

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed 1994/0272(COD)
Energy efficiency requirements for household electric refrigerators, freezers and combinations  Amended by <a href="#">2003/0172(COD)</a> Amended by <a href="#">2006/0291(COD)</a>	
Subject 3.40.06 Electronics, electrotechnical industries, ICT, robotics 3.60.08 Energy efficiency	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENER</b> Research, Technological Development and Energy	ARE <a href="#">MACARTNEY Allan</a>	05/10/1994
	Former committee responsible		
	<b>ENER</b> Research, Technological Development and Energy	ARE <a href="#">MACARTNEY Allan</a>	05/10/1994
Council of the European Union	Former committee for opinion		
	<b>ECON</b> Economic and Monetary Affairs, Industrial Policy	PPE <a href="#">SPINDELEGGER Michael</a>	16/02/1995
	<b>ENVI</b> Environment, Public Health and Consumer Protection	PSE <a href="#">JENSEN Kirsten M.</a>	22/02/1995
	Council configuration	Meeting	Date
	Budget	<a href="#">1945</a>	25/07/1996
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">1907</a>	11/03/1996
	Energy	<a href="#">1894</a>	20/12/1995
	Energy	<a href="#">1850</a>	01/06/1995

Key events			
07/12/1994	Legislative proposal published	COM(1994)0521	Summary
13/02/1995	Committee referral announced in Parliament, 1st reading		
01/06/1995	Debate in Council	<a href="#">1850</a>	Summary
27/09/1995	Vote in committee, 1st reading		Summary

27/09/1995	Committee report tabled for plenary, 1st reading	<a href="#">A4-0221/1995</a>	
25/10/1995	Debate in Parliament		Summary
26/10/1995	Decision by Parliament, 1st reading	T4-0518/1995	Summary
08/12/1995	Modified legislative proposal published	COM(1995)0638	Summary
11/03/1996	Council position published	<a href="#">04507/1996</a>	Summary
28/03/1996	Committee referral announced in Parliament, 2nd reading		
10/06/1996	Vote in committee, 2nd reading		Summary
10/06/1996	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0194/1996</a>	
17/06/1996	Debate in Parliament		Summary
18/06/1996	Decision by Parliament, 2nd reading	T4-0326/1996	Summary
25/07/1996	Act approved by Council, 2nd reading		Summary
03/09/1996	Final act signed		
03/09/1996	End of procedure in Parliament		
18/09/1996	Final act published in Official Journal		

### Technical information

Procedure reference	1994/0272(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amended by <a href="#">2003/0172(COD)</a> Amended by <a href="#">2006/0291(COD)</a>
Legal basis	EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENER/4/07716

### Documentation gateway

Legislative proposal	<a href="#">COM(1994)0521</a> <a href="#">OJ C 390 31.12.1994, p. 0030</a>	07/12/1994	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0411/1995</a> <a href="#">OJ C 155 21.06.1995, p. 0018</a>	27/04/1995	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0221/1995</a> <a href="#">OJ C 287 30.10.1995, p. 0004</a>	27/09/1995	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0518/1995 <a href="#">OJ C 308 20.11.1995, p. 0101-0134</a>	26/10/1995	EP	Summary
Modified legislative proposal	COM(1995)0638 <a href="#">OJ C 049 20.02.1996, p. 0010</a>	08/12/1995	EC	Summary

Council position	<a href="#">04507/1996</a> <a href="#">OJ C 120 24.04.1996, p. 0010</a>	11/03/1996	CSL	Summary
Commission communication on Council's position	SEC(1996)0560	26/03/1996	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0194/1996</a> <a href="#">OJ C 198 08.07.1996, p. 0005</a>	10/06/1996	EP	
Text adopted by Parliament, 2nd reading	T4-0326/1996 <a href="#">OJ C 198 08.07.1996, p. 0018-0026</a>	18/06/1996	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1996)0382	19/07/1996	EC	Summary

#### Additional information

European Commission

[EUR-Lex](#)

