MINUTES

Meeting of the Consultation Forum under Article 18 of Directive 2009/125/EC on energy-related products

Review of Regulation 327/2011 on fans

Brussels, 30 April 2015 (10.00 – 16:00)

Participants: See “Attendance List” in Annexes

EC Participants: Robert NUIJ (Chairman), Marcos GONZALEZ ALVAREZ (ENER), Andreas WITDOUCK (ENER)

1. WELCOME AND PRESENTATION

The Chair welcomed the participants and indicated that the purpose of the meeting was to discuss the results of the review study regarding Regulation 327/2011 and the proposed draft Ecodesign Regulation updating it. The agenda was adopted without changes.

2. WORKING DOCUMENTS ON ELECTRIC MOTORS

After a presentation by the Commission services the documents were discussed by Member States and stakeholders.

2.1. Recitals

EVIA proposed to remove the wording “where the efficiency can be tested independently” from recital 5. This was opposed by DIGITAL EUROPE.

2.2. Article 1: Subject matter and scope

EPEE indicated that regulating fans integrated into other products covered by Ecodesign Regulations is counter-productive. In their opinion market surveillance cannot be carried out, it represents a disproportionate burden on SMEs, a significant cost increase on their products, only small gains in terms of energy efficiency and it leads to a misalignment of tiers. EHI and DIGITAL EUROPE supported EPEE.

IT indicated that they are against covering products integrated into other energy-related products. They invited the Commission Services to further assess if horizontal or vertical legislation is to be used.
SE mentioned that from a market surveillance point of view, covering fans integrated into other products is not problematic. They considered the proposal clear. ECOS added that in Regulation 327/2011, fans integrated into other products are already covered. It is not possible to make a distinction between these fans as the producer cannot know where the fan is going to end up. They said that no proof has been provided showing that a product integrating a non-compliant fan will be more efficient. UK said that they don’t support excluding products integrated into other energy-related products from the scope. DE supported this statement and added that they can support exemptions based on technical reasons. DK, NL, AT, BE and FR also expressed their support for the current proposal covering fans integrated into other energy-related products.

AMCA said that industry has worked hard to comply with Regulation 327/2011. They said that excluding fans integrated into other products would be a retrograde step which would mean that low efficiency fans would need to be reintroduced in catalogues leading to serious problems for the fan industry, including closure in some cases.

CECED stated that, although they appreciate the step towards introducing exclusions based on case-by-case evaluations, they consider that the full category of products already covered by Ecodesign measures should be exempted when setting component specific measures. They added that the focus should be on working with the Member States (and surveillance authorities) to avoid creating loopholes when exclusions of categories (such as the products covered by Ecodesign measures) are made.

UK asked for alignment of the wording regarding the exclusion from the scope of fans used in nuclear installations with the draft motor Regulation.

EUROVENT asked for an exemption for fans used in cooling towers. They consider that impact of the current draft would be negative as it could compromise the efficiency of the heat transfer. They proposed excluding fans dealing with a mixture of air and liquid water. BE indicated that cooling towers are large products that could be included in lot 21 (air heating products, cooling products and high temperature process chillers).

SE and ECOS indicated that the exclusion for fans integrated into range hoods is unnecessary. This was supported by EVIA and HU. IT mentioned that these fans operate a limited number of hours and covering them would mean that small range hoods cannot be produced anymore. NL asked the Commission services to look into the issue again during the Impact Assessment. CECED said that the Regulation on range hoods is already driving the market towards more efficient products. The Commission services said that the reasoning for the exclusion was the low number of operating hours of these fans which makes the requirements under the fan Regulation not optimal for them from a life cycle cost point of view; they added that they would re-evaluate the issue during the Impact Assessment.

