



Basic information	
<p><b>2008/0151(COD)</b></p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Directive</p>	Procedure completed
<p>Ecodesign requirements for energy-related products. Recast</p> <p>Repealing Directive 2005/32/EC <a href="#">2003/0172(COD)</a> Repealing Directive 2008/28/EC, Art 1 <a href="#">2006/0291(COD)</a> Repealed by <a href="#">2022/0095(COD)</a> Amended by <a href="#">2011/0172(COD)</a> See also <a href="#">2017/2087(INI)</a></p> <p><b>Subject</b></p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.60.08 Energy efficiency 3.70.17 European ecolabel and ecolabelling, ecodesign 3.70.20 Sustainable development</p>	
















Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<a href="#">ENVI</a> Environment, Climate and Food Safety		CSIBI Magor Imre (ALDE)	01/10/2008
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<a href="#">ITRE</a> Industry, Research and Energy		ROTHE Mechtild (PSE)	24/09/2008
	<a href="#">JURI</a> Legal Affairs		The committee decided not to give an opinion.	25/06/2008
Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
	Competitiveness (Internal Market, Industry, Research and Space)		2963	2009-09-24
	Transport, Telecommunications and Energy		2913	2008-12-08
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Internal Market, Industry, Entrepreneurship and SMEs		VERHEUGEN Günter	

Key events			
Date	Event	Reference	Summary
16/07/2008	Legislative proposal published	<a href="#">COM(2008)0399</a> 	Summary

02/09/2008	Committee referral announced in Parliament, 1st reading		
08/12/2008	Debate in Council		<a href="#">Summary</a>
17/02/2009	Vote in committee, 1st reading		<a href="#">Summary</a>
24/02/2009	Committee report tabled for plenary, 1st reading	<a href="#">A6-0096/2009</a>	
23/04/2009	Debate in Parliament	<a href="#">CRE link</a>	
24/04/2009	Decision by Parliament, 1st reading	<a href="#">T6-0319/2009</a>	<a href="#">Summary</a>
24/04/2009	Results of vote in Parliament		
24/09/2009	Act adopted by Council after Parliament's 1st reading		
21/10/2009	Final act signed		
21/10/2009	End of procedure in Parliament		
31/10/2009	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2008/0151(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Recast
<b>Legislative instrument</b>	Directive
	Repealing Directive 2005/32/EC <a href="#">2003/0172(COD)</a> Repealing Directive 2008/28/EC, Art 1 <a href="#">2006/0291(COD)</a> Repealed by <a href="#">2022/0095(COD)</a> Amended by <a href="#">2011/0172(COD)</a> See also <a href="#">2017/2087(INI)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 095
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	ENVI/6/66076

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		<a href="#">PE416.595</a>	18/12/2008	
Committee draft report		<a href="#">PE416.577</a>	18/12/2008	
Committee opinion	<a href="#">ITRE</a>	<a href="#">PE416.299</a>	22/01/2009	
Amendments tabled in committee		<a href="#">PE418.286</a>	03/02/2009	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0096/2009</a>	24/02/2009	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0319/2009</a>	24/04/2009	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Draft final act	<a href="#">03663/2009/LEX</a>	21/10/2009		
<b>European Commission</b>				

Document type	Reference	Date	Summary
Document attached to the procedure	SEC(2008)2116 	16/07/2008	
Legislative proposal	COM(2008)0399 	16/07/2008	Summary
Document attached to the procedure	SEC(2008)2115 	16/07/2008	
Commission response to text adopted in plenary	SP(2009)3507	25/06/2009	
Follow-up document	SWD(2012)0392 	22/11/2012	
Follow-up document	SWD(2012)0391 	22/11/2012	
Follow-up document	COM(2012)0684 	22/11/2012	Summary
Follow-up document	SWD(2012)0434 	07/12/2012	Summary
Follow-up document	COM(2012)0765 	17/12/2012	Summary
Follow-up document	SWD(2013)0014 	29/01/2013	
Follow-up document	SWD(2013)0015 	29/01/2013	
Follow-up document	COM(2013)0023 	29/01/2013	Summary
Follow-up document	COM(2015)0178 	22/04/2015	Summary
Follow-up document	SWD(2015)0089 	22/04/2015	
Follow-up document	SWD(2015)0088 	22/04/2015	
For information	COM(2015)0443 	11/09/2015	

#### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	<span style="border: 1px solid red; padding: 2px;">PT_PARLIAMENT</span>	COM(2012)0684	19/04/2013	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	CES1667/2008	22/10/2008	

## Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

## Final act

Directive 2009/0125  
OJ L 285 31.10.2009, p. 0010

Summary

# Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 22/11/2012 - Follow-up document

The Commission presents a report on the **voluntary ecodesign scheme for complex set-top boxes**. It recalls that Directive 2009/125/EC (the Ecodesign Directive) provides for the Commission to introduce implementing measures for consumer electronics product groups offering a high potential for the cost-effective reduction of greenhouse gas emissions.

The Commission commissioned **preparatory studies** for consumer electronic product groups, including complex set-top boxes, i.e. pay-TV receivers.

The preparatory study on complex set-top boxes (CSTBs) confirmed that **this product group meets the criteria listed in the Ecodesign Directive for a priority product group**. In particular, it represents significant sales volumes, has a significant environmental impact and has a significant improvement potential. The Commission further recalls that the Ecodesign Directive states that the priority product groups should be subject to alternative courses of action such as industry self-regulation or voluntary agreements rather than mandatory implementing measures, if such action is likely to deliver the policy objectives faster or in a less costly manner than mandatory requirements. Accordingly, **CSTBs should be covered by an implementing measure or by self-regulation**.

Companies active on the CSTB market have proposed a voluntary scheme for the CSTB product group in the EU and, to this end, concluded a voluntary agreement laying down specific ecodesign requirements for CSTBs placed and/or put into service on the EU market. **The voluntary scheme has been in force since 1 July 2010**.

**Elements of the scheme:** under this scheme, each signatory to the agreement undertakes to ensure that **at least 90 %** of all CSTB models it places on the market and/or puts into service comply with the energy consumption targets agreed for the relevant period of time as defined in the voluntary agreement. The environmental aspect of CSTBs that was identified as significant for setting ecodesign requirements for CSTBs in the voluntary agreement was electricity consumption in the use phase. Commitments undertaken by the signatories to the voluntary agreement will reduce electricity consumption (between 2011 and 2020) to 115 TWh **with savings of 44 TWh, corresponding to 21 Mt CO<sub>2</sub> emissions**.

The voluntary scheme proposed by the industry was subject to a **full impact assessment** by the Commission and stakeholder consultations in the course of the Ecodesign Consultation Forum established under Article 18 of the Ecodesign Directive. Furthermore, in March 2012 the industry provided the Commission with the updated information about the market coverage of the scheme that was required to finalise assessment of the scheme by the Commission.

**Impact assessment:** the [impact assessment](#) concluded that:

- the proposed voluntary scheme would **achieve the policy objectives more quickly and at lesser expense than mandatory requirements**;
- the **proposed scheme complied** with all provisions of the Treaty (in particular, internal market and competition rules), international engagements of the EU (including multilateral trade rules), the objectives of the Ecodesign Directive, and the specific assessment criteria, i.e. (i) openness of participation, (ii) added value, (iii) representativeness, (iv) quantified and staged objectives, (v) involvement of civil society, (vi) monitoring and reporting, (vii) cost effectiveness of administering a self-regulatory initiative, (viii) sustainability, and (ix) incentive compatibility.

As a result, the Commission:

- recognises that CSTBs placed and/or put into service on the EU market **should be subject to the voluntary ecodesign scheme**. The conditions for the scheme are laid down in the voluntary agreement concluded by the industry.
- considers this **voluntary scheme to be a valid alternative to an ecodesign implementing measure**, so will abstain, for now, from establishing mandatory ecodesign requirements for CSTBs placed and/or put into service on the EU market.

