FINAL MINUTES

MEETING OF THE CONSULTATION FORUM UNDER ARTICLE 18 OF DIRECTIVE 2009/125/EC ON ENERGY-RELATED PRODUCTS ON HORIZONTAL MATTERS

Brussels, 5 May 2014 (10.00 - 18.00)

Participants: See Annex.

1. WELCOME AND INTRODUCTION

The Chair welcomed the participants and indicated that the purpose of the meeting was to report back to the Ecodesign Consultation Forum on a set of reviews required for a range of product groups, to indicate which are worth taking further and which can be ended at this point and to discuss these issues with the Forum.

2. ADOPTION OF THE AGENDA

The Chair presented the agenda. He proposed to address point 18 of the agenda on ‘tolerances’ at the beginning of the afternoon session. He further indicated that under point 19 on ‘Any other business’, an update on future planned meetings would be given.

With these modifications the agenda was approved.

3. APPROVAL OF THE MINUTES OF PREVIOUS MEETINGS

The Chair asked for approval of the minutes of the previous meetings of the Ecodesign Consultation Forum on the ‘Review of the Stage 6 requirements of Commission Regulation (EC) No 244/2009’ (25/11/2013) and on ‘Possible requirements for non-household washing machines, laundry dryers and dishwashers’ (29/11/2013), circulated on 4 April 2014 and accessible on CIRCABC website.

The Chair indicated that comments had been received from ANEC/BEUC on the minutes concerning the ‘Review of the Stage 6 requirements of Commission Regulation (EC) No 244/2009’ (25/11/2013) and that these comments are taken into account in the presented version of the minutes.

The two sets of minutes were then approved.
4. **UPDATE ON THE STATUS OF THE REVIEW PROCESS FOR THE DIRECTIVES**

The Commission services gave a brief update on the status of the review process for the energy labelling Directive and certain elements of the ecodesign Directive.

5. **LATEST DEVELOPMENTS ON MEErP**

The Commission services provided an update on the latest developments on the MEErP methodology. A study, conducted by Fraunhofer Institute, on the aspects of resources efficiency within this methodology finished in December 2013 and concluded that the methodology sufficiently addresses these aspects. It nevertheless proposed a number of marginal improvements to better take into account resource efficiency aspects when ecodesign preparatory studies are conducted. These improvements cover the introduction of recyclability benefit rates, recycled content, lifetime and critical raw material index. The study is available online.

A new version of the Ecoreport tool would be made publicly available in the coming days. After discussion with metal industry associations and other stakeholders, an additional functionality has been added to the Ecoreport tool to allow customisation of recyclability benefit rates for the different materials (plastics, metals, etc.). This would allow product specific discussion between stakeholders and sensitivity analysis in various scenarios. The new version would be published in the DG ENTR website as version 3.06.

6. **MARKET SURVEILLANCE UPDATE**

The Commission services gave an update on the latest developments on market surveillance. There are a growing number of regulated products under ecodesign/labelling legislation on the market. A high share of non-compliances would create problems for consumers, for our policy goals and for industry. Therefore, effective market surveillance and cooperation between market surveillance authorities is essential, as was also underlined in the Conference on ecodesign/labelling in February 2014.

The Commission services have taken several initiatives to support improved market surveillance including the proposal for a new market surveillance regulation (which is still under discussion in the Council and the European Parliament), the development of a market surveillance multi-annual action plan and the publication of an updated Blue Guide which gives further guidelines on issues related to internal market for products including market surveillance.

More specifically for ecodesign/energy labelling, the Commission services are providing support to several market surveillance actions under the Intelligent Energy Europe programme, within the Horizon 2020 framework and through an annual data collection exercise with MS.

Although there were no market surveillance proposals under the 2013 Intelligent Energy Europe call, further support will be possible for market surveillance projects in the context of the Horizon 2020 calls for 2014 [now closed] and 2015 (deadline June 2015). The actions must involve the relevant market surveillance authorities and/or consumer associations as appropriate and demonstrate a high trans-national added value. The budget available for such projects is at the level of 1.5-2 million euros per project.
The Commission services invited especially the national market surveillance authorities to come forward with proposals taking into account that financial support can be provided for testing costs, which can be seen as an additional support to national market surveillance budgets.

The preliminary results of the data collection exercise in 2013 (26 MS have currently replied) show that there is a significant increase of activity in a number of MS, that testing has increased, that there is an increase in the number of non-compliances found and that all types of corrective actions have increased.

The Commission services also indicated that a number of EU Pilot cases were opened after last year’s exercise and that infringement procedures were still a possibility for some of them.