#### Final act

[Directive 1996/57](#)  
[OJ L 236 18.09.1996, p. 0036](#) Summary

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

The objective of the proposal for a European Parliament and Council directive is to establish European standards for the energy efficiency of household refrigerators and freezers, with a view to ensuring the implementation of the internal market and reducing CO<sub>2</sub> emissions and electricity consumption. The proposal for a directive, based on the "new approach" to standardisation, sets energy efficiency standards as a function of the volume, using a different equation for each of the eight categories of appliance defined. In order to give the appliance manufacturing industry time to adapt whilst ensuring progress towards a satisfactory level of efficiency, two levels of minimum efficiency standards are envisaged: - the first will take effect three years after the adoption of the directive and should lead to an average improvement in efficiency of about 10%; - the second level of standards will apply about four years later and will be based on a new Commission proposal laying down a second series of standards. According to Commission figures, implementing the first series of recommended minimum efficiency standards should lead to: . a 13% reduction in the annual electricity consumption of refrigeration appliances in the year 2002, compared to a situation with no standards; . a 10% reduction in related annual emissions of carbon dioxide in the year 2002, compared to a situation with no standards.?

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

The ESC approved the Commission proposal with the following comments: - The ESC considered that the best way to achieve positive results was to aim for complete cooperation with manufacturers and consumers. - Commission policy should focus on surveillance of the CE marking as a key task. - Alerting the consumer to the benefits of buying energy-efficient appliances should be encouraged in addition to laying down minimum standards. - More stringent standards could harm SMEs. - Measures should be taken for other household appliances. - The proposal should not affect the competitiveness of European manufacturers. - The price increases for refrigerators and freezers and the reduction in electricity costs could have a different financial impact on different groups of consumers in some Member States. - Industry and consumers should be involved in the implementation of the first level of efficiency standards described in the proposal. - Consideration could be given to extending the scope of Article 6 in such a way that not only the Member States but also manufacturers could provide information on the failure of products on the market to conform to the CE marking. In addition, the ESC urged the Commission to involve industry and consumers actively in the process of assessing the results and, if necessary, establishing a second set of efficiency standards as referred to in Article 8 of the proposal.

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

The Council noted the progress of discussions on the proposal for a directive on energy efficiency requirements for household electric refrigerators, freezers and their combinations. The aim of the proposal, which is part of the SAVE programme, is to establish minimum standards of energy efficiency for the household appliances concerned, thus helping to reduce CO<sub>2</sub> emissions. After a discussion, the Council instructed the Permanent Representatives Committee to continue examining the proposal.

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

The committee adopted the report by Mr Allan MACARTNEY (ARE, UK). In its amendments, the Committee on Research, Technological Development and Energy called for "stronger measures" to stabilise CO<sub>2</sub> emissions within the EU and for the creation of an efficient enforcement system to ensure fair competition and to protect the rights of consumers. With regard to the energy efficiency standards for appliances, the committee put forward stricter figures than those recommended by the Commission. It also proposed that the timetable be changed so that these standards entered into force two years after the adoption of the directive (the Commission had proposed a deadline of 2000). During this two-year transitional period, appliances complying with the regulations in force at the date of adoption of the directive could be placed on the market. In addition, the committee proposed a second set of stricter standards which would enter into force five years after the adoption of the directive. To ensure the correct implementation of the directive, the Committee on Research called on the national authorities to carry out the necessary inspections of appliances on the market to ensure compliance with the provisions of the directive. If a manufacturer placed on the market a product that did not comply with this directive, it should forthwith make the product comply, or take the product from the market and notify this withdrawal to all persons to whom this type of appliance was sold. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

In response to the rapporteur, Mr MACARTNEY (ARE), who had spoken in favour of the specific measures in his report on energy efficiency and energy-saving with a view to reducing CO<sub>2</sub> emissions by the year 2000, Commissioner PAPOUTSIS outlined the Commission's position on Parliament's amendments. The Commission could take over Amendments Nos 2, 3 and 4 as they strengthened the justification for the measures proposed. However, Amendment No 1, which deleted Recital 5, could not be taken over. The Commission supported Amendment No 10, which brought forward the deadline for application of the Directive, setting it at two years after its adoption, and it also agreed with the principles on which Amendments Nos 9 and 11 were based. As regards the latter, which called for a 20% energy efficiency improvement though stricter parameters from the first phase, the Commissioner felt that a 15% improvement would be sufficient to balance adequately the different objectives of reducing CO<sub>2</sub> emissions and protecting the interests of industries, employment and consumers. The Commission supported the proposal's dynamic approach, which provided for a second phase, in line with the approach in Amendment No 9, but it felt that it was too difficult at this stage to determine the levels to be attained. As a result, it could not take over Amendment No 12 before establishing in detail the content of the second phase through more in-depth studies. Finally, the Commission rejected Amendments Nos 5, 6, 7, 8, 13 and 14 as they imposed excessive requirements on industry while the measures proposed by the Commission were sufficient to achieve the declared goals.