The Commission will continuously monitor the application of the voluntary scheme. Should this reveal that the objectives and general principles of the Ecodesign Directive are not being met, the Commission will consider establishing ecodesign requirements for CSTBs in a mandatory implementing measure.

# Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 07/12/2012 - Follow-up document

The Commission presents a Staff Working Document regarding the establishment of a working plan under Directive 2009/125/EC (the 'Ecodesign Directive'). To recall, the Directive specifies that the Commission shall publish a working plan setting out, for the three following years, **an indicative**

**list of energy-related product groups which will be considered priorities for the undertaking of preparatory studies and eventual adoption of implementing measures.**

The product groups that have been identified as priorities for the adoption of implementing measures were laid out in:

- Article 16 of the 2005 Ecodesign Directive (8 product groups);
- the first working plan for the period 2009-2011 (10 product groups).

Therefore, a total of 18 broad indicative product groups have been identified so far.

The **indicative list of priority product groups to be considered between 2012 and 2014** covered by this working plan is:

- window products;
- steam boilers (< 50MW);
- power cables;
- enterprises' servers, data storage and ancillary equipment;
- smart appliances/meters;
- wine storage appliances (c.f. Ecodesign Regulation (EC) 643/2009)
- water-related products.

The working plan also **establishes a list of conditional product** groups, where launching a preparatory study is dependent on the outcome of ongoing regulatory processes and/or reviews.

The **outlook** for the regulatory work to be completed is as follows:

**Transitional period (2005-2008):**

- the Commission plans to adopt, by the end of 2014, a further 18 implementing measures (12 ecodesign and 6 energy labelling) and recognise 2 voluntary agreements concluded by the industry, for the product groups from the transitional period);
- 11 ecodesign and energy labelling measures will be revised by 2014.

**First working plan (2009-2011):**

The Commission plans:

- to complete all preparatory studies launched for product groups from the first working plan;
- to adopt by the end of 2014, some 13 implementing measures (10 ecodesign and 3 energy labelling measures) and recognise 2 voluntary agreements that may be concluded by the industry, for the product groups from the first working plan.

**Second working plan (2012-2014):**

The Commission will initiate preparatory studies building on the indicative list of product groups identified in this working plan which will end with the study on water-related products. Depending on the outcome of the preparatory studies and the results of the impact assessments, the Commission will adopt ecodesign and/or energy labelling implementing measures.

Lastly, the Commission invites proposals for self-regulatory measures on any product group, which could deliver the policy objectives faster or in a less costly manner than mandatory requirements.

## **Ecodesign requirements for energy-related products. Recast**

2008/0151(COD) - 17/12/2012 - Follow-up document

In accordance with the requirements of Directive 2009/125/EC ('the Ecodesign Directive'), the Commission presents a review of the effectiveness of the Directive and of its implementing measures and assess the appropriateness of extending the scope of the Directive to non-energy related products.

**Effectiveness of the Directive:** in 2011, the Commission launched an evaluation study aiming at the review of the effectiveness of the Directive. The evaluation study concluded that, in general, **the Ecodesign Directive is achieving its policy objectives (free movement of goods and environmental protection) and that no revision of the Directive is deemed appropriate** at the moment or necessary to increase its effectiveness and that of its implementing measures.

The study has, in particular, pointed out that:

- it is **too early to correctly evaluate the full effect of the Directive** and of the implementing mandatory and self-regulation measures because of the insufficient period of their application. For one out of the twelve ecodesign Regulations adopted at the time of the evaluation, Tier-1 requirements had not yet entered into force and for eight implementing measures, Tier-2 requirements had not yet entered into force;
- it is considered that the indicative criteria for adopting implementing ecodesign measures remain appropriate;
- numerous methodological issues have been addressed by the study on the methodology for the ecodesign of energy-related products (MEErP).

