurements tolerances (04/2017,)**

Parameters without tolerance values should be reviewed during the revision of the regulation 1060/2010 in order to evaluate whether tolerances values can be added. In other regulations, tolerances of zero, 1.5 and 2dB are used. Until a revision is published, a zero tolerance should be used.

**(8) Question about humidity Control for Wine Storage Appliances (2020)**

How to deal with an appliance that is clearly intended for storage of wine, but for which the manufacturer claims that there is no humidity control? If there was a humidity control in this appliance, it would be without doubt categorized as wine storage appliance. As a result, the nominal temperature for the tests would be 12°. However, if it is not a wine storage appliance as defined in the Regulation 643/2009, a nominal temperature of 17° should be used for the measurements according to Regulation 643/2009, Annex III, Table 3. This can lead to a very different energy label (e.g. class G in the first case and class A in the second, in a practical situation).

**(8) Answer on humidity Control for Wine Storage Appliances (2020)**

In the particular case analysed, the brochure reads that ‘the UV protective glass protects your wine not only from UV rays but also from high humidity and condensation’. Although the

humidity is not measured, it is passively controlled. Seeing that the appliance is intended for storage of wine, the humidity in the appliance, if measured by an external sensor by market surveillance, would probably be in the required range of 50-80%. In that case, it is a wine storage appliance.

## **Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines**

### ***(1) Question on measurement of noise level (10-2015)***

For washing machines Energy Labelling Regulation 1061/2010/EU stipulates requirements on noise declaration and defines the verification procedure for noise. In the Annex V it is stated that "Member State authorities shall use reliable, accurate and reproducible measurement procedures, which take into account the generally recognised state-of-the-art measurement methods, including methods set out in documents the reference numbers of which have been published for that purpose in the Official Journal of the European Union". The same Annex stipulates that for verification of airborne acoustical noise emission "the measured value shall meet the rated value.". For noise, EN 60704 is the standard for measurement. This standard consists of 3 parts - 60704-1, 60704-2, 60704-3 - of which only for EN 60704-2-6:2012 references are published in the Official Journal of the European Union in relation to Regulation 392/2012/EU. EN 60704-3 includes a procedure for verification. What verification procedure would apply in order to verify noise declarations of washing machines: the verification procedure specified in the Regulation 1061/2010/EU or the verification procedure prescribed in the EN 60704-3?

### ***(1) Answer on measurement of noise level***

The procedure in Regulation 1061/2010 applies. If there is a conflict between the Regulation and any standards, the Regulation takes precedence.

### ***(2) Question on multi-drums washing machines (11-2016)***

Are multi-drums washing machines covered by the Regulations and if so, how?

### ***(2) Answer on multi-drums washing machines***

The multi-drums washing machines currently reaching the EU market are basically multi-drums in separate units or multi-drums in one casing machine. The ecodesign delegated acts on washing machines currently do not contain specific provisions for these kinds of washing machines (when reviewing the regulations such specific provisions will be considered).

#### *Multi-drums in separate units*

In these machines, the main drum part can be completed optionally with separate extensional units ('modules'), which may or may not be able to operate individually without the main unit.

The main unit of this type of multi-drums washing machine is clearly in the scope of the ecodesign and energy labelling legislation. However, there is some uncertainty concerning the coverage of the additional washing modules.

Different cases should be considered:

- If the additional washing module is not capable of functioning as a stand-alone unit (i.e. physically separated from the main unit) and has a limited number of washing programmes that are not able to clean normally soiled cotton laundry or similar fabric/textile (and thus not suitable for common use and associated programme cycles used for determination of compliance), then **this module cannot be considered as a separate washing machine** but as a functional complement to a primary washing machine appliance (and the primary washing machine appliance is subject to the ecodesign delegated acts 1015/2010 and 1061/2010). **This washing module is not**

**subject to power consumption, washing performance or other requirements of the regulations.** With the aim to consider individually the main drum disregarding any synergetic effects from multi-drum operation, the module should be deactivated when assessing the compliance of the primary washing machine with the ecodesign and delegated acts:

- by means of selection knobs, if this is feasible, or
  - by physically disconnecting it from the primary washing machine.
- If the washing module is not capable of functioning as a stand-alone unit but it is able to clean normally soiled cotton laundry or similar fabric/textile, then **this module should be considered as a separate washing drum** which should have the programme cycles used for the determination of compliance (i.e. programme cycles for cleaning normally soiled cotton laundry at 40°C and 60°C, as mentioned in the booklet of instructions provided by the manufacturer) and comply with the ecodesign and the energy labelling requirements. In this case, the main drum and the additional washing module should be considered individually and separately disregarding any synergetic effects from multi-drum operation. **Each drum should comply individually and separately with the ecodesign and the energy labelling requirements** (including a label for each drum).
  - If the module is capable of functioning as a stand-alone unit, then **it should be considered as a washing machine and should comply with the ecodesign and the energy labelling requirements.**

#### *Multi-drums in one casing machine*

In these machines, different drums are located within one casing and have the possibility to share the use of the same internal components and resources. See below an example of such a machine.



There are *a priori* various possibilities to deal with these machines and to apply the ecodesign and energy labelling requirements, as for instance:

- To consider only the main drum;
- To deal with each drum individually and separately;

- To consider the adding performance of all drums running at the same time one single 'standard cotton programme';
- To consider the weighted average performance (energy efficiency index, washing performance, noise, remaining moisture content) of the various drums to determine a single level of performance for the complete machine (for which the rated capacity, energy and water consumption have been summed up);
- To combine some of these approaches.

Each drum could, *a priori*, fall under '*an automatic washing machine which cleans and rinses textiles using water which also has a spin extraction function*', the definition of household washing machine in the ecodesign and energy labelling legislation.

For that reason, it appears reasonable to consider individually and separately the various drums disregarding any synergetic effects from multi-drum operation. **This would imply that each drum should comply individually and separately with the ecodesign and the energy labelling requirements** including a label for each drum (see the similarity to domestic ovens with different cavities for which separate labels are issued for each cavity) and the availability for each drum of the standard programme cycles used for cleaning normally soiled cotton laundry at 40°C and 60°C (which should be indicated in the booklet of instructions provided by the manufacturer).

However, if one of the drums has a limited number of washing programmes that are not able to clean normally soiled cotton laundry or similar fabric/textile (and thus not suitable for common use and associated programme cycles used for determination of compliance), then **that drum cannot be considered separately** and should be considered as a functional complement to a primary drum (and the primary drum is subject to the ecodesign and energy labelling delegated acts 1015/2010 and 1061/2010). **This secondary drum is not subject to power consumption, washing performance or other requirements of the regulations.** With the aim to consider individually the main drum disregarding any synergetic effects from multi-drum operation, the complementary drum should be deactivated by means of selection knobs when assessing the compliance of the primary washing machine with the ecodesign and energy labelling delegated acts.

In the case where multiple drums are suitable for cleaning normally soiled cotton laundry or similar fabric/textile, but there is no possibility to run them separately, only in parallel, then all such drums should be considered as one single washing machine in which the 'standard cotton programme' should cover all such drums. One single energy label should cover this multiple-drum washing machine. The ecodesign requirements for energy and water consumption should be met by multiple-drum washing machine as a whole. The energy and water consumption of the overall washing machine should be evaluated as the total performance of all those drums (summing up rated capacity and considering overall energy and water consumption). The Energy Efficiency Index (EEI) should be calculated considering the overall rated capacity and energy consumption, and the related low mode powers. For the spinning performance, the weighted average (according to each drum load capacity) should be considered. Each drum should, however, comply individually and separately with minimum washing performance requirements according to individual load capacity of the drums.

Finally for information, current standards are able to perform tests on the various drums of the multi-drums machine.

**Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions**

***(1) Question on visible screen area (04-2015)***

What is the exact meaning of „visible screen area” in Annex II paragraph 2. Should it be read as whole screen area seen by the viewer or only as the part which actively displays the image? Sometimes part of the screen on the edges has a shape of a black frame, and do not display anything, however it is on the screen itself.

***(1) Answer on visible screen area***

"Visible screen area" refers to the area where pictures and videos are displayed, so the area with pixels. A framework of glass, plastic or metal outside the pixel area does not count as visible screen area.

***(2) Question on product fiche (04-2015)***

Can the information indicated in paragraph 1 of Annex III given in different order than set out in the Regulation be considered as product fiche?

***(2) Answer on product fiche***

The Regulation text does not leave room to interpretations on this point: "The information in the product fiche of the television shall be provided in the following order" (emphasis added)

***(3) Question on measuring screen diagonal (04-2015)***

i) What is the proper procedure to measure the screen diagonal? Should the screen diagonal be considered as distance from the corners of TV's frame? ii) How big is the tolerance? Should the diagonal indicated on the label be round to a full number or can it be indicated with higher accuracy?

***(3) Answer on measuring screen diagonal***

i) The distance between corners of the visible area. For curved displays, the measuring tool should adhere to the screen (so no Laser/LED beam meters can be used). ii) no tolerance value is set in the Regulation, so "common sense" should be used. Rounding at the corner measuring point should be to the nearest centimetre calibration on the measuring tool.

**Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners**

***(1) Question on tolerances (10-2015)***

The regulation does not define a tolerance on the declared capacity to be accepted by the authorities when evaluating measurement results. However, authorities have already seen measurement results where the measured capacity is very much lower than declared by the producer. Since the product capacity is used to calculate the efficiency values, SEER and SCOP, should the value of the measured capacity be used to calculate the SEER/SCOP-values obtained in the verification measurement?

***(1) Answer on tolerances***

Yes, the SEER / SCOP are to be calculated with the measured capacity, because you are measuring the “real” SEER / SCOP, not the declared one; in consequence, there is an indirect tolerance on the capacity.

***(2) Question on online label requirements for air-to-air heat pumps (11-2016)***

When selling air-to-air heat pumps from a webshop, the dealer is obliged to show the energy label or - since most webshops do not have sufficient space to do so - they have to display an arrow in the right colour and stating the energy class used for accessing the full picture as nested display. However, air-to-air heat pumps have two energy classes, one for cooling and one for heating. Which energy class has to be displayed in the webshop?