7. **WORKING PLAN 2015-2017**


**NL** asked if the Commission would also consider other product policy instruments such as Ecolabel and GPP when preparing the Ecodesign WP 2015-2017.

The Commission responded that the timetable is different for the review of these other product-related instruments, with the revision of Ecolabel Regulation due only in 2015. Any potential synergies will in any case be identified and taken into consideration.

In the context of the review of the ecodesign/labelling directives, **IT** raised a concern as regards the changes to provisions of adopted legislation by other legislation *a posteriori*, as already happened with the ecodesign directive which was changed by the energy efficiency directive.

The Chair indicated that this was a general question that would be better discussed in the next meeting of the Ecodesign Consultation Forum on 11 June 2014 where the review process would be discussed in detail.

8. **OMNIBUS REVIEW PROCESS (ENER – DOMESTIC REFRIGERATION PRODUCTS, WASHING MACHINES, DISHWASHERS, WASHER DRYERS, SIMPLE SET-TOP BOXES AND WATER PUMPS)**

The Commission services presented the results from the omnibus review study and the suggested way forward on these product groups, and asked for the opinion of the Ecodesign Consultation Forum. Based on the conclusions of the omnibus review study the Commission services suggested to leave the current legislation in place for simple set top boxes and water pumps, and to revise the regulations covering the product groups with the highest savings potential and/or for which an appropriate inclusion of resource efficiency aspects could be identified, i.e. domestic cold appliances, domestic washing machines (including washer dryers) and domestic dishwashers. These products would be subject to further in-review studies to provide updated detailed technical and market data.

**CECED** indicated their support for the conclusions of the exploratory study and the ‘way forward’ suggested by the Commission services. They underlined the need for a full
preparatory study for each of these product groups, and welcomed the inclusion of ‘washer-dryers’ in the revision of the washing machines regulations. They suggested having the revision of these specific regulations aligned with the possible revision of the framework Directives on energy labelling and on ecodesign. Finally, they suggested to take into account a number of specific issues such as the new international standard for refrigeration products, the lack of a method for rinsing efficiency of washing machines and the appropriateness of introducing spin drying requirements.

IT supported the ‘way forward’ suggested by the Commission services and made some recommendations for future work, including undertaking a Europe-wide analysis of consumer behaviour, maintaining the link between energy and functional performance, addressing the tolerances issue, proceeding with resource efficiency only if appropriate and correcting a number of unclear requirements and mistakes in the regulations.

ECOS fully supported the Commission services’ suggestions, asking for a full preparatory study for each of these products. Additionally they requested to address certain ‘set top boxes’ which are currently not covered by either the SSTP regulation or the CSTP Voluntary Agreement.

The Commission services agreed to look into this issue in the context of the preparatory study for the Ecodesign WP 2015-2017.

NL fully supported the conclusions of the study and the way forward suggested by the Commission services, and proposed one single measure for each product group (i.e. ecodesign and energy labelling).

The Chair indicated that this is most likely not possible given that there are different adoption procedures etc. for energy labelling delegated acts and for ecodesign implementing acts.

EEB and BEUC supported the Commission services' suggestions. They also requested to have the revision of these specific regulations aligned with the possible revision of the framework Directives on energy labelling and on ecodesign. They supported the need for a Europea-wide analysis of consumer behaviour in each of these preparatory studies and the necessity to consider absolute energy consumption figures for these household products.

RREUSE supported the Commission services' suggestions, as resource efficiency aspects would be taken into account. They expressed their concerns on the increasing difficulties to repair appliances such as domestic washing machines, dishwashers and fridges, and hoped that some provisions on reparability and non-destructive disassembly would be considered in the context of the revision of the regulations.

The Chair concluded that there was clear support to proceed as suggested by the Commission services on these product groups, noting the various items to be taken into account in the relevant preparatory studies.

9. LIGHTING PRODUCTS

The Commission services presented the results from studies and the suggested way forward on lighting products and asked for the opinion of the Ecodesign Consultation Forum.

On Lot 8/9/19 (Regulations 244/2009 and 245/2009) the main conclusions of the omnibus review study are that there are too many uncertainties for immediate revision of 244/2009 beyond the Stage 6 review process (which also covers the issue of special purpose products) in terms of functionality, affordability and technological developments. Moreover, there are
limited additional savings in revising 245/2009 and the study recommends doing this
together with the other two ecodesign Regulations 244/2009 and 1194/2012 (to be reviewed
not later than January 2016).