The study has also identified a number of challenges in the application of the Ecodesign Directive and its implementing measures, including:

- complex and lengthy preparatory procedure;
- limited data for informing policy decisions (e.g. market trends and technological changes, market data, performance data from market surveillance activities etc.);
- insufficient coordination of ecodesign measures with other pieces of EU legislation, such as the Directives on [waste electrical and electronic equipment \(WEEE\)](#), hazardous substances (RoHS) or [energy performance \(EPBD\)](#);
- insufficient resources to deal with the increasing amount of regulatory, communication and standardisation work;
- the level of ambition of some requirements, especially in Tier-1;
- potential to address non-energy-related issues of energy related products (e.g. material efficiency, recyclability etc.);
- delays in the elaboration of suitable harmonised standards;
- insufficient and ineffective market surveillance.

Based on this study the Commission will take certain action:

- delegating the non-regulatory work (notably communication activities) to external bodies, and establishing a special “communication helpdesk”;
- continuing to tap into technical expertise of other EU bodies, including the Joint Research Centre (JRC) and EACI;
- launch of an annual market surveillance data collection exercise and of the Joint Action on Market Surveillance between national authorities under the Intelligent Energy Europe (IEE) Work Programme 2013 to enhance the enforcement of the Ecodesign and Energy labelling legislation.

A database on energy efficiency and other environmental aspects of products placed on the EU market is also being established.

**Extension of the scope of the Directive:** the Commission has concluded that, for the moment, there is no need for the extension of the scope of the Ecodesign Directive to non-energy related products. The study has, in particular, pointed out at:

- insufficient experience with the current scope of the Directive (extended in the 2009 recast to energy-related products);
- the need to complete the regulatory work under the 2005 Ecodesign Directive and the first Ecodesign Working Plan 2009-2011;
- the different approach required for non-energy related products. Unlike energy-using products, many non-energy-related products (e.g. food, beverages, textiles) have a significant environmental impact that mainly occurs in the earliest phase of the life cycle and therefore product testing would no longer be adequate for conformity assessment;
- the current significant difficulty in establishing enforceable ecodesign requirements for those non-energy related product groups with the highest savings potential.

The Commission therefore concludes that there is neither a need for an immediate revision of the Ecodesign Directive, nor for the extension of its scope to non-energy related products.

It proposes the following approach:

- if appropriate, specific aspects of the Ecodesign Directive that were subject to the present review can be reassessed in the forthcoming review of [Directive 2010/30/EU](#) (the Energy Labelling Directive) in 2014. The effects of ecodesign implementing regulations and energy labelling delegated regulations applicable to the same energy-related product are often linked and complementary;
- any future evaluation study reviewing specific aspects of the Ecodesign Directive should: (i) take into account the results of the 2011 evaluation study and, where necessary, update its recommendations; (ii) in the light of newly available evidence, special attention should be paid to those aspects that might have not been fully assessed in the 2011 evaluation study (such as the efficiency of implementing measures and harmonised standards and a more close coordination between the implementation of two Directives).

The Commission will continue working together with Member States and stakeholders on improving the implementation of the Ecodesign Directive and its implementing measures.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 29/01/2013 - Follow-up document

The Commission presents a report on a voluntary scheme proposed by the industry for **imaging equipment** in accordance with Directive 2009/125/EC which establishes a framework for the setting of ecodesign requirements for energy-related products (the Ecodesign Directive). It provides a legal framework for laying down ecodesign requirements for selected priority product groups.

Imaging equipment must be covered by an implementing measure or by a self-regulation measure, since this product group meets the criteria listed in the Ecodesign Directive: (i) it represents significant sales volumes, (ii) has a significant environmental impact and (iii) has a significant improvement potential.

Companies active on the imaging equipment market **concluded a voluntary agreement** on 16 February 2011, laying down specific ecodesign requirements for imaging equipment placed on the EU market. It is estimated that the commitments undertaken by the signatories to the voluntary agreement will **generate savings** in 2020 of 15 TWh, corresponding to 4.1 Mt CO<sub>2</sub> emissions and between 2011 and 2020 of 130 TWh, corresponding to 36 Mt CO<sub>2</sub> emissions.