***(2) Answer on online label requirements for air-to-air heat pumps***

As the 'nested display' referred to in Annex IX of Regulation 626/2011 (introduced by Regulation 518/2014) is optional, it is possible for dealers to avoid this issue and display the label directly, not using nested display. Given that this may require more screen space (cf. recital 6 of Regulation 518/2014) the option of nested display is nevertheless also available for air-to-air heat pumps. Given that the energy class of the most common purpose (heating or cooling) of the heat pump is the most useful for the consumer, the nested display image should correspond to that class.

***(3) Question on testing of sound power level of heat pumps (11-2016)***

Sound power level has to be measured at “standard rating conditions”. However, these conditions do not seem to be relevant after the implementation of the seasonal performance efficiency, SCOP and use of the standard EN 14825 instead of EN 14511.

Standard rating conditions are defined as:

**Table 14 — Air-to-water and air-to-brine units - Heating mode (High temperatures)**

		Outdoor heat exchanger		Indoor heat exchanger High temperature applications	
		Inlet dry bulb temperature °C	Inlet wet bulb temperature °C	Inlet temperature °C	Outlet temperature °C
Standard rating conditions	Outdoor air	7	6	47	55
	Exhaust air	20	12	47	55

Further, this instruction does not reflect the development that most heat pumps of today are frequency controlled and no longer simply on/off-regulated.

Consequently, the producer chooses which frequency/capacity the heat pump has to run, when measuring sound power level. This means that producers can choose the measurement to be carried out at the lowest possible frequency – and hence there will be no relation between the rated capacity and efficiencies and the stated sound power level. In fact, the rated value is misleading. A number of consumer complaints show, that the current practise leads to wrong assumptions regarding the real sound power level of the heat pump in practice.

The capacity and/or frequency to be used during determination of sound power level is not defined in neither regulation nor standard.

A heat pump in a certain region could run a major part of the year at 2°C outdoor temperature, and hence this could be a more realistic condition to determine the sound power level.

What should be the frequency/capacity to use during the measurement?

***(3) Answer on testing of sound power level of heat pumps***

Note that the values for the outdoor heat exchanger shown in table 14 above are compatible with the standard rating conditions for the heating function for non-single duct air conditioners in table 2 of Annex VII of Regulation 626/2011.

If certain parameters for testing are not specified the applicable harmonised standard, they should be chosen according in line with the requirement in point 1 of the annex on measurements and calculations "by a reliable, accurate and reproducible method, which takes into account the generally recognised state of the art methods, and whose results are deemed to be of low uncertainty". Testing sound power level at extreme operating parameters that do not reflect the general use of the product is not state of the art, unless it would be the only current way to ensure a reliable, accurate and reproducible method.

As regards capacity Regulation 811/2013 specifies in point 4(a) of Annex VII that "the same declared capacity [as] for heating shall be used".

***(4) Question on wine cellars (10-2018)***

Are wine cellar conditioners covered by Regulation 626/2011?

***(4) Answer on wine cellars***

Air conditioners intended (and marketed) for other purposes than comfort cooling or comfort heating are outside of the scope of the regulation.

## **Commission Delegated Regulation (EU) No 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers**

### ***(1) Question on testing program (04-2012)***

What program should be chosen when testing combined washing- and drying machines. Should it be the automatic or non-automatic program?

### ***(1) Answer on testing program***

According to the standard if the dryer has an automatic program for the cupboard dry cotton textiles then this must be used when testing.

### ***(2) Question on measurement of noise level (10-2015)***

Regulation 392/2012/EU stipulates requirements on noise declaration and defines the verification procedure for noise. In the Annex V it is stated that "For the purposes of compliance and verification of compliance with the requirements of this Regulation, measurements and calculations shall be made using harmonised standards the reference numbers of which have been published in the Official Journal of the European Union, or other reliable, accurate and reproducible methods, which take into account the generally recognised state of the art methods, and whose results are deemed to be of low uncertainty". The same Annex stipulates that for verification of sound power level LWA "the measured value shall not be greater than the rated value." For noise, EN 60704 is the standard for measurement. This standard consists of 3 parts - 60704-1, 60704-2, 60704-3 - of which only for EN 60704-2-6:2012 references are published in the Official Journal of the European Union in relation to Regulation 392/2012/EU. EN 60704-3 includes a procedure for verification. What verification procedure would apply in order to verify noise declarations of tumble driers: the verification procedure specified in the Regulation 392/2012/EU or the verification procedure prescribed in the EN 60704-3?

### ***(2) Answer on measurement of noise level***

The procedure in Regulation 392/2012 applies. The procedure in EN 60704-3 is not included in the citation of harmonised standards for Regulation 392/2012. The citation refers to EN 60704-2-6:2012, but it specifically mentions that the clause that cross-references to EN 60704-3 is not part of the citation: "Clause 1.101 on standard deviation for declaration and verification is not part of the present citation."

### ***(3) Question about the declaration of cycle time for tumble driers (08-2019)***

Does the term "cycle time" as declared on the energy label (Annex I) corresponds to "the programme time of the 'standard cotton programme at full load'" referred to in Annex III.

What is the tolerance to be used by market surveillance authorities for the "cycle time" for verification for market surveillance purposes ?

### ***(3) Answer about the declaration of cycle time for tumble driers.***

The term 'cycle time' as declared on the energy label corresponds to 'programme time to the standard cotton programme at full load', i.e. 'T<sub>dry</sub>'. Annex V does not specify the tolerance to be accepted by MSAs for the declared "cycle time". It does however provide a tolerance for the 'weighted programme time' (i.e. 'T<sub>t</sub>') which is calculated from the 'programme time to the standard cotton programme at full load' and from the 'programme time to the standard cotton programme at partial load' (i.e.  $T_t = (3 \times T_{dry} + 4 \times T_{dry\frac{1}{2}})/7$ ). In that context, it appears

reasonable to use by analogy the same tolerance, i.e. 6%. This will be clarified in the revised regulation.



**Commission Delegated Regulation (EU) No 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners**

See:

[Notice concerning the annulment of Commission Delegated Regulation \(EU\) No 665/2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners](#)

**Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device**

***(1) Question on packages (04-2015 updated 11/2017)***

If an installer combines a package of products on site, are they obliged to present a package label? When a package of space heater, temperature control and solar device is placed on the market and/or put into service by a supplier, the supplier shall ensure that a so called package label for the package is provided with the package (Article 3, point 5). Also dealers of packages shall ensure that offers, marketing and advertisement of packages display the package label or the information on the package label (Article 4, point 3). But what if an installer combines a package within the scope of the regulation at the customer's site, possibly with parts from different suppliers/dealers? Is the installer then to be seen as a supplier who has an obligation to make a package label for the combination installed? The regulation does not mention installers and the role of installers.

***(1) Answer on packages***

The regulation does not refer to 'installer', but it does refer to 'dealer'. A package label has to be provided by the dealer defined in the Energy Labelling Regulation as “a retailer or other natural or legal person who offers for sale, hire, or hire purchase, or displays products to customers or installers in the course of a commercial activity, whether or not in return for payment”. If the person installing the product is doing any of these, he/she will be considered the “dealer” and the package label is required.

***(2) Question on class in advertisement and promotional material (10-2015)***

According to the regulations, a reference to the seasonal space heating energy efficiency class under average climate conditions for that model shall be included in advertisement and technical promotional material. Which energy efficiency class is to be indicated; the one for medium temperature applications or for temperature applications?

***(2) Answer on class in advertisement and promotional material***

Since the medium temperature applications is the most common one, it is the intention of the legislation that for this application the energy class should be displayed in advertisements and technical promotional material. Also both classes may be indicated if it is clearly indicated which class belongs to which temperature application.

***(3) Question on class for package label (10-2015)***

Which seasonal space heating energy efficiency class shall be used on the space heater package label of point 3 of Annex III of Regulation 811/2013 – the one for low-temperature application (35°C) or for the medium-temperature application (55°C)?

***(3) Answer on class for package label***

The seasonal space heating energy efficiency class for the medium-temperature application (55°C) should always be displayed on the space heater package label, except for low-temperature heat pumps, i.e. when the package label is accompanied with the label of section 1.1.4 or 1.2.4 of Annex III. In those cases, but only then, the seasonal space heating energy efficiency class for the low-temperature application shall be displayed. If both seasonal space heating energy efficiency classes are shown on the product label (section 1.2.3 or 2.2.3) the one for the medium-temperature application should be displayed on the package label.

**(4) Question on class for combination heaters package label (10-2015)**

Which seasonal space heating energy efficiency class shall be used on the combination heater package label of section 4 of Annex III of Regulation 811/2013 – the one for low-temperature application (35°C) or for the high temperature application (55°C)?

**(4) Answer on class for combination heaters package label**

The seasonal space heating energy efficiency class for the medium-temperature application (55°C) should always be displayed on the combination heater package label.

**(5) Question on energy classes for packages (10-2015)**

Is it enough to include information on the energy efficiency class of the package (e.g. a heat pump combination heater with integrated temperature control) according to 811/2013 Article 3, 6 (d), or is it necessary to also include information on the energy efficiency class of the product (i.e. the heat pump, which is never sold without the temperature control) according to 811/2013 article 3, 2 (d)? Thus, is it necessary to include 4 energy efficiency classes in the advertisement of a package, or is it enough with 2?

**(5) Answer on energy classes for packages**

Four classes have to be provided: the classes of the heater and of the package, both the space and the water heating class.

**(6) Question on energy classes in advertisements (10-2015)**

Does it have to be made clear that the energy efficiency class of a package in an advertisement is related to a package and not a product? In cases where the package consists of a space heater or heat pump space heater and solar devices it will be clear, but not in cases where the package consists of a heat pumps space heater with integrated temperature control.

**(6) Answer on energy classes in advertisements**

In the case of a package, both the classes of the heater and of the package have to be indicated. If multiple classes have to be indicated in advertisements, it is necessary to indicate which class refers to what.

**(7) Question on combinations label (10-2015)**

How should a heat pump combination heater that can be described according to a-c be labelled?

- a) Fulfils the ecodesign requirements for water heating energy efficiency (e.g. 30 % for load profile L)
- b) Fulfils the ecodesign requirements for seasonal space heating energy efficiency for low temperature heat pumps (115%)
- c) Does not fulfil the ecodesign requirements for seasonal space heating energy efficiency for heat pump combination heaters (100 %)

There is no label for low temperature heat pump combination heaters. Is it possible to use a combination of the following two labels for the heat pump described above:

- Label 1.1.4 for low temperature heat pumps (811/2013, annex III), with the seasonal space heating energy efficiency class for low temperature applications
- Label 1.1.3 for heat pump water heaters (812/2013, annex III), with the water heating energy efficiency class

even though 812/2013, article 1, 2(d) says: This regulation shall not apply to (d) combination heaters as defined in Article 2 of Commission Delegated Regulation (EU) No 811/2013.