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

In adopting the report by Mr Allan MACARTNEY (ARE, UK) on the proposal concerning the energy efficiency of domestic appliances, the European Parliament approved the proposal with the following amendments: - it called for "stronger measures" to stabilise CO<sub>2</sub> emissions within the EU and for the creation of an efficient enforcement system to ensure fair competition and to protect the rights of consumers; - with regard to the energy efficiency standards for appliances, Parliament put forward stricter figures than those recommended by the Commission (Annex I). - it did away with a derogation granted to appliances displayed at fairs or other exhibitions which need not necessarily comply with the standards; - it proposed that the timetable be changed so that: . these standards (as strengthened by the EP) entered into force two years after the adoption of the directive (and not in 2000, as the Commission had proposed); . during the two-year transitional period, appliances complying with the regulations in force in the Member States at the date of adoption of the directive could continue to be placed on the market; . five years after the adoption of the directive stricter standards defined in a new Annex 1a would enter into force (annex stipulating stricter figures for maximum allowable energy consumption according to the type of refrigerator/freezer); . three years after the adoption of the directive the Commission would assess the possibility of implementing stricter norms than those defined in the new Annex 1a and would inform Parliament of its conclusions. Each new set of norms would be assessed and established on the basis of optimal technical and economic conditions and on the necessary efforts to reduce energy consumption in the Union; - to ensure the correct implementation of the directive, Parliament strengthened the provisions on monitoring and called on the national authorities to carry out the necessary inspections of appliances on the market (at the time of the "CE" conformity marking) to ensure compliance with the provisions of the directive. Where a product did not comply with this directive, the data provided by the manufacturer would be verified. The manufacturer should forthwith make the product comply, or take the product from the market and notify this withdrawal to all persons to whom this type of appliance was sold. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

Of the 14 amendments adopted by the EP, 2 have been accepted by the Commission and 2 more have been accepted in principle but with some rephrasing. The Commission has accepted the thrust of the amendments to considerably strengthen the initial proposal and make it more ambitious. In particular, the Commission has accepted the amendment foreseeing a shorter implementation time for the directive of 2 years and the principle of a more stringent first level of efficiency requirements. The Commission proposes for the first phase an efficiency improvement of 15% (the EP proposed 20%). The Commission shares the EP's view that a dynamic approach is needed and especially a second set of efficiency requirements to enter into force later on (though without introducing in the proposal a fixed second level of efficiency requirements). Consequently, the amended proposal proposes to evaluate the technical and economic situation following the entry into force of the first level and, in consultation with interested parties, to determine the optimum technical/economic levels of second-phase efficiency requirements and the best measures to achieve them (voluntary agreements, new proposal to set new requirements associated with a mandate to the normalization bodies, modification of the proposal. It should be noted that the Commission has not accepted the amendments requiring manufacturers to inform customers of non-complying appliances. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

The Council common position incorporates most of the amendments proposed by Parliament and included by the Commission in its amended proposal, many of which reinforce the initial proposal. For the first phase the common position provides for an overall improvement in energy

efficiency of 15% applicable after three years. With regard to the second phase, the text indicates that the Commission will evaluate the results achieved in the first phase and will consider the need for additional measures. Such measures would, in all circumstances, be based on the efficiency levels which would be justified at that time from the economic and technical point of view. They could take the form of an amendment (more rigorous standards) to the proposal, an advance voluntary agreement with the industry, or a framework directive combined with a standardization mandate. It should be noted that the Council has introduced new provisions: - importers may be responsible for the conformity of refrigeration equipment when neither the manufacturer nor the official representative is established in the Community; - correction factors are introduced in the technical annex for 'subtropical' and 'tropical' equipment in order to allow for the higher energy consumption of such equipment under test conditions. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

The Commission and the Council both supported the tendency of the EP's amendments to considerably strengthen the initial proposal and the Commission thus accepted the common position. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