**Elements of the voluntary agreement:** under the agreement, each signatory undertook that **at least 90%** of all imaging equipment models it places on the market would comply with the minimum efficiency requirements in terms of TEC (typical energy consumption) and OM (operational mode). The products covered by the agreement are also subject to the **ENERGY STAR** voluntary energy labelling programme, which lays down energy labelling requirements for different office equipment, including imaging equipment.

In addition, the agreement establishes two administrative bodies:

- the Steering Committee, consisting of representatives of the signatories to the agreement and the Commission, which manages the agreement, and
- the Independent Inspector, who assesses the compliance of individual signatories with the commitments set out in the agreement and provides the Commission with the compliance reports.

The agreement also:

- defines reporting obligations;
- provides for a procedure allowing the Steering Committee to modify the provisions of the agreement, in particular to adjust the stringency of requirements to the situation on the market.

**Acceptance of the voluntary scheme:** the Commission considers this voluntary scheme a **valid alternative** to an ecodesign implementing measure, and will, accordingly, **abstain from establishing mandatory ecodesign requirements** for imaging equipment placed on the EU market as long as the voluntary agreement and any subsequent versions concluded under the proposed voluntary scheme meet their objectives and the general principles defined in the Ecodesign Directive.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 22/04/2015 - Follow-up document

The Commission presented a report on the voluntary ecodesign scheme for games consoles.

Directive 2009/125/EC of the European Parliament and of the Council (the Ecodesign Directive) provides a legal framework for laying down ecodesign requirements for selected priority product groups. According to Article 15 of the Ecodesign Directive, a priority product group has to be covered by either a **mandatory implementing measure** (i.e. a Commission Regulation) or a **self-regulation measure** (e.g. a voluntary agreement concluded by industry), if it meets three conditions:

- it represents significant sales volumes,
- it has a significant environmental impact,
- it has a significant improvement potential.

**The Working Plan 2009-2011** under the Ecodesign Directive includes the product group sound and imaging equipment as offering a high potential for the cost-effective reduction of greenhouse gas emissions. The Commission undertook a **preparatory study** for sound and imaging, including games consoles. The preparatory study confirmed that this product group meets the criteria listed in Article 15 of the Ecodesign Directive.

**Companies active in the games consoles market have proposed a voluntary agreement** laying down specific ecodesign requirements for games consoles models placed on the EU market, which use more than 20 Watts in active game mode. The voluntary scheme was agreed by the signatories in April 2014.

It is estimated that the commitments undertaken by the signatories to the voluntary agreement will generate savings in 2020 of 1 TWh, corresponding to 0,494 Mt of avoided CO<sub>2</sub> emissions.

**The Commission's impact assessment** concluded that the proposed voluntary scheme would achieve the policy objectives more quickly and at lesser expense than mandatory requirements.

In conclusion, the Commission stated that the voluntary ecodesign scheme proposed by the industry for games consoles complies with all provisions of the Treaty, international engagements of the EU and specific assessment criteria, so is considered valid under the Ecodesign Directive.

The Commission recognised that **games consoles placed on the EU market should be subject to the voluntary ecodesign scheme**. This voluntary scheme should be a valid alternative to an ecodesign implementing measure, so will abstain, for now, from establishing mandatory ecodesign requirements for games consoles placed on the EU market.

The Commission will continuously monitor the application of the voluntary scheme. Should this reveal that the objectives and general principles of the Ecodesign Directive are not being met, the Commission may establish ecodesign requirements for games consoles in a mandatory implementing measure.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 21/10/2009 - Final act

**PURPOSE:** to facilitate the operation of the internal market by laying down requirements that energy-related products must meet in terms of environmental performance.

**LEGISLATIVE ACT:** Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products.

CONTENT: the Council adopted a revised eco-design directive, following a first-reading agreement with the European Parliament.

The new directive:

- establishes a framework for the setting of Community ecodesign requirements applicable to energy-related products in order to guarantee the free circulation of these products in the internal market;
- lays down requirements with which energy-using products must comply in order to be placed on the market or in service. It contributes to sustainable development by increasing energy efficiency and the level of environmental protection, while increasing the security of the energy supply.