The **Commission services** suggested a revision of the existing lighting Regulations
244/2009, 245/2009, 874/2012 and 1194/2012 in a single regulation for ecodesign and
another for labelling, which would be presented to the Ecodesign Consultation Forum in
2015/2016. This would represent an estimated annual savings potential of at least 36 TWh by
2030 according to the omnibus review study. The preparatory review study already started at
the end of 2013 and should be finalised in the second semester of 2015.

As regards Lot 37 on lighting systems, which are part of the 2012-2014 ecodesign working
plan’s conditional list, the conclusions of the exploratory study launched in the autumn of
2013 are that regulating lighting systems would have a significant savings potential of up to
90% but would require solutions to several possible obstacles.

Based on these findings, the Commission services reported that they have already launched a
limited preparatory study (MEErP tasks 5 and 6 missing) which will run until the end of
2016, after which it would be possible to decide whether this product group offers enough
potential to complete a full preparatory study for this product group. The Commission
services have proceeded faster with this product group for internal financial considerations
and because the Stage 6 review discussions already show that a single comprehensive
approach to lighting products would be most appropriate.

**BE** raised the issue of tolerances for lighting products in the context of the Stage 6 review
and the tolerances omnibus process.

The **Chair** indicated that the Commission services are not intending to specifically address
tolerances during the Stage 6 revision, and that this issue would be better addressed in a
general approach on tolerances.

**DK** asked for a further amendment to the draft Stage 6 regulation concerning the
requirements for ‘clear lamps’ and the impact on the energy class of halogen lamps.

The **Chair** responded that it would be inappropriate to discuss this issue in the context of this
horizontal consultation forum.

**NL** asked if Lot 37 on lighting systems is part of the European lighting strategy.

**AT** raised a question on the timing of the Stage 6 process. Additionally **AT** made a comment
on lighting systems, considering that luminaires should also be considered as a technology
component.

The **Commission services** replied that Lot 37 is intended to be part of the lighting strategy
and to include large-scale installations as well as single luminaires, as indeed the market is
moving towards luminaires built with LED technology not only for households but also for
the tertiary sector. Concerning the timing of the Stage 6 process, the **Commission services**
indicated that the deadline for comments on the ISC would end on 7 May, after which the
draft measures would be sent to WTO for a two months notification process. The draft
measures would subsequently be submitted to the Regulatory Committee.

The **Chair** concluded that the process for lighting products would continue as presented,
based on the clear support of the Consultation Forum.
10. **NON-HOUSEHOLD WASHING MACHINES, DRIERS AND DISHWASHERS (ENER LOT 24) – CONCLUSIONS FROM WRITTEN CONSULTATION ON STANDARDISATION AND SUGGESTED WAY FORWARD**

The Commission services presented the results from the written consultation on standardisation and the suggested way forward on this product group, and asked for the opinion of the Ecodesign Consultation Forum.

Based on the results of the meeting with the Ecodesign Forum on 29 November 2013 and on the written consultation on standardisation in the 1st quarter of 2014, the Commission services suggested to mandate ESOs\(^1\) to develop harmonised measurement methods, to carry out a written consultation of the Ecodesign Consultation Forum on the content of the mandate, to re-evaluate the setting of ecodesign requirements once test results are available, and to split the product group as necessary to allow for introducing ecodesign requirements as soon as possible for particular product categories (with significant saving potential, available measurement methods and defined practical market surveillance procedures).

ECOS welcomed the approach presented by the Commission services.

The Chair concluded that the process for this product group would be continued as presented.

11. **THERMAL INSULATION (ENER LOT 36) – CONCLUSIONS FROM EXPLORATORY STUDY AND SUGGESTED WAY FORWARD**

The Commission services presented the conclusions from the exploratory study and the suggested way forward for this product group (which is included in the conditional list of ecodesign WP 2012-2014), and asked for the opinion of the Ecodesign Consultation Forum. The scoping study was undertaken between May and December 2013, and concluded that energy labelling or minimum energy efficiency requirements do not make sense at product level, that the production/end-of-life impacts are currently marginal compared to the environmental benefits in the use phase, and that the emissions during use-phase are tackled under the Construction Products Regulation (CPR). Moreover, the study found that the durability of thermal insulation might be an issue from the point of view of energy savings but that data are lacking to assess if it is a parameter with significant improvement potential (although durability of thermal resistance against ageing and degradation is covered in the current harmonised product standards under CPR).

The Commission services suggested not to develop a specific ecodesign/labelling implementing measure for this product group, and to explore with ESOs, how existing standards cover durability after which it could be decided what action (if any) could be undertaken to obtain the appropriate information on the durability of thermal insulation products necessary to assess the need for further policy measures (if any) on this aspect.