***(7) Answer on combinations label***

If the ecodesign regulation allows this to be placed on the market, then it cannot be labelled. If it would carry a label this would mean that it is considered a (medium temperature) combination heater that would not meet the ecodesign requirements.

***(8) Question on online labelling of heat pumps (10-2015)***

According to regulation (EU) 518/2014 the energy label must be displayed in web shops and if necessary through a nested display. If a nested display is used, the image used for accessing the label should be an arrow stating the energy class and having the colour of the correspondent energy class. However, the energy label covering heat pumps states two energy classes covering the space heating function for medium- and low-temperature application, respectively. Which one is to be used for the nested display image?

***(8) Answer on online labelling of heat pumps***

As the 'nested display' referred to in Annex IX of Regulation 811/2013 (introduced by Regulation 518/2014) is optional, it is possible for dealers to avoid this issue and display the label directly, not using nested display. Given that this may require more screen space (cf. recital 6 of Regulation 518/2014) the option of nested display is nevertheless also available for heat pumps. Considering that the medium temperature application is the most common one, the nested display image should indicate the medium temperature (55 °C) application class.

***(9) Question on measuring sound power level of heat pumps (10-2015)***

The energy label for heat pump space heaters includes a value for the sound power level. Label example in Annex III, point 1.1.3. The test standard prescribes, that measurements are to be performed at “standard rating conditions” – however, there are two standard ratings for these heat pumps, both high temperature (55 °C) and low temperature (35 °C). Neither the regulation, the test standard (EN 14825) nor the Guidelines provided by the Commission clarifies which of the conditions measurements are supposed to cover. Which conditions are to be applied when measuring sound power level?

***(9) Answer on measuring sound power level of heat pumps***

Measuring the sound power level at both conditions may lead to extra cost at no obvious benefit. As long as the standard does not specify at which of the two standard rating conditions measurement should be performed, testing at the medium temperature conditions (55 °C) seems the most appropriate as it is the most common application.

***(10) Question on packages of heaters and a ventilation unit (10-2015)***

How should packages consisting of both a space heater a water heater and a ventilation unit be labelled and documented? An issue is here, that assessing of any contribution from the discharged air from the ventilation unit (after the passive heat exchanger) is not defined in the regulations. An approach could be to perform measurements at 20 °C, as prescribed for hot water heat pumps (discharge) without heat recovery of the ventilation air. Though, this will result in a more favourable water heating energy efficiency' ( $\eta_{wh}$ ) than in reality achieved.

***(10) Answer on packages of heaters and a ventilation unit***

The combined unit needs to be tested as prescribed by the Regulations on space heaters, and water heaters and ventilation and the relevant standards. If the mentioned contribution is not considered in the test then it cannot be taken into account.

***(11) Question on cogeneration space heater combined with heat pumps (10-2015)***

For a cogeneration space heater with one supplementary heat pump space heater Regulation 811/2013, annex IV, Figure 2 presents the rules for a package consisting of a preferential cogeneration space heater combined with temperature control, supplementary heater and/or solar device. However, the only option for a supplementary space heater is a (one) boiler space heater (and not a heat pump space heater). Can Figure 2 also be used to determine the package label for a package consisting of a cogeneration space heater combined with one or more supplementary space heaters where one of them is a heat pump space heater?

***(11) Answer on cogeneration space heater combined with heat pumps***

Yes, but the factor “II” shall be the one calculated according to Table 6 for heat pumps.

***(12) Question on cogeneration heater with a boiler and a heat pump (10-2015)***

In Regulation 811/2013, annex IV, Figure 1, the rules for a package consisting of a preferential boiler space heater combined with temperature control, supplementary heaters and/or solar device is presented. In these rules, there are two options for a supplementary space heater - one boiler space heater and one heat pump space heater. Can a manufacturer use this Figure 1 to calculate the package label by: 1) inserting the seasonal efficiency of the preferential cogeneration space heater instead of the seasonal efficiency of a preferential boiler; 2) inserting the seasonal efficiency of the supplementary boiler space heater; and 3) inserting the weighing factor “II” of table 6 instead of the factor “II” of table 5 and the seasonal efficiency of the supplementary heat pump space heater?

***(12) Answer on cogeneration heater with a boiler and a heat pump***

Yes, the package is covered by the regulation and this is the only way to take both supplementary heaters into account.

***(13) Question on online label requirements for combination heaters (11-2016)***

When selling a combination heater for both space heating and hot water production, there are two energy classes; one for heating efficiency and one for hot water production efficiency. Do both energy classes have to be shown in case of nested display or only one of them, in which case which one?

***(13) Answer on online label requirements for combination heaters***

Regulation 518/2014 refers to 'the' image which indicates on its arrow 'the' energy efficiency class. Thus, there should be only one nested display image for one label and indicating one class. As the 'nested display' referred to in Annex IX of Regulation 811/2013 (introduced by Regulation 518/2014) is optional, it is possible for dealers to avoid this issue and display the label directly, not using nested display. Given that this may require more screen space (cf. recital 6 of Regulation 518/2014) the option of nested display is nevertheless also available for combination heaters. Regulation 518/2014 requires one nested display image for one label and indicating one class. Considering that Regulation 811/2013 defines a combination heater as a space heater with the function of providing heat to deliver hot drinking or sanitary water being additional, the nested display image should indicate the seasonal space heating energy efficiency class.

***(14) Question on gas-solid fuel hybrid heaters (10-2018)***

Regulations 811/2013 and 2015/1187 define Energy Labels for boilers with different heat sources. Hybrid boilers are placed on the market that can be operated with oil, gas and also wood. To achieve this, the wood is converted to gas in a separate pyrolysis chamber. The product in question then has an additional chamber which can be equipped to burn wood

pellets or, alternatively, with a gas or oil burner, making this product a hybrid between two regulations. Which of the regulations is applicable to an appliance that can burn oil/gas and wood?

**(14) Answer on gas-solid fuel hybrid heaters:**

The products are able to function as a gas boiler or a wood boiler. There seems to be no need for combined operation, so they can be tested independently for gas and wood, meaning that data for both labels can be determined. Both labels have to be shown and both fiches have to be available.

**(15) Question about Q<sub>HE</sub> for electrical boilers (08-2019)**

According to question number 38 in the guideline, Q<sub>HE</sub> should be calculated also for boilers, and not only heat pumps, and a methodology for doing this is presented. The methodology is developed within TC 109/WG1 that are working on developing relevant standards. TC 109/WG1 are developing standards for oil and gas burners, and not electrical boilers.

Should Q<sub>HE</sub> be calculated and declared for electrical boilers, and according to which methodology ?

**(15) Reply about Q<sub>HE</sub> for electrical boilers**

Yes, Q<sub>HE</sub> should be calculated and declared for electrical boilers, according to the following formula:

$$Q_{HE} = \frac{P_{design} \times H_{HE}}{\eta_{son} \times CC}$$

$H_{HE}$  is 2066 number of hours per year as equivalent number of hours used for calculation of reference heating season (A) average H;  $P_{design}$  is the useful heat output P<sub>4</sub> (kW), CC the conversion coefficient and  $\eta_{son}$  the seasonal space heating efficiency in active mode.

**(16) Question about absolute or relative tolerances (08-2019)**

According to annex VIII, point 2, the seasonal space heating energy efficiency,  $\eta_s$ , is to be measured as part of a verification test. The regulation states that a result “should not be more than 8% lower than the seasonal space heating energy efficiency,  $\eta_s$ , declared by the manufacturer”. However, there does not seem to be information in order to decide, if the stated tolerance is to be interpreted as absolute or relative.

**(16) Answer about absolute or relative tolerances**

Tolerances are always to be considered as relative to the declared value. Thus, if a manufacturer has declared a space heating energy efficiency of 110 %, the result should not be less than 110% \* (100%-8%) = 101.2%

**(17) Question on the package label (08-2019)**

On the label for packages of space heater, temperature control and solar device and on the label for packages of combination heater, temperature, control and solar device a hot water storage tank option can be selected.

- According to the definitions given in article 2 (19) and (20) a package does not necessarily include a solar device and can be made up of a space heater/combination heater and a temperature control only.
- In the definition of a solar device a hot water storage tank is not mandatory (article 2 (13)).

- However, for a solar device Annex IV 4 requires technical data of the hot water storage tank to be included in the product fiche and the calculation of the solar contribution requires a tank
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When is the hot water storage tank option on the label for packages of space heater, temperature control and solar device and the label for packages of combination heater, temperature, control and solar device to be selected?

***(17) Answer on the package label***

The label should show only those options which are part of a package being offered or sold. Annex IV 4, requires a declaration of a lot of information that may not be applicable. Therefore, for these values ‘not applicable’ should be declared.

***(18) Question about inclusion of synthetically produced fuels (01-2023)***

Are space and combination heaters operating on synthetic liquid or gaseous fuels (e.g. methanol produced from P2G) included in the scope of (EU) 813/2013? If so, according to which standard should the energy efficiency be measured?

***(18) Answer about inclusion of synthetically produced fuels (01-2023)***

Regulation 813/2013 does not exclude synthetic fuels, which are thus in the scope, although there are not any specific provisions for those combustibles in the current Regulation (EU) 813/2013. The standards that could be used are, for gas fired boilers EN15502-1, and for liquid fuel fired boilers EN304. Such standards could be amended to include provisions for synthetic fuels, if needed.

**Commission Delegated Regulation (EU) No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device**

***(1) Question on measuring standing heat losses of Hot water storage tanks (08-2019)***

Commission communication (2014/C 207/03)<sup>3</sup> gives references to several transitional methods for measuring standing heat losses, S, for hot water storage tanks. One of these methods, EN 12987:2006, has been withdrawn and replaced by a new version, EN 12897:2016.

Which version should be used for market surveillance tests? Does a new version automatically replace the withdrawn version as transitional method?

