

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.