The directive does not apply to means of transport for persons or goods.

The new directive extends the scope of the existing directive 2005/32 by covering, in principle, **all energy-related products**. This will improve the energy and resource efficiency of a much wider range of products and reduce demand on natural resources, contributing to the security of energy supply and to the achievement of greenhouse gas emission targets in the EU.

**Requirements of manufacturers:** the directive provides for the establishment of standards to which energy-related products will have to conform in order to be able to benefit from free movement within the Community. These standards will have to be defined by the Commission in the framework of the comitology procedure, following an impact assessment.

The new rules require that manufacturers of energy-related products take into consideration, from the design stage, the environmental impact that these products will have throughout their life cycle, thus facilitating cost-effective environmental improvements.

**Requirements relating to the supply of information:** in accordance with the implementing measures, manufacturers must guarantee, in the form that they judge appropriate, that consumers of the products they produce are informed of:

- the necessary information on the role they can play in the sustainable use of the product in question, and
- when the implementing measures so require it, the ecological profile of the product and the benefits of ecodesign.

The implementing measures may include an obligation on the manufacturer to provide information that may influence the way the product is handled, used or recycled by parties other than himself.

**Consultation Forum:** the Commission shall ensure that, in the conduct of its activities, it observes, in respect of each implementing measure, a balanced participation of Member States' representatives and all interested parties concerned with the product or product group in question, such as industry, including SMEs and craft industry, trade unions, traders, retailers, importers, environmental protection groups and consumer organisations. These parties shall contribute, in particular, to defining and reviewing implementing measures, to examining the effectiveness of the established market surveillance mechanisms and to assessing voluntary agreements and other self-regulation measures. These parties shall meet in a Consultation Forum the rules of procedure of which shall be established by the Commission.

**Penalties:** the Member States shall lay down the rules applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive, taking into account the extent of non-compliance and the number of units of non-complying products placed on the Community market.

**Review:** not later than 2012, the Commission shall review the effectiveness of this Directive and of its implementing measures, including, among other things:

- the methodology for the identification and coverage of significant environmental parameters, such as resource efficiency, considering the whole life cycle of products;
- the threshold for implementing measures;
- market surveillance mechanisms; and
- any relevant self-regulation stimulated.

Following this review, the Commission shall assess, in particular, the appropriateness of extending the scope of the Directive to non-energy-related products and shall, as appropriate, present proposals to the European Parliament and the Council for amending this Directive.

ENTRY INTO FORCE: 20/11/2009.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 16/07/2008 - Legislative proposal

**PURPOSE:** proposal for a Directive to extend the scope of the framework Ecodesign Directive to cover other energy related products than energy-using products.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** the current Ecodesign Directive (Directive 2005/32/EC) establishes requirements that energy-using products must meet if they are to benefit from free movement within the Community. It covers only energy-using products (excluding means of transport). For these, it can introduce mandatory minimum requirements corresponding to the performance of the product that has least life cycle cost.

The aim of this proposal is to **extend its scope to allow for the setting of Community ecodesign** requirements for all energy related products. An extended scope will allow the introduction of implementing measures for those non energy-using product categories that have the highest potential for improvement of environmental performance while also leading to the highest savings during the use phase. This would not be possible under the current Directive which is restricted to energy-using products.

The Commission also notes that establishing a single framework for the ecodesign of energy related products will ensure efficiency and consistency by using a common methodology for setting requirements for such products at EU level. The resulting comprehensive Ecodesign framework Directive will also be the essential building block for an integrated sustainable environmental product policy, as complemented by initiatives on labelling and incentives relating to public procurement and taxation. In addition to setting minimum requirements for the placing on the market of products, it will



enable the setting of environmental performance benchmarks referring to the best performing products on the market. This is already possible under the present Ecodesign Directive for energy-using products and will hence be extended to be possible for all energy related products, providing for a link to incentives relating to public procurement and taxation.