***(1) Answer on measuring standing heat losses of Hot water storage tanks***

No, they are not automatically replaced. The standards are currently under evaluation for publication in the OJ, once they are approved the transitional method will be replaced by the harmonized standards. Until then the previous transitional method should be used.

***(2) Question on a solar collector connected with a hot water storage tank and an electrical resistance***

A product, consisting a solar collector connected with, a hot water storage tank and an **electrical resistance** that is only activated manually and used for a few times annually (because of high solar radiation during the whole year) is put on the market as one single unit. The product has to be classified as a solar water heater or a solar only system?

***(2) Reply on a solar collector connected with a hot water storage tank and an electrical resistance (08-2019)***

The definition of a solar-only system in Regulation (EU) No 812/2013:

*'solar-only system' means a device that is equipped with one or more solar collectors and solar hot water storage tanks and possibly pumps in the collector loop and other parts, which is placed on the market as one unit and is not equipped with any heat generator except possibly one or more back-up immersion heaters;*

*'back-up immersion heater' means a Joule effect electric resistance heater that is part of a hot water storage tank and generates heat only when the external heat source is disrupted (including during maintenance periods) or out of order, or that is part of a solar hot water storage tank and provides heat when the solar heat source is not sufficient to satisfy required comfort levels;*

According to the definitions this product is a solar-only system.

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<sup>3</sup> Commission communication in the framework of the implementation of Commission Regulation (EU) No 814/2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for water heaters and hot water storage tanks and of Commission Delegated Regulation (EU) No 812/2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device - (2014/C 207/03)

## **Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of domestic ovens and range hoods**

### ***(1) Question on scope for range hoods (06-2016)***

The regulation defines the products in scope in Article 1. The Commission has also published a guide on this regulation<sup>4</sup>, stating:

#### *“2.1.4 Recirculation hoods*

*In general hoods can be used in 'exhaust' or 'recirculation' mode. Hoods designed solely for recirculation that do not have an internal exhaust fan outlet similar to those of the 'exhaust' hoods are not in the scope of the regulations. The wording 'internal exhaust duct' comes from the definition given in the regulations:*

*'range hood' means an appliance, operated by a motor which it controls, intended to collect contaminated air from above a hob, or which includes a downdraft system intended for installation adjacent to cooking ranges, hobs and similar cooking products, that draws vapour down into an internal exhaust duct;*

*The internal exhaust duct is the internal duct that brings out the air.*

*The 'only recirculation' hoods do not have an 'internal exhaust duct' and cannot be tested with the standardised test method in which such a duct is necessary.*

*For that reason and considering that this type of appliance represents a niche market<sup>1</sup>, it is suggested not to consider 'only recirculation' hoods.”*

The reasoning behind this paragraph cited from the guide is quite complex and certainly not apparent from the text alone. Especially the connection between “internal exhaust duct” and “range hood” is not obvious, as it is more obviously connected to “downdraft system”. The internal exhaust duct is also not defined in the regulation and occurs nowhere in the text except in definition 13. Neither does the term “recirculation”. It may indeed be impossible to reliably measure the airflow and therefore the energy efficiency of this kind of hood because of the gap in the standard.

Does the “suggestion not to consider 'only recirculation' hoods” have any effect for market surveillance? The guide is not legally binding. While it would be unwise to test for compliance of unmeasurable parameters and be defeated in court, MSAs can still test for formal requirements and those parameters (lighting and grease filtering efficiency) that are not directly affected by the measurement of airflow.

The problematic situation could be solved by either: 1) amending the regulation by introducing the needed definitions and exempting the only-recirculation hoods in Article 1, point 2., if that is the intended policy; or 2) amending the standard so these hoods can be measured in a reliable way.

### ***(1) Answer on scope for range hoods***

Indeed, the situation could be resolved by these means but both will take time. The amendment of the regulation could easily take 3 to 4 years and the amendment of the standard will take about 4 years (if feasible and accepted by CENELEC). For information, the overall review of the regulation is scheduled for early 2021. In the meantime, the guidelines' provisions are suggested to be followed, though not legally binding.

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<sup>4</sup> <https://ec.europa.eu/energy/sites/ener/files/documents/Implementation%20guidelines%20cooking%20appliances.pdf>

**(2) Question on  $AEC_{hood}$  measurement (10-2018)**

In which position/setting should  $AEC_{hood}$  (annual energy consumption) be measured? Boost or highest below boost?

**(2) Answer on  $AEC_{hood}$  measurement**

The calculation of the AEC is based on the electric power input ( $W_{BEP}$ ) of the domestic range hood at the best efficiency point BEP (i.e. at the maximum value of the efficiency of a range hood). For fixing the BEP, the highest possible speed setting of the fan is to be used, including the boost position, if any.

**(3) Question on  $W_L$  and  $W_{BEP}$  measurement (10-2018)**

Some argue that the power consumption of some controllers would be included in the measurement of both  $W_L$  and  $W_{BEP}$ , and therefore accounted for twice when calculating the AEC. Should  $W_L$  include controllers and drivers? And if not how should it be measured?

**(3) Answer on  $W_L$  and  $W_{BEP}$  measurement**

$W_L$  is defined as the nominal electric power input of the lighting system of the domestic range hood on the cooking surface. It is understood as being the sum of the power consumption values of each lighting point directed on the cooking surface.

**(4) Question on  $P_s$  and  $P_o$  for hoods without a standby or off mode (10-2018)**

Both  $P_s$  and  $P_o$  need to be declared for hoods. However, most hoods have either a standby or an off mode, but not both. How should a hood without an off mode declare  $P_o$ ? And vice versa?

**(4) Answer on  $P_s$  and  $P_o$  for hoods without a standby or off mode**

In these situations it is suggested to declare  $P_o$  or  $P_s$  as "-".

**(5) Question on ovens that reach the selected temperature only for a short time (10-2018)**

Does an oven that reaches the selected temperature only for a short time at the beginning of the heating process satisfy the criteria set out in Annex II (1) of the regulation (“*that the temperature inside the oven cavity reaches the temperature setting of the thermostat and/or the oven control display within the duration of the test cycle*”)?

**(5) Answer on ovens that reach the selected temperature only for a short time**

An oven cavity, which reaches the temperature setting of the thermostat within the duration of the test cycle even only for a short time, satisfies the specific criterion set out in Annex II (1) of the Regulation (“*that the temperature inside the oven cavity reaches the temperature setting of the thermostat and/or the oven control display within the duration of the test cycle*”). However, this behaviour is not considered to be consumer-friendly and this issue should be addressed in standardization and/or in the upcoming review of the regulation.

**(6) Question about an oven that does not reach the set temperature during the first part of the test cycle (with the brick in the oven) (08-2019)**

There are ovens on the market that do not reach the set temperature during the first part of the test cycle (with the brick in the oven) but do reach it after the door was opened to remove the brick. This second part of the test does not contribute to the energy consumption measurement. Does such an oven satisfy the criterion set out in Annex II Nr. 1 of the delegated act (“*It shall be verified that the temperature inside the oven cavity reaches the*”)?

*temperature setting of the thermostat and/or the oven control display within the duration of the test cycle")?*

***(6) Answer about an oven that does not reach the set temperature during the first part of the test cycle (with the brick in the oven).***

If the product meets the criterion for temperature check set in section 7.4.3 of harmonised standard EN IEC 60350-1:2016, then the product should be regarded as complying with the temperature requirement set in annex II (1), because application of harmonised standards provides presumption of conformity. However if there is evidence that the product has been designed so that its “*performance is automatically altered in test conditions with the objective of reaching a more favourable level for any of the parameters specified in the relevant delegated act or included in any of the documentation provided with the product*” then the product is in breach with article 3(5) of the energy labelling framework regulation 2017/1369 and cannot be placed on the market.

***(7) Question about range hood with centrifugal filtering system (08-2019)***

How shall the grease filtering efficiency of a range hood with centrifugal filtering system be measured ?

***(7) Answer about range hood with centrifugal filtering system***

The applicable standard DIN 61591 contains no defined method for this kind of product. The Regulation does not specify this issue explicitly. This is an issue to be considered in the revision of the Regulation or through standardisation. In the absence standardised methods, manufacturers shall perform measurements and calculations using other reliable accurate and reproducible methods which take into account the generally recognised state-of-the-art and, meeting the technical definitions, conditions, equations and parameters set out in the regulation. This is to be assessed on a case-by-case basis by market surveillance authorities.

***(8) Question about an oven with a ‘Dual Cook’ function (08-2019)***

The oven itself is a single cavity that can be inserted with a thin metal divider to provide a ‘Dual Cook’ function. The dual cook function allows for easier cooking of meals requiring different temperatures, thus eliminating the need for more than one cavity. There are heaters that operate in the two potential different sections of the cavity, however when one section of the cavity is heated in ‘dual cook’ the other is also heated as the separator doesn’t have the same insulating characteristics of the walls of a cavity. As a result, a maximum of 80°C difference can therefore be achieved.

Is such an oven considered as a multi-cavity oven ?

***(8) Answer about an oven with a ‘Dual Cook’ function,***

As such each section is not technically heated separately and, as regulation 65/2014 defines, a ‘*multi-cavity oven*’ means an oven with two or more cavities, each of which is heated separately. According to the current legislation, this oven cannot be considered as a multi-cavity device. Consequently, only one label shall apply.

This kind of new technologies and the concept of “dual cook” function will have to be taken into account in the review of the legislation in 2021.

***(9) Question about the fan-forced mode (forced air convection) (08-2019)***

According to regulations 66/2014 (ecodesign) and 65/2014 (energy labelling) the definition of fan-forced mode is when a built-in fan circulates heated air in the cavity. Which setting should be used to test the fan-forced mode (forced air convection) for the label? Could it be misleading that another mode is called “ECO” than the one tested for the label?

***(9) Answer about the fan-forced mode (forced air convection)***

For the fan-forced mode on the label, the setting to be used is the one related to the forced air circulation function in accordance with the test procedures in the harmonized standard EN 60350-1:2016.

It could indeed be misleading that another mode than the one tested for the label is called “ECO”.

***(10) Question on range hoods used in combination with a ventilation system or a central fan (08-2019)***

If a product intended to collect contaminated air from above a hob has an internal motor, but is always used in combination with a ventilation system or a central fan, is it still covered by the scope in the range hood regulation (66/2014)<sup>5</sup> or should it be considered a ventilation unit?