DIGITAL EUROPE indicated that the provision allowing for the placing on the market of replacement fans not complying with the Regulation for 5 years after requirements have entered into force should be changed. The “repair as produced” principle used in RoHS should be used. This was supported by EPEE that added that to fulfil the needs of their clients they need to make estimations about the number of spare parts that will be needed; this can only be done when a product is mature in the market so they risk either unnecessary stock of fans or
having shortages. **EHI** also supported this and mentioned that the durability of products needs to be ensured. **CECED** also supported previous statements. **BE** mentioned that Ecodesign is not RoHS and indicated that a full exemption for spare parts might be exaggerated, asking for more quantitative data. **EUROVENT** said that the market practice regarding spare parts is 10 years and this has already been used in other legislation such as Ecolabelling. **ECOS** said that the whole concept of Ecodesign is market transformation and added that spare parts only represent between 1% and 2% of the market. **HU** said that 5 years might not be enough. **NL** indicated that spare parts are only a small percentage of the market and they shouldn’t become a loophole in the Regulation and added that the US uses a registration system for spare parts. **IT** said that a whole machine shouldn’t be changed due to a spare part; the nameplate of the product could include a text indicating that it is a spare part. **DK** also shared the concerns regarding the exclusion of spare parts. **UK** mentioned that a look at the market could be useful for taking decisions on spare parts and that a relevant review clause could be included.

**DE** asked for a change in the wording of Article 1, point 3 “specified to operate exclusively” and proposed an alternative text “specially designed to operate in”. This was supported by **EVIA**.

**EVIA** made specific comments regarding the problems of SMEs operating in the industrial sector for complying with requirements if limit values for some exclusion are not changed. They proposed to change the dust load and particle size for excluding fans handling solid particles. They also proposed to revisit the hardness levels used for abrasive substances and redefining radial fans and having an allowance for high pressure fans. **ECOS** said that some of the concerns indicated by **EVIA** are already covered by the provisions regarding speed and pressure limits. The **Commission services** said that they will welcome further proposals on the topic in the written comments.

### 2.3. Article 2: Definitions

**EVIA** said that the definition of VSD should be changed and indicated that the equation used for defining a “low noise fan” only applies to axial fans, so that definition should also be updated. The **Commission services** indicated that the formula for defining low-noise fans and its definition will be re-examined.

### 2.4. Article 3: Ecodesign requirements

**EVIA** indicated that the factor to be used for dual use reversible fans should be 0.81 and added that dual-use fans are only used in emergencies during a short period of time.

**EPEE** and **DIGITAL EUROPE** asked for an alignment of tiers regarding the different Regulations that apply to their products. **NL** said that from a practical point of view industry should seek for alignment of tiers themselves, adding that it agreed with the principle of aligning tiers and this could be included in the revision of the Regulation. **IT** also supported the alignment of dates for the coming into force of requirements and asked the **Commission services** to analyse the issue during the Impact Assessment. **CECED** also considered the alignment of dates fundamental.
2.5. Article 7: Revision

EVIA said that the currently used efficiency at best efficiency point (bep) would be re-evaluated within standardisation and that analysing the use of a different metric could be assessed during the review. They asked for at least one year between the date of coming into force of requirements and any review that could take place. NL showed support for a universal approach that would take into account the different applications of the fan. DIGITAL EUROPE said that how fans work within different products should be evaluated in the review. The Commission services indicated that the current intention is issuing a mandate asking for standards taking into account not only the bep for determining the efficiency of a fan once the Regulation is finished.

SE asked for the inclusion on the review clause of an analysis for reducing the number of fan types and extending the scope to smaller fans. This was supported by ECOS.

EUROVENT noted that the proposed level of requirements is very stringent and close to the limits that can be achieved using the current metric.

2.6. Article 8: Entry into force

NL said that the current Regulation should be repealed in a specific article. ECOS mentioned that the wording needs to be changed in order to keep the current requirements in force until new requirements start to apply. DE said that the repeal clause needs to be reworded and that a transitional period should be granted regarding Declarations of Conformity under the current Regulation in order to avoid problems in the market. IT proposed to look at other existing Energy Labelling Regulations in order to find a solution to the transitional periods. The Commission services agreed to redraft the current text to make it more clear in this respect.