BE asked if energy efficiency aspects of insulation products are regulated under other regulations or directives.

The Chair responded that both the Energy Performance of Buildings Directive (EPBD) and the Energy Efficiency Directive (EED) address the use of insulation products to improve building performance.

\(^1\) European Standardisation Organisations
IT asked if the durability aspect is already covered by the guarantee given by manufacturers or constructors.

In relation to the durability of insulation products, the EEB requested investigating the maintenance of performance over time.

BE asked for an update on the relation between the CPR and ecodesign.

CEN indicated that thermal insulation products are already covered by the CPR and related harmonised standards. The CPR permits going even further with the development of delegated acts for specific products. This should be taken into account when considering new regulations for thermal insulation products.

The Commission services indicated that, beyond the CPR, the European legislator has established several legislative tools to deal with this product group, which have to be used appropriately. Concerning a product guarantee, the Commission services indicated that this is a commercial issue not regulated under the CPR. Moreover, there are different requirements in MS concerning guarantees given by manufactures for their products and by constructors for their constructions. Concerning the maintenance of performance over time for insulation products, the Commission services indicated that maintenance is part of the definition of durability under the CPR, which defines it as the possibility for the product to maintain its performance over time.

NL asked if there is a mandatory requirement for manufacturers to provide product information for thermal insulation materials at this moment. If this would be the case, then it would not be necessary to regulate under ecodesign; if not, it would be good to do it.

The Commission services explained that under the CPR, manufacturers have to accompany products with information on the performance in a so-called ‘Declaration of performance’, which cannot be void and has to include at least one of the essential characteristics of the product in relation to the intended use. For thermal insulation, the key characteristic that would be declared is the thermal resistance of the product.

NL considered that there is still an 'escape' by mentioning other characteristics and asked the Commission services to check whether this provision under the CPR works as intended because such information is important in the context of a possible future application of measures related to insulation material within the EPBD and the EED.

SE asked the Commission services to investigate exactly what the CPR is requiring for which products and what would be the value added of having an ecodesign measure.

EURIMA reported that for almost all thermal insulation products a declaration of performance is provided by manufacturers under the CPR. Thermal performance, where ageing and durability is taken into account following technical standards, is always declared.

PU-EUROPE indicated that thermal resistance is a mandated characteristic that manufacturers always have to declare.

The Commission services added that, according to Annex III, point 9 of the CPR, the manufacturer is requested to declare the performance of its product according to the list of essential characteristics which are to be found in the harmonised standards. These standards have created a level playing field for manufacturers to declare characteristics.

The Chair concluded that there was broad support for the presented way forward, and that the issue of the durability of thermal insulation products should be kept under review, as there is a need to ensure that information on durability is available.
12. **POWER GENERATING EQUIPMENT (ENER LOT 35) - CONCLUSIONS FROM SCOPING STUDY AND SUGGESTED WAY FORWARD**

The **Commission services** presented the results of the scoping study and the suggested way forward on this product group (which is included in ecodesign WP 2012-2014), and asked for the opinion of the Ecodesign Consultation Forum. The scoping study concluded that, on the basis of estimated energy savings, only wind turbines would have been a candidate for the priority product groups of the Ecodesign WP 2012-2014. However, the sales of wind turbines in the EU are in the order of thousands per year, far below the minimum 200,000 units per year referred to in Article 15(2)(a) of the Ecodesign Directive. Energy labelling for wind turbines, a business-to-business product for which efficiency information is already provided, does not seem opportune.

The **Commission services** suggested not starting a preparatory study for this product group.

There were no comments from the Ecodesign Forum.

The **Chair** concluded that no preparatory study for this product group would be started and that ecodesign/labelling activities on this product group would not continue.

13. **COMPRESSORS (ENER LOT 31) – CONCLUSIONS FROM DRAFT PREPARATORY STUDY AND SUGGESTED WAY FORWARD**

The **Commission services** presented the results of the preparatory study and the suggested way forward on this product group, and asked for the opinion of the Ecodesign Consultation Forum. The preparatory study\(^2\) estimated an annual savings potential in 2030 of 1 to 2 TWh for ‘standard air’ applications, which is one of the three main technologies for compressors. The study could not identify similar figures for the other two compressor application ranges (i.e. ‘low pressure’ and ‘oil-free air’) due to the lack of harmonised and reliable data which would require an additional one to three years to obtain.

The **Commission services** indicated that there are two options for taking forward the work on this product group: (1) to postpone the development of implementing measures for ‘standard air’ compressors or (2) to develop an implementing measure for ‘standard air’ compressors (possibly covering labelling), also introducing information requirements for ‘low pressure’ and ‘oil-free air’ applications, while in parallel continuing with the analysis for these two applications with a view to covering them in future implementing measures. The **Commission services** suggested following option (2).