***(10) Answer on range hoods used in combination with a ventilation system or a central fan***

The fact that a range hood (with an internal motor) is used in combination with a ventilation system or a central fan does not withdraw the functionality of the range hood which is defined by the Regulation (EU) No 66/2014 as an appliance, operated by a motor which it controls, intended to collect contaminated air from above a hob.

If the function of the referred product is to collect contaminated air from above a hob, it cannot be considered as a ventilation unit but as a range hood covered by Regulation (EU) No 66/2014.

Moreover, FAQ 9 (Answer on ventilation units connected to a professional kitchen (11-2016)) of the ‘FAQ on the Ecodesign Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products and its Implementing Regulations’ gives indications on how to deal with ventilation units in professional kitchens.

***(11) Question on range hoods used in combination with a ventilation system or a central fan (08-2019)***

If the internal motor is controlled by the range hood, it is within the scope of the range hood regulation. But if the range hood *also* controls the central fan, is it still considered a range hood?

***(11) Answer on range hoods used in combination with a ventilation system or a central fan***

In that case, it would be necessary to determine if the action on the central fan is restricted to the range hood function (i.e. collecting contaminated air from above a hob) or if it is a broader function (i.e. collecting air from the dining area for instance). See FAQ 9 - Answer on ventilation units connected to a professional kitchen (11-2016) – of the ‘FAQ on the Ecodesign Directive 2009/125/EC establishing a framework for the setting of ecodesign requirements for energy-related products and its Implementing Regulations’.

***(12) Question on range hoods used in combination with a ventilation system or a central fan (08-2019)***

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<sup>5</sup> Definition from regulation:

13) ‘range hood’ means an appliance, operated by a motor which it controls, intended to collect contaminated air from above a hob, or which includes a downdraft system intended for installation adjacent to cooking ranges, hobs and similar cooking products, that draws vapour down into an internal exhaust duct;

Is a range hood sold without a motor a range hood, and does it have to be labelled as such?

***(12) Answer on range hoods used in combination with a ventilation system or a central fan***

Yes, it marketed as such a range hood without a motor is a range hood, and the label should show the most common combination and other possible combinations should be made available upon request (or at the website). This is in line with the provisions of the Commission Guidelines for cooking appliances:

<https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficient-products/cooking-appliances>

*[3.2.4 Labelling for multiple combination hoods - Range hoods may be combined with different external fans and thus more than one label could be applicable. For each domestic range hood, suppliers shall provide at least one printed label with the product representing the most likely combination. For other combinations – the hood/control with associated fan – the information is provided by suppliers on a free access web site.]*

***(13) Question about side rails and measurement of volume for ovens (2020)***

Standard EN 60350 states that removable items specified to be not essential for the operations of the appliance shall be removed for the measurement of the volume.

Are side rails to be considered as essential for the operations of the appliance ?

***(13) Answer about side rails and measurement of volume for ovens (2020)***

Side rails are to be considered essential to the normal operation of an oven, as without them no rack can be placed inside the oven. Placing a dish on the floor of the oven (without racks) is an exceptional use, not the operation of the appliance in the manner for which it is intended.

***(14) Question on specification of normal operation of range hoods (01-2023)***

Can a manufacturer claim that the normal operation mode of a range hood is something else than what is described in the instruction manual?

***(14) Answer on specification of normal operation of range hoods (01-2023)***

A clear description of the normal operation mode should be included in the instruction manual, providing both consumers and market surveillance authorities with this information. The Blue guide also indicate that “Unless otherwise specified in specific legislation, instructions and safety information need to be provided (114), whether the product is intended for consumers or other end-users. This should include all the necessary information for the safe use of the product, to enable the consumer to assemble, install, operate, store, maintain, and dispose of the product.”<sup>6</sup> Following the Blue guide, manufacturers should define an intended use of a product that reflects the average use by consumers.

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<sup>6</sup> Commission notice The ‘Blue Guide’ on the implementation of EU product rules 2022 (Text with EEA relevance) 2022/C 247/01, section 3.1, [EUR-Lex - 52022XC0629\(04\) - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/eur-lex.do?uri=CELEX:52022XC0629(04):EN:EUR-Lex)

**Commission Delegated Regulation (EU) No 1254/2014 of 11 July 2014 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of residential ventilation units**

**(1) Question on packages of heaters and a ventilation unit (10-2015)**

See question and answer (10) for *Commission Delegated Regulation (EU) No 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device*

**(2) Question on units for AEC and AHS (11-2016)**

Annex VIII, point 2 states:

*The annual electricity consumption per 100 m<sup>2</sup> floor area (AEC) (in kWh/a electric per year); and the annual heating saved (AHS), which means the annual saving in consumption of energy for heating (in kWh fuel gross calorific value per year) are calculated as follows, using the definitions in point 1, and the default values given in Table 1, for each type of climate (average, warm and cold):*

$$AEC = t_a \cdot q_{net} \cdot MISC \cdot CTRL^x \cdot SPI + Q_{defr}$$

$$AHS = t_h \cdot \Delta T_h \cdot \eta_h^{AHS} \cdot c_{air} \cdot (q_{ref} - q_{net} \cdot CTRL \cdot MISC \cdot (1 - \eta_t))$$

It does not appear directly, that both AEC and AHS are to be stated as consumption per 100 m<sup>2</sup>. Should AEC and AHS be stated using the same unit?

**(2) Answer on units for AEC and AHS**

Indeed, on the basis of the formulas of Annex VIII to Regulation 1254/2014, the unit of measure for AEC, AHS and SEC is [kWh/(m<sup>2</sup>\*a)]. This is in line with the units of the product information requirements on SEC in point (c) of Annex IV. However, the product information requirements on AEC and AHS (point (v) and (w) of Annex IV, respectively) are to be reported in [kWh/a]. This means, as from the indication laid down in point 2 of Annex VIII, that the AEC and AHS obtained with the formulas in Annex VIII should then be multiplied by 100m<sup>2</sup>, and the obtained values (in [kWh/a]) are the ones to be included in the product fiche.

**Commission Delegated Regulation (EU) No 518/2014 of 5 March 2014 amending Commission Delegated Regulations (EU) No 1059/2010, (EU) No 1060/2010, (EU) No 1061/2010, (EU) No 1062/2010, (EU) No 626/2011, (EU) No 392/2012, (EU) No 874/2012, (EU) No 665/2013, (EU) No 811/2013 and (EU) No 812/2013 with regard to labelling of energy-related products on the internet**

***(1) Question on the obligation to provide an electronic label and an electronic product fiche for online sales (04/2017)***

What triggers the obligation? Is the indication of price sufficient to trigger the obligation? Is the presence of a "buy" or "add to basket" button needed to trigger the obligation?

***(1) Answer on the obligation to provide an electronic label and an electronic product fiche for online sales***

Regulation 518/2014 adds specific rules about internet sales to existing energy labelling obligations. Being the more specific legislation on the exact point (how information on a product should be shown when it is sold on the internet), Regulation 518/2014 takes precedence over the generic rules on advertising in the regulations. In practice, regulation 518/2014 amends the existing energy labelling regulations by adding text such as: "Where the offer is made through the internet and an electronic label and an electronic product fiche have been made available in accordance with Article [...] the provisions of Annex [...] shall apply instead". The crucial words are underlined. What constitutes an 'offer' to sell is not defined in Regulation 518/2014 nor in Regulation (EU) 2017/1369.

In law, an offer is stated when the essential elements of a contract are clear (product, price and contracting parties). The Blue Guide, point 2.1 provides additional clarification for the case of online sales: "Union harmonisation legislation applies to all forms of selling. A product offered in a catalogue or by means of electronic commerce has to comply with Union harmonisation legislation when the catalogue or website directs its offer to the Union market and includes an ordering and shipping system." (emphasis added).

Therefore the simple indication of a price alone is not sufficient to trigger the obligation – it is not an offer to sell: the website must provide the possibility to place an order. This may be quite simple (e.g. an e-mail contact, phone or fax number on the website or in a catalogue which the customer can use to order products), or it can be a complete ordering and shipping system.

The obligation is triggered regardless of the existence of a "buy" or "add to basket" button." This is also the case when multiple products are displayed, e.g. for comparison purposes. Indeed, recital 2 of Regulation 518/2014 refers to the issue of "*ability of end-users to make better informed decisions about their purchases [...]*". Recital 5 of the Energy Labelling Directive reads "*The provision of accurate, relevant and comparable information on the specific energy consumption of energy-related products should influence the end-user's choice*". Thus the Regulation suggests that the energy label is not meant to provide complementary/additional information for the user in the final purchasing step, but to help him in selecting a product. Therefore, the presence of the "buy" or "add to basket" button in a specific webpage is not decisive: as said above, the presence of an ordering and shipping system is key. Even if the "buy" or "add to basket" button is not present on a specific page, the dealer is offering a possibility to buy that product elsewhere on the on-line store, for example by opening a new page after clicking on the product name or image. In order to "make better informed decisions" the energy label and product fiche should be visible when a list of multiple products is displayed on the screen of on-line stores.

The electronic label and product fiche have to be displayed in a way that is clearly visible and legible and close to price of the product. Alternatively they may be shown in a nested format, as described in the regulation. Dealers are free to determine whether they display the full label and product fiche or their nested form.

***(2) Question about advertisement in catalogues/leaflets made available online (08-2019)***

When online catalogues/leaflets allow to buy a product directly through the catalogue page (e.g. through a “buy” button) should the energy label and the product fiche be displayed ?

***(2) Answer about advertisement in catalogues/leaflets made available online.***

If the catalogue is put online and the website is equipped with an ordering and shipping system then the products are considered to be offered for sale through the internet, and the obligations created by Commission Delegated Regulation (EU) No 518/2014 with regard to labelling of energy-related products on the internet apply, using the same considerations and criteria as described in the question (1) to regulation (EU) 518/2014 in the FAQ on the energy labelling regulation. The electronic label and product fiche have to be displayed in a way that is clearly visible and legible and close to price of the product. Alternatively they may be shown in a nested format, as described in the regulation. Dealers are free to determine whether they display the full label and product fiche or their nested form.

**Commission Delegated Regulation (EU) 2015/1186 of 24 April 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of local space heaters**

***(1) Question about solid fuel local space heaters with casings of different colors (08-2019)***

What about the technical documentation in the case of solid fuel local space heaters with casings of different colors?