2.7. Annex I: Definitions

EVIA and EUROVENT commented on specific definitions, including the different measurement categories and fan efficiency. They added that specific proposals are included in their written comments.

2.8. Annex II: Ecodesign requirements for fans

ECOS said that the 5kW threshold used in the minimum efficiency requirements for forward curved centrifugal fans leads to a discontinuity in requirements and should be deleted. EPEE mentioned that they supported the 5 kW threshold as forward curved fans are used in equipment with such powers. SE asked for a reduction of the threshold to 300 W. DIGITAL EUROPE also supported the 5 kW threshold. EUROVENT indicated that forward curved fans with relatively high power input are used for instance in air handling units. AMCA shared EUROVENT position. The Commission services indicated that the 5 kW limit is proposed in recognition of the fact that there are products that need to use forward curved fans in this power range, they added that indeed it created a “boundary” on the applicable requirements.

EVIA asked for a change in the slope for axial fans and reiterated their position that these fans should be redefined as backward inclined fans. They also mentioned that the proposals
regarding jet fans would take out of the market all car park ventilation fans and these should be reassessed. This was supported by AMCA.

2.9. Annex III: Product information requirements

EVIA stated that percentages instead of absolute values should be used for the purposes of product information, as this is the current practice in the market. They also mentioned that the text of the information requirements regarding VSD should be reduced in order to allow it to fit on the rating plate of small fans. The Commission services indicated that a similar problem was raised regarding electric motors which led to publishing Regulation 4/2014 amending the original Regulation.

EVIA asked whether the requirements have to be provided in a determined order. NL replied that the order is important for market surveillance authorities as it makes it easier for them to find the information to be checked. This was supported by SE.

IT mentioned that the information requirement regarding permanent magnets should only be indicative in order to make it clear that it only applies to fans using motors with permanent magnets. EUROVENT pointed out that not all permanent magnets use rare earth materials; there are products using ferrite, so they asked for inclusion of the type of material used for the permanent magnet. BE asked for narrowing down the requirement to permanent magnets for which the information is relevant (those using rare earth materials). HU and DE supported this comment. ECOS indicated that the WEEE Directive refers to Ecodesign for the purposes of providing this type of information. EPEE and NL seconded this comment. The Commission services indicated that there was a wide support from the Consultation Forum regarding this requirement and that they will adapt the proposal taking into consideration the input received.

UK said that an additional information request should be added for low-noise fans.

2.10. Annex IV: Verification for market surveillance purposes

EVIA asked for an alignment of the tolerances to be used. SE also commented on this and supported a 7% tolerance value. DE asked for the inclusion of a standard wording regarding the use of tolerances and indicated that the market surveillance approach for big fans should be analysed. BE and NL supported the DE comments.

2.11. Annex V: Measurement and calculation methods

EVIA reiterated that radial fans should be called backward inclined fans and that the angle to be used for defining them should be between $0^\circ$ and $40^\circ$.

2.12. Annex VI. Indicative benchmarks

ECOS mentioned that the benchmark used for cross flow fans is not in line with the minimum requirement, as it is lower. The Commission services replied that there is a mistake in the value provided as minimum requirement that will be corrected.

EVIA indicated that the efficiencies indicated are too high and can only be achieved under ideal conditions.
3. AOB

No comments were raised by participants.

The Chair ended the discussion, thanked participants and requested any further feedback and data from stakeholders by 29 May 2015 at the latest.

ANNEX – Attendance List

Commission Services
Austria
Belgium
Czech Republic
Germany
Denmark
Finland
France
Hungary
Italy
The Netherlands
Sweden
Slovakia
The United Kingdom
AMCA
CECED
CEN/CENELEC
DIGITAL EUROPE
ECOS
EHI
EPEE
EPTA
EUNITED CLEANING
EUROVENT
EVIA
HKI
ORGALIME
VHK