**IT** indicated that it would be better to wait for the missing data before starting the development of an implementing measure for a category of products with limited energy savings potential.

The **Commission services** replied that it would be opportune to seize the momentum for the already identified savings potential for ‘standard air’ compressors. This could constitute a valuable learning process for achieving further savings with the other two types of application ranges.

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\(^2\) The project website is [http://www.eco-compressors.eu/](http://www.eco-compressors.eu/)
NL inquired after the availability of standard measurement methods to support the introduction of information requirements under option (2). If the standards are not available, it would be preferable to go for option (1) and address all applications in one go.

The **Commission services** indicated that the information requirements need to be tackled carefully as the standards (including measurement methods) applicable to the various families of technologies are different and a comparative assessment is not straightforward.

**EPEE/EVIA** asked for the meaning of 'standard air applications'.

The **Commission services** responded that the 'standard air applications' are already defined in the preparatory study and refers to various conditions (temperature, etc.) of input and output air.

The **UK** supported the Commission services' approach to go for option (2), fearing that in future the importance of this issue might decrease and no action at all would be undertaken for this product group.

**PNEUROP** indicated that they have supported the preparatory study since the beginning. They can accept both options but have concerns about the treatment and analysis of the two remaining technology applications (i.e. ‘low pressure’ and ‘oil-free air’) and requested to have them properly addressed in a separate, dedicated study.

**BE** asked to identify the products where compressors are integrated as components and to check if they are already covered by ecodesign measures. BE does not see added value to have double regulation of 'components' and of products incorporating them.

The **Commission services** replied that indeed there could be some overlap between compressors and other products integrating them as components such as machine tools or refrigeration products. However, the development of EU ecodesign/labelling implementing measures for compressors might help some European industries as a means of differentiation compared to lower performing products in the market.

**NL** asked the Commission services to further comment on the international context.

The **Commission services** replied that compressors have been studied in other geographical areas, including in China where legislation similar to ecodesign and labelling already exists. Also in the USA there are steps being taken to come forward with energy efficiency requirements, but it seems that the EU is in the forefront of tackling these issues under ecodesign.

**CLASP** indicated that, based on the current example of compressors, it would be helpful to take into account the difficulty to regulate product groups when preparing the priority list of products in the ecodesign Working Plans. Complex product groups should either be kept for the next WP or be allocated higher budget and time to deal with them.

**ECOS** supported the comments from CLASP, while acknowledging that there would be the willingness from other parts of the industry (i.e. ‘low pressure’ and ‘oil-free air’) to be involved in this process.

**IT** asked the Commission services to clarify the timing for the application of the intended tiers, as there are two options to deal with this issue: (a) the requirements for the components are applicable only when the products including the components are placed on the market, which means that only up-to-date components may be included in these products; (b) the requirements for the components are valid when the components are placed on the market
because they are placed on the market as a stand-alone product although they are used as components.

The Chair invited delegations, following the somewhat diverging views on the suggested approach, to send further written comments by 5 June and indicated that the Commission services would then reflect on which option to take.

14. UPDATE ON PUMPS AND MOTORS (ENER LOT 28 TO 30)

The Commission services presented the results of the preparatory studies and the suggested way forward for these product groups, and asked for the opinion of the Ecodesign Consultation Forum.

For pumps (Lot 28 'waste water pumps' and Lot 29 'clean water pumps'), two preparatory studies³ were launched in March 2012. The studies estimate a savings potential of around 0.4 TWh by 2030 for waste water pumps and 0.5 TWh for Lot 29 pumps. If an Extended Product Approach⁴ (EPA) were to be applied, the energy saving potential could be increased up to 1 TWh and 3 TWh respectively. The Commission services suggested integrating these lots with the review of the already existing Regulation 547/2012 in 2016.

For motors (Lot 30), the preparatory study⁵ was launched in March 2012 and has identified a series of policy options that could lead to energy savings up to 30 TWh in 2030 by addressing motors outside the scope of the current Regulation 640/2009.

The Commission services proposed developing an ecodesign implementing measure for motors outside the 750 W - 375 kW range, and suggested a specific Consultation Forum meeting for this product group in September 2014.

EUROPUMP supported the Commission services' approach and expressed their wish to keep the communication channels open among all stakeholders.

ECOS urged the Commission services to mandate the ESOs to cover the necessary standardisation work related to EPA currently undertaken by EUROPUMP.