***(1) Answer about solid fuel local space heaters with casings of different colors***

As far as the content of the technical documentation is concerned, testing one combination for each separate space heaters heat generator and housing is sufficient where only the color differentiates the housings.

**Commission Delegated Regulation (EU) 2015/1187 of 27 April 2015 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of solid fuel boilers and packages of a solid fuel boiler, supplementary heaters, temperature controls and solar devices**

***(1) Question on gas-solid fuel hybrid heaters (10-2018)***

See question (14) on regulation (EU) 811/2013 above

***(1) Answer on gas-solid fuel hybrid heaters:***

See answer (14) on regulation (EU) 811/2013 above

**Commission delegated Regulation (EU) 2016/2281 of 30 November 2016 implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products, with regard to ecodesign requirements for air heating products, cooling products, high temperature process chillers and fan coil units**

***(1) Question on calculation of seasonal efficiency performance ratio (SEPR) for chillers not including a pump (2020)***

Should the seasonal efficiency performance ratio (SEPR) value of process chiller in the scope of Regulations (EU) 2015/1095 or 2016/2281 include the energy consumption of the pump, even if the process chiller is not placed on the market with a pump?

***(1) Answer on calculation of seasonal efficiency performance ratio (SEPR) for chillers not including a pump (2020)***

Yes, the pump should be included in the SEPR value of process chillers even if the process chiller is placed on the market without a pump.

**Commission delegated Regulation (EU) 2019/2015 of of 11 March 2019 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012**

***(1) Question on containing products (2022)***

Is my product a light source or a containing product? What are the obligations in one or the other case?

***(1) Answer on containing products (2022)***

It is the responsibility of the supplier to identify if the product is a light source or a containing product according to the energy labelling act Commission Delegated Regulation (EU) 2019/2015 as amended by Regulation (EU) 2021/340. A containing product is defined as:

“a product containing one or more light sources, including, but not limited to, luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s).”

Recital (6) in the amendment Commission Regulation (EU) 2021/340 states:

“Products containing light sources from which these light sources cannot be removed for verification without damaging one or more of them, should be tested as light sources for compliance assessment and verification.”

What counts to define a product as a light source is the possibility to remove the light source for verification, without permanent damage to the contained light source (while if the containing product gets damaged is not relevant). If the light source cannot be removed from the containing product without being permanently damaged, the entire containing product should be defined as a light source (including the registration in the products database EPREL and bearing an EU energy label).

Once the supplier decides that their product is a product containing a light source (and not a light source in its entirety), there are two entities: (1) the supplier of the light source and (2) the supplier of the containing product. Each entity has its own set of obligations. In detail, the energy labelling for light sources is the responsibility of supplier number (1). That supplier has to do the registration in Eprel and generate the EU label.

As for energy labelling, the obligations that apply to suppliers of containing products are those from Article 3.2 of Commission Delegated Regulation (EU) 2019/2015, that reads:

“Suppliers of containing products shall:

- (a) provide information on the contained light source(s), as specified in point 2 of Annex V *(it applies from 1 March 2022)*;
- (b) upon request by market surveillance authorities, provide information on how light sources can be removed for verification without permanent damage to the light source *(it applies from 1 September 2021)*.”

This means that there is no obligation to generate the EU label for the light source and/or print it on the package of the containing product.

In case the product is also in scope of the ecodesign act for lighting Commission Regulation (EU) 2019/2020, please check the document “Frequently Asked Questions (FAQ) on the Ecodesign Directive and its Implementing Regulations”.

***(2) Question on deadlines to rescale the EU energy label and if the rescale is required for products phased out in ecodesign (2022)***

What are the deadlines for rescaling the EU energy label for light sources? What are the deadlines for sales in physical shops and online?

Are light sources phased out by the ecodesign act Commission Regulation (EU) 2019/2020 obliged to rescale according to the energy labelling legislation?

***(2) Answer on deadlines to rescale the EU energy label and if the rescale is required for products phased out in ecodesign (2022)***

<b>SUMMARY OF THE RULES FOR THE RESCALING OF THE EU ENERGY LABEL FOR LIGHT SOURCES<sup>7</sup></b>					
	<b>Case 1</b>	<b>Case 2</b>	<b>Case 3</b>	<b>Case 4</b>	<b>Case 5</b>
	<b>Products OUT OF SCOPE from Comm. Del. Reg. (EU) 2019/2015 but with an energy label from Comm. Del. Reg. (EU) No 874/2012<sup>8</sup></b>	<b>Products IN SCOPE of Comm. Del. Reg. (EU) 2019/2015 - units placed on the market before 01/09/2021</b>	<b>Products that ECODESIGN DOESN'T ALLOW ANYMORE ON THE MARKET from 01/09/2021<sup>9</sup>: units placed on the market before 01/09/2021 and with an energy label from Comm. Del. Reg. (EU) No 874/2012</b>	<b>LABEL UNAVAILABLE BECAUSE OF CEASED ACTIVITIES: products placed on the market before 01/05/2021 - dealer unable to receive the re-scaled label because supplier ceased its activities<sup>10</sup></b>	<b>PRODUCTS DISCONTINUED before May 2021: last unit of the model placed on the market before 01/05/2021<sup>11</sup></b>
<b>IN PHYSICAL SHOPS</b>	Not in scope, thus no need to rescale. Stocks can be sold indefinitely with the energy label	Suppliers have to provide the rescaled energy label in the form of stickers within five working days upon the dealer's request. Dealers have to	What matters is if the product is in scope of the new energy labelling lighting act Comm. Del. Reg. (EU) 2019/2015. If the light source	Not possible for the dealer to obtain the rescaled label. Dealers can sell these products during 18 months from 01/09/2021	Supplier are exempted from the obligation to provide the rescaled energy label. Dealers can sell those products

<sup>7</sup> Rules as set under Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012. This table specifies which products bearing the EU energy label from the previous act on lighting (Commission Delegated Regulation (EU) No 874/2012) need to have a re-scaled label according to the new rules under Delegated Regulation (EU) 2019/2015.

<sup>8</sup> Examples: light sources with lumen between 30 and 60 and above 82,000, that are in scope of Commission Delegated Regulation (EU) N0 874/2012, but not in scope of Commission Delegated Regulation (EU) 2019/2015.

<sup>9</sup> Commission Regulation (EU) 2019/2020.

<sup>10</sup> Regulation (EU) 2017/1369 setting framework on energy labelling, Article 11.13(b)(i). There is instead no exception for cases that happen after 01/05/2021, as the re-scaled energy label is meant to be registered in EPREL from 01/05/2021.

<sup>11</sup> Regulation (EU) 2017/1369 setting framework on energy labelling, Article 11.13(b)(ii). There is instead no exception for cases that happen after 01/05/2021, as the re-scaled energy label is meant to be registered in EPREL from 01/05/2021.

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	from Comm. Reg. (EU) No 874/2012. Units placed on the market from 01/09/2021 will not have an energy label.	replace the non-rescaled energy labels with the rescaled labels on the packaging within 18 months from 01/09/2021 <sup>12</sup> . After the 18 months, products bearing a non-rescaled energy label can't be sold.	phased out by Ecodesign, is in scope of Comm. Del. Reg. (EU) 2019/2015: Case 2 applies. If the light source phased out by Ecodesign is NOT in scope of Comm. Del. Reg. (EU) 2019/2015: Case 1 applies.	with the non-rescaled label, i.e. the old energy label from Comm. Del. Reg. (EU) No 874/2012	during 18 months from 01/09/2021 with the non-rescaled label, i.e. the old energy label from Comm. Del. Reg. (EU) No 874/2012.
<b>ONLINE</b>	Same as for physical shops: Not in scope, thus no need to rescale. Stocks can be sold indefinitely with the non-rescaled energy label, i.e. the old energy label from Comm. Reg. (EU) No 874/2012. Units placed on the market from 01/09/2021 will not have an energy label.	Suppliers have to provide the rescaled energy label within five working days upon the dealer's request. Dealers have to display the rescaled labels on-line, including through a nested label, within 14 working days from 01/09/2021 <sup>13</sup> . After the 14 days, dealers cannot show products with non-rescaled energy labels on display – and cannot sell them (unless these products fall under one of the exceptions of Case 4 or Case 5). Products acquired online can be expedited with the old label, meaning that the dealer has no immediate legal obligation to replace the non-rescaled label in/on the packaging with the rescaled one when expediting the purchased items to their clients. So, individual items in	See above.	Not possible for the dealer to obtain the rescaled label. Dealers can display and sell these products during 9 months from 01/09/2021 with the non-rescaled label, i.e. the old energy label from Comm. Del. Reg. (EU) No 874/2012.	Supplier are exempted from the obligation to provide the rescaled energy label. Dealers can display and sell these products during 9 months from 01/09/2021 with the non-rescaled label, i.e. the old energy label from Comm. Del. Reg. (EU) No 874/2012.

<sup>12</sup> The derogation introduced by the Omnibus amendment Commission Regulation (EU) 340/2021, Article 3(2)(c) doesn't change this principle: suppliers may provide light sources placed on the market during the period from 01/07/2021 to 31/08/2021 with the rescaled label (i.e. already printed on the packaging), if no light sources belonging to the same model or equivalent models were placed on the market before 01/07/2021. In that case, dealers should however not offer them for sale before 01/09/2021.

<sup>13</sup> Same as footnote 6.

		stock which have been advertised or displayed for sale with the rescaled label can be expedited to the consumer without further manipulation (as Regulation (EU) 2019/2015, Art. 4(e) applies only to sales in physical shops).			
<b>WHAT HAPPENS WITH EPREL</b>	No need to re-register. The old registration stays	From 01/05/2021: Suppliers re-register the products in EPREL according to the new regulation.	See above.	No need to re-register. The old registration stays	No need to re-register. The old registration stays

**(3) Question on exemptions (2022)**

Does the exemption from Article 11, 13 (b) ii) of (EU) 2017/1369 apply in the case of light sources?

**(3) Answer on exemptions (2022)**

Yes.

According to Regulation (EU) 2017/1369, Article 11, 13. (b) (ii), the supplier is exempt from the obligation to supply a rescaled label for units placed on the market or put into service before the four month period if the non-rescaled and the rescaled label require different testing of the model and if no units belonging to same model or equivalent models are placed on the market or put into service after the start of the four-month period.

