

Energy-related products: indication of the consumption of energy. Recast

2008/0222(COD) - 19/05/2010 - Final act

PURPOSE: to recast Council Directive 92/75/EEC (the Energy Labelling Directive) and, inter alia, extending its scope.

LEGISLATIVE ACT : Directive 2010/30/EU of the European Parliament and of the Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products.

CONTENT: this Directive recasts Directive 92/75/EEC on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances. Its objective is to extend the scope of the latter Directive, providing for the labelling of all energy-related products including for the household, commercial and industrial sectors and of some non-energy using products, such as windows which have a significant potential to save energy once in use or installed. The text states that the Directive establishes a framework for the harmonisation of national measures on end-user information, particularly by means of labelling and standard product information, on the consumption of energy and where relevant of other essential resources during use, and supplementary information concerning energy-related products, thereby allowing end-users to choose more efficient products. It shall apply to energy-related products which have a significant direct or indirect impact on the consumption of energy and, where relevant, on other essential resources during use. It shall not apply to: (a) second-hand products; (b) any means of transport for persons or goods; (c) the rating plate or its equivalent affixed for safety purposes to products.

Labelling: the basis of labelling will continue to be the scale A-G, from dark green (the most energy-efficient) to red, which is well understood by consumers. For products that are already subject to labelling requirements and where a majority of the products on the market are in the highest energy classes, three additional classes may be added to the classification if required by technological progress. Those additional classes will be A+, A++, and A+++ for the most efficient class. In principle the total number of classes will be limited to seven, unless more classes are still populated.

Information requirements: Member States shall ensure that:

- information relating to the consumption of electric energy, other forms of energy and where relevant other essential resources during use, and supplementary information is, in accordance with delegated acts under the Directive, brought to the attention of end-users by means of a fiche and a label related to products offered for sale, hire, hire-purchase or displayed to end-users directly or indirectly by any means of distance selling, including the Internet;
- the information referred to above is provided in respect of built-in or installed products only where required by the applicable delegated act;
- any advertisement for a specific model of energy-related products covered by a delegated act under this Directive includes, where energy-related or price information is disclosed, a reference to the energy efficiency class of the product;
- any technical promotional material concerning energy-related products which describes the specific technical parameters of a product, namely, technical manuals and manufacturers' brochures, whether printed or online, is provided to end-users with the necessary information regarding energy consumption or shall include a reference to the energy efficiency class of the product.

Public procurement: where a product is covered by a delegated act, contracting authorities which conclude public works, supply or service contracts as referred to in Directive 2004/18/EC, which are not excluded by virtue of that Directive, shall endeavour to procure only such products which comply with the criteria of having the highest performance levels and belonging to the highest energy efficiency class. Member States may also require the contracting authorities to procure only products fulfilling those criteria. Member States may make the application of those criteria subject to cost-effectiveness, economical feasibility and technical suitability and sufficient competition.

Incentives: where Member States provide any incentives for a product covered by a delegated act they shall aim at the highest performance levels including the highest class of energy efficiency laid down in the applicable delegated act. Taxation and fiscal measures do not constitute incentives for the purpose of the Directive.

Where Member States provide incentives for products, both for end-users using highly efficient products and for industries which promote and produce such products, they shall express the performance levels in terms of classes as defined in the applicable delegated act, except where they impose higher performance levels than the threshold for the highest energy efficiency class in the delegated act. Member States may impose higher performance levels than the threshold for the highest energy efficiency class in the delegated act.

Evaluation: not later than 31 December 2014, the Commission shall review the effectiveness of the Directive and of its delegated acts and submit a report to the European Parliament and the Council. On that occasion, the Commission shall also assess: (a) the contribution of Article 4(c) to the aim of this Directive (rules on advertising); (b) the effectiveness of Article 9(1) (public procurement); (c) in the light of technical evolution and the understanding by consumers of the label layout, the need for amending Article 10(4)(d) (on content and design of the label).

ENTRY INTO FORCE: 19/06/2010. Points (d), (g) and (h) of Article 5 (Responsibilities of suppliers) shall apply from 31 July 2011.

TRANSPOSITION: 20/06/2011

APPLICATION: 20/07/2011.