The Commission services responded that they would continue to monitor the standardisation work undertaken by EUROPUMP and assess the necessity to issue a mandate to the ESOs.

CLASP indicated agreement with the Commission services' approach, but suggested to explore the possibility to consider for some 'industrial' products (such as swimming pool pumps) a simplified 'endorsement' label or an extension of Energy Star in Europe, referring to the good experience in the US with Energy Star for these pumps.

BE shared the concerns of ECOS concerning the EPA and the preparation of the necessary standardisation work by ESOs well in advance of the proposal for regulation.

The Commission services indicated that the work on the definition of EPA and on testing methodology has already started and accepted that this would need to be clearly addressed before proposing any regulation.

³ The websites are http://lot28.ecopumps.eu and http://lot29.ecopumps.eu
⁴ Specific components are taken into account beyond the pumps.
⁵ The website is http://www.eco-motors-drives.eu
In relation to the standardisation work on EPA, EUROPUMP – CENELEC indicated that the work is progressing well and that the necessary standards would be available on time.

CECED warned of the risk of having double regulation on motor components (Lot 30) and final products (such as washing machines, tumble driers, etc.) and recommended the Commission services to carefully look at this issue before setting additional horizontal requirements for motors to be included in products already covered by other regulations.

The Commission services replied that this is an issue that would be considered when developing the specific draft proposal for motors outside the 750 W - 375 kW range. Up to now the practice for 'component' products has been to cover them when they are placed on the market as a stand-alone product and when the products including them as components are placed on the market. This is the case for motors (within the range 750W–375 kW), fans and circulators. It is a general issue that could be discussed in a future meeting of the Ecodesign Consultation Forum.

The Chair concluded that there was broad support for the presented way forward, which would be continued taking into account the relevant suggestions of the Ecodesign Consultation Forum.

15. STEAM BOILERS (ENTR LOT 7), POWER CABLES (ENTR LOT 8), ENTERPRISE SERVERS (ENTR LOT 9) AND OTHER ENTR PRODUCTS

The Commission services gave an update on the latest developments concerning the preparatory studies for steam boilers, power cables – indoor electrical installations and enterprise servers. The studies are running and will be finalised by the end of August 2014 for steam boilers and in May 2015 for power cables and enterprise servers. Dates for stakeholder meetings and documents will uploaded in the studies’ websites. It is too early to decide whether ecodesign and/or energy labelling requirements are appropriate, as there is a lack of reliable data, combined with high levels of market segmentation and lack of standardised measurement methods.

Although not included in the agenda, on request the Commission services also gave an update on the preparation of the Voluntary Agreement (VA) on ‘game consoles’ (ENTR Lot 3). The main producers (i.e. Sony, Microsoft and Nintendo) have been working for three years on this issue and delivered a draft VA in April 2014. The Commission services have the intention to draft a report to endorse the VA, complete the ISC before the end of June 2014, and submit the report to the Council and the European Parliament before the summer break.

OEKOPOL asked if the current draft VA on ‘game consoles’ will be circulated to the Ecodesign Consultation Forum.

The Commission services indicated that the industry consortium will be invited to give a presentation of the draft final version at the Consultation Forum meeting on VA on 12 June 2014.

NL questioned the decision of the Commission services to focus exclusively on ‘indoor electrical installations’ for the ‘power cables’ product group, arguing that the other component of the ‘power cables’ product group, i.e. ‘power cables for distribution’ are closely related to ‘power transformers’.

The Commission services replied that in the preparatory study for the ecodesign WP 2012-2014 the scope of ‘power cables’ included both ‘indoor’ and ‘distribution/transmission’
cables. However, the two sets of cables have very different characteristics and completely different markets. Due to limited resources available, the Commission services chose to restrict the scope of the study to one set of cables. ‘Indoor cables’ were preferred because they had a more promising potential than ‘distribution/transmission cables’. This does not mean that the Commission services may not come back to ‘distribution/transmission cables’ in future.

**ECOS** encouraged the Commission services to complete the data collection for steam boilers as soon as possible, referring to the experience gained with similar issues (i.e. compressors) where consolidated data was collected at EU level.

**EHI** indicated that the collection of data for steam boilers is quite difficult because of the highly fragmented market where individual companies have major difficulties to deliver data for competition reasons. Nevertheless, they agreed to provide data consolidated at European level as it is a much easier and more practical exercise compared to individual data collection.

The **Commission services** agreed that data collection is an important issue which will have to be resolved.