Both the non-rescaled and the rescaled label of light sources require the measurement of the energy consumption in on-mode and the useful luminous flux to calculate the values for the label (not the product information sheet, but this is not referred to in the cited subparagraph). Thus, the testing of the model for the new label could be interpreted as not different from the old one, but this is not the case. Article 11, 13 (b) ii) is applicable in the case of light sources for the following reasons:

- a) To determine the energy class, it is true that only two tests are needed (on power and flux - and old results can be used), but results would be used in a different formula. Moreover, to determine the Energy consumption kWh/1000h that goes on the label, the correction factor for external control gear differs (it is not defined in the latest Regulation for lighting (EU) 2019/2015) thus changing the calculation.
- b) The rescaled label is required to have not only 1) the energy class and 2) energy consumption kWh/1000h, but also the QR code to the EPREL website. The other parameters to be inserted mandatory in EPREL, where at least some light source models might need new testing, are:

- Standby power
- Networked Standby power (for CLS)
- Spectral Power Distribution
- Chromaticity coordinates (x,y)
- R9 colour rendering ((O)LED)

Survival factor ((O)LED)  
Lumen Maintenance Factor ((O)LED)  
Displacement factor ((O)LED MLS)  
Flicker metric ((O)LED MLS)  
Stroboscopic effect metric ((O)LED MLS)  
Excitation Purity (for CTLS)  
Indicative lifetime L70B50 ((O)LED)  
Various parameters for NDLS GLS, HL, CFLi, LED > 12000 lm (not regulated in Ecodesign before)

***(4) Question on showing the label of the contained light source (2022)***

Is it allowed to show - for containing products - the energy efficiency class of the contained light source?

***(4) Answer on showing the label of the contained light source (2022)***

It is not allowed to have energy labels in products that are not under any energy label regulations. Article 6(d) of the framework Regulation on energy labelling (EU) 1369/2017 reads: “The supplier and the dealer shall: ... (d) for products not covered by delegated acts, not supply or display labels which mimic the labels provided for under this Regulation and the relevant delegated acts;”

Consequently, the packaging of a product containing a light source cannot show the energy label of the contained light source. The relevant provision of Commission Delegated Regulation (EU) 2019/2015, Article 3(2)(a) reads:

*“Suppliers of containing products shall:*

*(a) provide information on the contained light source(s), as specified in point 2 of Annex V”*

Annex V, point 2 sets requirements regarding “Information to be displayed in the documentation for a containing product” as follows:

“If a light source is placed on the market as a part in a containing product, the technical documentation for the containing product shall clearly identify the contained light source(s), including the energy efficiency class.

If a light source is placed on the market as a part in a containing product, the following text shall be displayed, clearly legible, in the user:

‘This product contains a light source of energy efficiency class <X>’,

where <X> shall be replaced by the energy efficiency class of the contained light source.

If the product contains more than one light source, the sentence can be in the plural, or repeated per light source, as suitable.”

Article 3(2)(a) applies to units of light sources placed on the market from 1 March 2022.

Thus, the Regulation does not require the energy label of the contained light source elsewhere than in the manual or booklet of instructions and the technical documentation. Going beyond what is required may confuse consumers and distort the level playing field that the Regulation seeks to achieve, as this information will be available for some products but not for others. The fact that is not explicitly forbidden does not mean that it should be allowed.

***(5) Question on light strips/strings/chains (2020, update 2022)***

Are light strips/strings/chains – including decorative ones and for Christmas – in scope of energy labelling? If yes, how to measure their energy consumption?

***(5) Answer on light strips/strings/chains (2020, update 2022)***

Light strips/strings/chains are not as such exempted from EU energy labelling: they are in scope if they meet the requirements of Article 2(1) of Commission Delegated Regulation (EU) 2019/2015. Annex IX of the energy labelling regulation reads:

“For light sources with linear geometry which are scalable but of very long length, such as LED strips or strings, verification testing of market surveillance authorities shall consider a length of 50 cm, or, if the light source is not scalable there, the nearest value to 50 cm. The light source supplier shall indicate which separate control gear is suitable for this length.”

The 50 cm length is intended as something to facilitate testing and not decisive for the scope. The product brought to the market is e.g. the entire string of 5 m length. If that length gives more than 60 lumen, the product is a light source in scope. If a length of 50 cm is tested, the result should be scaled up/down to the full product length.

Scaling up/down might create small discrepancies in the results (due to the voltage variation, small auto-shading effects when testing long lengths, and/or the use of a different control gear for the 50 cm length), but this is not necessarily a problem. According to the legislation, the Market Surveillance Authorities will perform verification testing at 50 cm: therefore, suppliers of light sources have to indicate which control gear is suitable for this length. If the verification for 50 cm leads to a flux < 60 lumen (for 50 cm), a scaling-up check (linear with length) could be done to see if the light source is in scope. Suppliers should provide their declared values (technical documentation and EPREL compliance part) (also) for 50 cm.

When the scale up/down of the verification results is not possible, the final product is the one of 50 cm length. This is the case for light strings sold in undefined measures from a roll (i.e. where the customer can choose in the shop which measure to buy and the dealer cuts the requested piece). All values to determine the energy class are related to 50 cm (because there is no other identifiable final product when the supplier gives the roll to the dealer). Therefore, if the 50 cm length from e.g. a 40 meter roll is in scope, the label will be about 50 cm – it doesn't matter if the customer buys e.g. 2.5 meters or 20 cm.

In case the product is also in scope of the ecodesign act for lighting Commission Regulation (EU) 2019/2020, please check the document “Frequently Asked Questions (FAQ) on the Ecodesign Directive and its Implementing Regulations”.

Battery-operated products are out of scope of both regulations.

***(6) Question on light-emitting parts (2022)***

What is a light-emitting part?

***(6) Answer on light-emitting parts (2022)***

Article 2(1) in both the ecodesign and energy labeling acts reads that: “(d) light-emitting parts contained in a light source from which these parts cannot be removed for verification as a

light source” are not light sources. This definition is relevant for light strings/chains/strips: this light source cannot be dismantled up to the minimum light-emitting part, as the light-emitting part is not a light source: the light source in scope is the upper level, i.e. the entire light strings/chains/strips.

***(7) Question on flash light sources (2022)***

Are flash light sources in scope of EU energy labelling?

***(7) Answer on flash light sources (2022)***

Flash light sources are not as such exempted from EU energy labelling: they are in scope if they meet the requirements of Article 2(1) of Commission Delegated Regulation (EU) 2019/2015.

If flash light sources can be set at the mode of steady light, this is the mode to be considered. If instead these lights only flash, this is normally due to some form of lighting control. The definition of ‘on-mode’ power (from Commission Delegated Regulation (EU) 2019/2015 Annex I (24)) says that lighting controls should be disconnected or switched off. This is also repeated in Annex I (27), in the definition for “Reference control settings”. If the control is instead fully integrated in the light source, we acknowledge that it might be difficult to switch it off. In general standards require light sources to reach a stable operation before starting the test. To be in this situation, it is important to know how to guarantee that a steady light is not possible.

In case the flash light source cannot in any way be forced to reach a steady state, this light source is not in scope because it is not possible to measure it according to the Regulation.

In case the product is also in scope of the ecodesign act for lighting Commission Regulation (EU) 2019/2020, please check the document “Frequently Asked Questions (FAQ) on the Ecodesign Directive and its Implementing Regulations”.

***(8) Question on the discontinued label for luminaires (2022)***

What does it imply that the EU energy label for luminaires is discontinued?

***(8) Answer on the discontinued label for luminaires (2022)***

The fact that the energy label for luminaires is discontinued means that there has been no obligation for luminaires to bear an energy label since 25 December 2019.. This is stated in Article 9 of Commission Delegated Regulation (EU) 2019/2015 as follows:

“Delegated Regulation (EU) No 874/2012 is repealed with effect from 1 September 2021, with the exception of paragraph 2 of Article 3 and paragraph 2 of Article 4 which are repealed with effect from 25 December 2019.”Therefore, there are no energy labelling provisions dedicated to luminaires after 25 December 2019. Stocks placed on the market before 25 December 2019 can stay indefinitely and there is no need to remove/cancel/hide the EU energy label.

It is to be noted that certain luminaires could meet the definition of light source in the latest energy labelling act Commission Delegated Regulation (EU) 2019/2015 and thus be required to bear an energy label according to it.

***(9) Question on the size of the label (2022)***

The energy labelling act sets only two possible sizes for the energy label. What label should a supplier use with a packaging 50 mm wide and 54 mm high?

**(9) Answer on the size of the label (2022)**

Commission Delegated Regulation (EU) 2019/2015 on energy labelling for light sources (including its amendment from Commission Regulation (EU) 2021/341), has a void regarding the size of the energy label. According to the Regulation Annex III:

*“Suppliers shall choose a label format between point 1.1 and point 1.2 of this annex.*

*The label shall be:*

*- for the standard-sized label at least 36 mm wide and 72 mm high (correction from 75 to 72 post Omnibus);*

*- for the small-sized label (width less than 36 mm) at least 20 mm wide and 54 mm high.*

*The packaging shall not be smaller than 20 mm wide and 54 mm high. Where the label is printed in a larger format, its content shall nevertheless remain proportionate to the specifications above. The small-sized label shall not be used on packaging with a width of 36 mm or more.”*

a) Energy labels on existing products placed on the market before the application on 1 September 2021 of Commission Delegated Regulation (EU) 2019/2015:

- Existing labels are replaced by the rescaled labels in a format and size that permits it to cover the existing label e.g with stickers (according to Commission Delegated Regulation (EU) 2019/2015, Article 3(i), Article 4(e), annex III(1)). Thus the supplier can adapt the size depending on the existing label, keeping it proportionate to the specifications in the new delegated act.

b) Energy labels for new products placed on the market from 1 September 2021: Relevant provisions in Commission Delegated Regulation (EU) 2019/2015:

- According to Annex III(1), the customer is supposed to be able to see the whole label when s/he chooses the product, suggesting that the label should be on the part of the packaging meant to face the prospective customer. The label can be on another side, as long as an arrow containing the letter of the energy efficiency class is displayed on the side facing the customer, as detailed in the Annex.
- According to Article 4(a), the energy efficiency class must be clearly visible.

In the event that none of the size options from Annex III fits, there is nothing in the Regulation that impedes that the print of the energy label continues on an adjacent face of the packaging, as long as the provisions in Annex III(1) and Article 4(a) are met.