In its draft recommendation, the Research committee accepts the 15 % energy efficiency improvement for a first set of norms provided for in Council's common position but insists that this should be implemented 2 years after the adoption of the Directive instead of 3 years. However, in am.1, the committee stresses the need for a second phase of energy efficiency improvement. To this end the Commission is invited to explore with the industry the possibility for concluding voluntary agreements within 3,5 years after the adoption of the Directive. Before the end of the 4th years, the Commission should present a communication stating whether such agreements had been reached and, if not, propose a mandatory text introducing a second set of norms providing for an overall 20 % energy efficiency improvement compared with the first set of norms. The second set of norms should enter into force 5 years after the adoption of the Directive. Finally, as the common position had provided for exceptional treatment (allowing for lower efficiency) to be reserved to tropical and sub-tropical refrigerators, the committee, in a spirit of compromise adopted an amendment restricting this exceptional treatment solely to refrigerators/freezers with a 4 star freezer compartment and which have a single compressor. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

Recalling that the basic idea was to help prevent the greenhouse effect in accordance with the Rio commitments, the rapporteur, Mr MACARTNEY (ARE, UK), explained that the 15% improvement over two years in the efficiency of refrigerators and freezers was a compromise version of the initial proposal of 10% as well as of that proposed by the Committee on Research (20%). However, in the second phase the rapporteur anticipated an overall improvement of 20%. In the meantime the Commission and industry would be invited to negotiate voluntary agreements on this matter over a period of three and a half years. If no agreement were reached the Commission would present a new directive laying down the same level of energy output, which would enter into force five years after the adoption of the present directive. The rapporteur also proposed restricting the special treatment reserved for ?tropical? and ?subtropical? refrigerators to equipment with 4-star freezer compartments. Commissioner Papoutsis stated that he was prepared to accept those amendments that referred to the second phase of the scheme, along with an efficiency improvement of 15% in the first phase, the limits imposed for 4-star refrigerators and the setting of July 1995, instead of May 1990, for the definitions of European Standard EN153.

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

Parliament did not go along with its rapporteur Mr Allan MACARTNEY (ARE, RU) on energy efficiency requirements for household electric refrigerators, freezers and combinations. It did, however, express its support for the common position of the Council, which provides that the Member States should apply the provisions to improve energy efficiency within a period of three years counting from the date of adoption of the directive. It rejected the amendment calling for a 20% energy efficiency improvement in a second phase. On the other hand, it adopted the common position calling on the Commission to make an assessment of the results obtained compared with those expected before the expiry of a period of four years from the adoption of the Directive. With a view to advancing to a second stage in energy efficiency improvement, the Commission was then to consider the need to lay down a second set of appropriate measures for improving the energy efficiency of household refrigeration appliances. ?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

The Commission accepted the two amendments adopted by the European Parliament at second reading and amended its proposal accordingly. The amendments seek to: - add the word "significantly" in article 8 with regard to the second stage for improving efficiency; - adapt the reference for the method of measurement in Annex I to the new version of EN 153 dated July 1995.?

---

## Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

The Council adopted the Directive by qualified majority, with the Italian delegation voting against the proposal. The text of the Directive matched the common position agreed by the Council on 11 March 1996, with the exception of the two amendments tabled by Parliament at second reading, which had now been taken over.

# Energy efficiency requirements for household electric refrigerators, freezers and combinations

---

**OBJECTIVE:** establishing European standards for the energy efficiency of household refrigerators and freezers, with a view to ensuring the implementation of the internal market, but also to reducing CO<sub>2</sub> emissions and electricity consumption.

**COMMUNITY MEASURE:** Directive 96/57/EC of the European Parliament and the Council, on energy efficiency requirements for household electric refrigerators, freezers and their combinations.

**SUBSTANCE:** the Directive, based on the 'new approach' to standardization, falls within the framework of the SAVE programme. It sets energy efficiency standards as a function of the volume of the appliance, with different equations defined for each of the ten categories of appliance listed in Annex I.

In order to give the appliance manufacturing industry time to adapt whilst ensuring progress to a satisfactory level of efficiencies, two levels of minimum efficiency standards are envisaged:

- the first will take effect three years after the adoption of the Directive and will lead to an average improvement in efficiency of about 15%;
- before the expiry of a period of four years from the adoption of the Directive, the Commission will make an assessment of the results obtained during the first stage. It will then consider, in consultation with the interested parties, the need to lay down a second set of measures.

These measures will be based, in all cases, on energy efficiency levels which can be economically and technically justified at the time. Where neither the manufacturer nor his authorized representative is established within the Community, the Directive provides for the possibility of the importers being liable for the conformity of the refrigeration appliances.

**DATE OF ENTRY INTO FORCE:** 8 October 1996.

**DEADLINE FOR TRANSPOSITION INTO NATIONAL LEGISLATION:** 3 September 1997.