### 16. TAPS AND SHOWERS (ENV)

The **Commission services** gave an update on the latest developments concerning the product group ‘Taps and showers’ included in the priority list of ecodesign WP 2012-2014. A preparatory study\(^6\) started in January 2013 and the final report is due in July 2014. Depending on the conclusions of the study, working documents could be prepared for discussion with the Ecodesign Consultation Forum in a meeting towards the end of 2014 or beginning of 2015.

**SE** highlighted the fact that functionality aspects of the product group are not being taken into account in the preparatory study, even though it is necessary to first define the service or the function of the product and then identify the energy efficiency for that function. The draft preparatory study is so far only considering the limitation of the water flow. In Sweden, two standards define the function of these products and identify the consumption of energy and water to provide that function. This example should be followed at European level. It would be preferable to take one or two additional years to complete the work rather than risk a strong opposition to any ecodesign/labelling measure based exclusively on the limitation of the water flow without any other consideration.

The **Commission services** indicated that this issue was discussed at length at the last stakeholder meeting in March 2014. The consultants have been asked to look into this issue in more detail and to organise more discussions with stakeholders before finalising the study. If the Swedish example were to be followed, the project would take much longer due to the lack of European standards in this respect.

### 17. WINDOW PRODUCTS (ENER LOT 32)

The **Commission services** gave an update on the latest developments concerning the ‘Window’ product group included in the priority list of ecodesign WP 2012-2014 with

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estimated primary energy savings at the level of 785 PJ. The preparatory study\(^7\) started in July 2013 and the final report is due in January 2015. The next stakeholder meeting is planned in October 2014 and will discuss MEErP Tasks 5-6. Depending on the conclusions of the study, task 7 and working documents would be discussed in an Ecodesign Consultation Forum meeting in the first semester of 2015.

**ECOS** indicated their preference for having Task 7 discussed in a study stakeholder meeting before the general discussion with Consultation Forum.

**CEN** commented that, as for ‘thermal insulation products’, there are existing harmonised standards for windows under the CPR, which include thermal transmittance and other relevant parameters. Some aspects of durability will be addressed and clarified in the future revision of the standards, which needs to be taken into account in the further development of the preparatory study.

The **Commission services** explained that the discussion on Task 7 has been planned to be integrated in the general discussion with the Consultation Forum to save time and resources due to the relatively short duration of the preparatory study. Concerning the existence of harmonised standards under the CPR, this is being taken into account in the preparatory study.

### 18. Other on-going issues (tolerances, etc.)

**Tolerances**

The **Commission services** gave an update on the latest development concerning ‘tolerances’ by indicating that there is a consensus between stakeholders (1) on the lack of clarity in the use of tolerances; (2) on a technical solution which circumscribes the use of tolerances for verification by market surveillance authorities and not for declaration by manufacturers and (3) on the solution to deal with this issue in legal terms i.e. through an omnibus amendment of concerned regulations.

The Chair explained that it is conceivable that as a consequence of the clarification in wording, products would have to be downgraded in the energy label scale, as has already happened with certain lighting products. However, he underlined that it is not the intention of the Commission services to ban, through the omnibus amendment of ecodesign measures, any products that the regulatory committee had not intended to ban when voting on the implementing measure in question. If manufacturers consider that such conflicts are likely in the case of their products, they are invited to come forward with evidence as soon as possible.

The **Commission services** intend to launch an inter-service consultation (ISC) on the omnibus amendment package as soon as possible.

The **Commission services** further insisted that the basic objective of the amendment exercise is to clarify the intended use of tolerances in the ‘verification procedure’, but not to review the values or the levels of the tolerances in this procedure.

**BE** asked for clarification concerning the situation of the lighting regulations within the omnibus amendment on tolerances.

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\(^7\) The project website is [http://www.ecodesign-windows.eu/](http://www.ecodesign-windows.eu/)
The **Commission services** made it clear that the lighting regulations will not be included in this amendment process as the issue of ‘tolerances’ was already considered for the lighting products: for labelling the changes were already incorporated and for ecodesign there are no changes as they would lead to the banning of products which the regulatory committee did not intend to ban.

**CEN/CENELEC** informed that a dedicated Task Force on tolerances had been set up within the Ecodesign Coordination Group of CEN/CENELEC. This group could be the interface with the other stakeholders and the Member States to provide guidance on the topic from a standardisation perspective.

The **Commission services** welcomed this initiative as it would indeed be necessary to clarify the role of tolerances included in the regulations also in the relevant standards.

**DK** appreciated that the Commission services are now taking measures to stop the unauthorised use of tolerances intended for use by market surveillance authorities and suggested to continue the work without any further postponement.