In the case of a box with four sides (front, back, bottom and top side) and assuming that the part of the packaging meant to face the prospective customer is the front side, the energy consumption and the QR code should be on the front side, while the supplier’s name and the model identifier (which are on the upper part of the label) should be on the top side. It should be avoided that part of the label ends up in a supposedly non-visible side such as the bottom part.

**(10) Question on the colour coordinates (x,y) (2022)**

Can you better specify how to calculate the color coordinates (x,y)?

**(10) Answer on the colour coordinates (x,y) (2022)**

For a light source, the supplier declares:

- The color coordinates or chromaticity coordinates (x, y) (which must remain within the limit of article 2 (1) to be within the scope of Commission Delegated Regulations (EU) 2019/2015 on energy labelling and its amendment Commission Delegated Regulation (EU) 2021/340);
- Color consistency, expressed in phases of MacAdam ellipses (ellipse steps) (maximum 6, according to the Ecodesign Commission Regulation for ecodesign (EU) 2019/2020, table 4).

During verification of the color consistency, all 10 products of the sample must have chromaticity coordinates (x, y) within the declared MacAdam ellipse steps, taking into account verification tolerances. The chromaticity coordinates to be considered are (after a short period of time) spatially averaged ones, (Commission Regulation (EU) 2019/2020, Annex I (56)). For the color consistency, neither the variation with time nor the spatial variation are considered.

The verification tolerance in this case (reported in Commission Regulation (EU) 2019/2020, Annex IV, table 6) is not a percentage of the number of of the number of the ellipses steps (that if for example, the supplier declares 6 steps, the determined value should stay within  $6 + 10\% = 6.6$ ), but a variation of the center of the ellipse of 0.005 units in any direction with respect to the declared center (ellipse whose centre is inside the tolerance circle or square). These 0.005 units represent the variation of measurements (x, y) between different laboratories.

In conclusion:

- 1) it is not necessary to determine a measured center of the ellipse as the average of the values measured on the 10 test samples.
- 2) there is no requirement on the average of the values (x, y) measured with respect to the declared center (x, y) (there is no verification tolerance on the color coordinates by Commission Regulation (EU) 2019/2020, table 6).

Furthermore, the authorities of the Member State only apply the tolerances allowed for the purposes of verification set out in table 6 and only use the procedure described in Annex IV of the ecodesign Commission Regulation (EU) 2019/2020, table 6. For the parameters set out in the table 6 other tolerances do not apply, such as those established by harmonized standards or in any other measurement method.

**(11) Question on complex product sets (2022)**

Are complex product sets which include light sources a light source? (e.g.: Bluetooth controlled – light source with E27 cap which are in the same package with router with power supply to be sold as a starter-kit for home automation)

**(11) Answer on complex product sets (2022)**

The answer depends.

If the light source is sold together with other parts in a single packaging, the product being sold is probably the collection of all the parts, i.e. the ‘complex product set’. As the light source is removable for verification, this ‘complex product set’ would be a containing product for the ecodesign and energy labelling regulations, meaning that the packaging does not need to have the above information for the light sources, but only, from 1 March 2022, the info on the contained light source(s) in the technical documentation of the ‘complex product set’ (Commission Delegated Regulation (EU) 2019/2015 art.3(2) as amended by Commission Regulation (EU) 340/2021).

In the case of a light source being sold together with a router and power supply, it is to be checked if this combination of parts is a Connected Light Source (CLS), as defined in Commission Delegated Regulation (EU) 2019/2015, Annex I, definitions (6) and (7): the router is a data-connection part, and even if it is physically separated from the light source, it can still be considered a part of it. In this case, the ‘complex data set’ would be a light source.

**(12) Question on packaging (2022)**

Are light sources in scope of energy labelling obliged to have a packaging?

**(12) Answer on packaging (2022)**

In order to comply with the Regulation (EU) 2019/2015 the important thing is to make sure that light sources are accompanied by a label in line with the specifications under Annex III. The requirements for the labelling of light sources do not necessarily impose packaging. In this respect and for each light source which is placed on the market as an independent product (i.e. not in a containing product) and in packaging, the label shall be printed on the individual packaging, in the format set out in Annex III. Given that Article 4 (e) of the 2019/2015 Regulation also refers to labels on light sources attached to the packaging, the possibility to join or fasten the label to the packaging in a stable way exists. This could include sticking the label to the package.

**(13) Question on multiple light sources in a luminaire each of them with less than 60 lumen (11-2012 – update 08-2019, update 2022)**

Light sources with less than 60 lumen are excluded from the scope of the regulation. Does this mean that it does not matter how many light sources a luminaire has as long as all of them separately have a luminous flux of less than 60 lumen? If the light sources are attached to a luminaire and are not removable are you then supposed to add their luminous fluxes together to see if the requirement (less than a luminous flux of 60 lumen) is met?

**(13) Answer on on multiple light sources in a luminaire each of them with less than 60 lumen (11-2012 – update 08-2019, update 2022)**

As explained in FAQ (1) of this section, a containing product is defined as: “a product containing one or more light sources, including, but not limited to, luminaires that can be taken apart to allow separate verification of the contained light source(s), household appliances containing light source(s), furniture (shelves, mirrors, display cabinets) containing light source(s).”

What counts to define a product as a light source is the possibility to remove the light source for verification, without permanent damage to the contained light source (while if the

containing product gets damaged is not relevant). If the light source(s) cannot be removed from the containing product without being permanently damaged, the entire containing product should be defined as a light source (including the registration in the products database EPREL and bearing an EU energy label).

If we take the example of a luminaire with three light sources. If the three light sources are removable for verification purposes, then they are each of them in scope of the energy labelling regulation: each of them will need to be registered in EPREL and have defined the EU energy class. According to article 3.2, the supplier of containing products “shall:

(a) provide information on the contained light source(s), as specified in point 2 of Annex V (*it applies from 1 March 2022*);

(b) upon request by market surveillance authorities, provide information on how light sources can be removed for verification without permanent damage to the light source (*it applies from 1 September 2021*).”

This means that there is no obligation to generate the EU label for the contained light source(s) and/or print it on the package of the containing product.

If the three light sources are not removable for verification purposes, the entire luminaire is a light source and in its entirety will need to meet the requirements of the regulation (thus the testing of the product will cover the three light sources on the luminaire altogether).

**(14) Question on products in scope of energy labelling and ecodesign (05-2013, update 2022)**

Is the scope of energy labelling and ecodesign the same?

**(14) Answer on products in scope of energy labelling and ecodesign (05-2013, update 2022)**

As for separate control gears, they are only in scope of ecodesign, As for light sources, the definition in Article 2(1) in both acts is the same. However, energy labelling has less exemptions than ecodesign: this means that some light sources that are exempted in the ecodesign act, are required to have an EU energy label.

**(15) Question on display of kWh (01-2014, update 2022)**

The energy label contains information of energy consumption rounded up to the next integer. This puts small lamps at a disadvantage. Example: An LED lamp with power 2.1 W would have to be shown with a label saying 3 kWh/1000h. Will the declaration of a calculation to one decimal place be tolerated?

**(15) Answer on display of kWh (01-2014, update 2022)**

Commission Delegated Regulation (EU) 2019/2015 as amended by Commission Delegated Regulation (EU) 2020/340 clearly states in Annex III table 3 that the energy consumption in on mode needs to be rounded up to the nearest integer, leaving no room for interpretation.

**(16) Question on Lighting Europe Guidance document (01-2014, update 2022)**

The industry association Lighting Europe has published a guidance document for the energy labelling and ecodesign regulations for lighting. Has this document been endorsed by the Commission?

**(16) Answer on on Lighting Europe Guidance document (01-2014, update 2022)**

Lighting Europe developed their guidance document on their own and asked the Commission to check draft versions of the document for correctness. While no factual mistakes seem to be apparent, the Commission cannot and will not approve or validate such guidance document. The Commission does not acknowledge or endorse any guidance document by third parties, and therefore stresses that these do not allow any legally binding interpretation.

**(17) Question on monochrome labels (01-2023)**

Commission Delegated Regulation (EU) 2019/2015 opens for the use of monochrome labels and arrows, if all other information, including graphics, on the packaging is printed in monochrome. Does this identify as a single color or as a black-white color?

**(17) Answer on monochrome labels (01-2023)**

In Regulation (EU) 2019/2015 the word monochrome is used, with illustrations in Annex III and VII of the intended labels and arrows to be used. The pictures suggest that monochrome refers to black on white background but the term “monochrome” does not exclude that different shades of black and white could be applied, provided that the information remains clearly legible.

**(18) Question on negative R9 values (01-2023)**

Can the R9 value be negative?

**(18) Answer on negative R9 values (01-2023)**

Yes. One entry in Table 9 of Annex XI reads “CRI and R9 [0-100]”. The 0-100 range applies only to CRI and not to R9. This is in line with the definition of light source in article 2(1), with CRI that should be >0. In EPREL it is correctly allowed to register a value in the range -100 to +100. This may be clarified in a later amendment to the Regulation.

**Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC**

*(1) Question on link to EPREL in other literature*

As noted in Annex V of Regulation (EU) 2019/2014, and as part of the requirements relating to the ‘Product Information Sheet’ for washing machines and washer-dryers, “the user manual or other literature provided with the product shall clearly indicate the link to the model in the product database as a human-readable Uniform Resource Locator (URL) or as QR code or by providing the product registration number”.

A number of manufacturers have suggested that the QR code displayed on the energy label accompanying the product, satisfies the requirement for providing a URL, QR code, or registration number in the user manual or other literature provided with the product.

As the end-user may not always receive the energy label from the supplier after purchase or may discard the energy label once the product has been installed, the use of the QR code on the energy label in order to find the product on EPREL may not be feasible, and therefore would not appear to satisfy the intent of this provision.

*(1) Answer on link to EPREL in other literature*

The energy label is there to ensure that consumers take informed decision at the time of purchase. The inclusion of the link to the model in the product database is an additional requirement intended to allow the end-user to refer to, and find the product on EPREL using the information in the documentation generally held by the end-user i.e., user manual, installer instructions, warranty information, product brochure, etc. A copy of the energy label included in the user manual or the other literature is considered to fulfil the obligation since it will provide the QR code linking to the EPREL database to the consumer.

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