Directive 2005/32/EC has been substantially amended by Directive 2008/28/EC. Since further amendments, relating to the extension of the product scope to include all energy related products are to be made, it should be recast in the interests of clarity. The Commission stresses the importance of not disrupting the ongoing implementation of the present Ecodesign Directive and safeguards it by strictly limiting the proposal and scope for discussion to the extension of the product scope.

Amendments are introduced into the recitals and provisions of the Ecodesign Directive to reflect the extension of the scope to cover all energy related products.

In **Article 2**, in particular, the definition of energy related product is introduced. The latter is defined as any good having an impact on energy consumption during use which is placed on the market and/or put into service in the EU, including parts dependent on energy input

and intended to be incorporated into energy related products covered by this Directive which are placed on the market and/or put into service as individual parts for end-users and of which the environmental performance can be assessed independently.

In **Article 21**, relating to the review of the Directive by the Commission, it is added that, in

the context of the extension of the product scope, the Commission shall also review the possibility of extending the scope of the Directive to non energy related products.

**Article 23** sets the provisions for implementation of the recast Directive by Member States and defines its date of application.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 08/12/2008

In public deliberation, the Council worked out a general approach on a proposal to recast the eco-design Directive.

The proposal is designed to extend the scope of [Framework Directive](#) 2005/32/EC to cover the eco-design of all energy-related products, making it possible to set harmonised eco-design requirements for such products in implementing measures. Such eco-design requirements are binding provisions, intended to ensure that products do not have harmful effects on the environment.

The Commission submitted this proposal to the Council in July 2008. The European Parliament should adopt its opinion at first reading in April 2009.

In addition, the Commission briefed the Council on the measures approved by the Ecodesign Regulatory Committee, set up by the Framework Directive, on standby or off mode losses, public and office lighting, simple set-top boxes for receiving digital television and low-voltage power supply. This Regulatory Committee approved measures concerning new energy standards for light bulbs for domestic use which provide for the gradual abolition of incandescent light bulbs.

In accordance with the EU's regulatory procedure with scrutiny, all these measures have been or will be submitted to the Council and the European Parliament for approval and will then be adopted by the Commission.

## Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 24/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 394 votes to 13, with 3 abstentions, a legislative resolution modifying, under the first reading of the codecision procedure, the proposal for a directive of the European Parliament and of the Council establishing a framework for the setting of eco-design requirements for energy related products (recast).

The amendments are the result of a compromise negotiated with the Council.

The main amendments mostly concern the recitals and stress the following points:

- many energy related products have a significant improvement potential for reducing environmental impacts and achieving energy savings through better design which also leads to economic savings for businesses and end users. In addition to products which use, generate, transfer, or measure energy, selected energy related products, including products used in construction such as windows, insulation materials, or some water using products like shower heads or taps could also contribute to significant energy savings during use;
- the text stresses that improving the energy and resource efficiency of products contributes to the security of the energy supply and reduces demand on natural resources, which are preconditions of sound economic activity and therefore of sustainable development;
- considering at the design stage a product's environmental impact throughout its whole life cycle has a high potential to facilitate environmental improvement in a cost-effective way, including on resource and material efficiency and thereby meeting the objectives of the Thematic Strategy on Natural Resources;
- regard should be given to the modules and rules intended for use in technical harmonisation Directives set out in Decision No 768/2008/EC on a common framework for the marketing of products and repealing Council Decision 93/465/EEC;
- in accordance with the Interinstitutional Agreement on better law-making, Member States are encouraged to draw up, for themselves and in the interest of the Community, their own tables, illustrating, as far as possible, the correlation between this Directive and the transposition measures, and to make them public.

Not later than 2012 the Commission shall review the effectiveness of this Directive and of its implementing measures, including, inter alia:

- the methodology for the identification and coverage of significant environmental parameters, such as resource efficiency, considering the whole life-cycle of products;
- the threshold for implementing measures;
- market surveillance mechanisms;

- any relevant self-regulation stimulated.

Following this review, and in particular considering the experience related to the extended scope of the Directive, the Commission shall assess notably the appropriateness of extending the scope of the Directive to non energy related products, in order to achieve significant reduction of environmental impacts throughout their whole life cycle.