**IT** supported the DK position.

**EPEE** expressed also some concerns as to the setting of too stringent tolerances levels in the regulations.

**NL** indicated that the tolerances in the regulations (i.e. in the verification procedure) do not refer to manufacturer tolerances. The tolerances in the regulations are meant to cover the verification of the performance of a product which has to be tested by a different laboratory (on behalf of market surveillance authorities) than the original laboratory of the manufacturer. They are not meant to make a measure more lenient concerning the tolerances used in the production process.

**SE** suggested that the Commission services draft a 'guideline' to explain the agreed position on tolerances addressing the use of tolerances in declared values and indicating that the use of tolerances in production processes is not concerned.

The **Commission services** indicated that the relevant explanations and justifications on tolerances would be included in the recitals of the omnibus amendment regulation. If necessary, any further guidance would be developed after the adoption of the legislation.

The **Chair** concluded that the Commission services would continue the work on tolerances as presented given the support of the Consultation Forum.

**Other on-going issues**

On request of various members of the Consultation Forum, the **Commission services** gave a brief update on various on-going issues:

- On ventilation (ENTR Lot 6 / ENER Lot 10), the draft proposal for the energy label would be adopted upon approval by the hierarchy.
- On solid fuel boilers (Lot 15) and local space heaters (Lot 20), there was a meeting with the Regulatory Committee without vote earlier this year. A further meeting with the Regulatory Committee with vote is planned later in the year on those two product groups.
- On smart appliances (Lot 33), the preparatory study has not been yet launched.
On central heating products using hot air (Lot 21), the Impact Assessment report has been finished; the draft proposal would be available upon approval by the hierarchy.

On uninterruptible power supplies (Lot 27), the final report of the preparatory study is under evaluation by the Commission services; a meeting with the Ecodesign Consultation Forum is intended to take place in the 3rd quarter of 2014.

On TVs (Lot 5), the ISC may be launched before the summer break.

On external power supplies, the Commission services still need to decide if a full Impact Assessment report is needed; a more detailed timetable for this product group will be given after clarification of this issue.

On ovens, hobs and range hoods (Lot 22, Lot 23 and Lot 10), the transitional methods are intended to be published before the summer break.

On fans (Lot 11), the review study of Regulation 327/2011 has been launched; a website\(^8\) is available; the results of the review would be presented to the Consultation Forum by March 2015.

On medical imaging equipment, the status report 2013 on the self-regulatory initiative (SRI), run by COCIR, has been posted in the website of the study\(^9\) and is also available in the CIRCABC website.

19. AOB

IT questioned for how long the information required by ecodesign requirements has to be kept available for market surveillance authorities and asked the Commission services to organise a specific discussion on this issue.

The Chair indicated that the Commission services consider, as already indicated previously, that there are different ways to deal with this specific issue. For the Commission services, 10 years is a reasonable amount of time for most of the data to be provided according to the product information requirements. However, for some parameters, such as the end-of-life of products, this might not be sufficient. There are also questions related to whether the information is still going to be available for end users and in what form, etc. Another question is whether this issue should be considered in the context of the review of the directives on ecodesign and energy labelling or in the context of individual implementing measures (as the product information requirements might be different in the various measures and hence might require a different time frame for that information to be available).

EEB raised the issue of existing voluntary energy labels that are very similar in appearance to the mandatory EU energy labels but with quite different energy efficiency ranking methodologies. EEB spoke of an EUBAC label where electrical heaters, exempted from the mandatory EU energy labelling scheme, are getting an A+ level (the same level that heat pump technology is getting in the EU labelling scheme). This is confusing and misleading for end-users.

EUBAC indicated that a new label design (available since May 2014) has been developed respecting the legislation.

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\(^{8}\) www.fanreview.eu

\(^{9}\) http://www.cocir.org/site/index.php?id=46
NL indicated that the EU label could be considered as a kind of brand logo or name, and that there should be enough differentiation between the voluntary labels and the EU label to avoid confusion among non-expert end-users.

UK suggested sharing this kind of information with the energy labelling ADCO group.

The Chair indicated that beyond the need for national authorities to undertake appropriate market surveillance, it may indeed be useful to have such voluntary labels discussed within the labelling ADCO group. Moreover, he mentioned that the review of the energy labelling directive could be used to strengthen the rules for making use of the label.

Finally, the Chair gave an update on the timing of future meetings and thanked participants for their attendance and contributions.
## ANNEX – Attendance List

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<tr>
<th>COMMISSION SERVICES</th>
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<td>BELGIUM</td>
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<td>EPEE – European Partnership for Energy and the Environment (manufacturers of heating and cooling equipment)</td>
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