



EUROPEAN COMMISSION

*Brussels,  
C/2009/*

*Dear Mr. Sobotka ,*

*Thank you for your Resolution on COM(2008)399 on the Directive establishing a framework for the setting of ecodesign requirements for energy related products.*

*In line with the Commission's decision to encourage National Parliaments to react to its proposals to improve the process of policy formulation, we welcome this opportunity to respond to your comments. I enclose the Commission's response. I hope you will find these a valuable contribution to your own deliberations.*

*I look forward to developing our policy dialogue further in the future.*

*Yours sincerely*

*Margot WALLSTRÖM  
Vice-President of the European Commission*

*Mr. Přemysl Sobotka  
President of the Senate  
of the Parliament of the Czech Republic*



EUROPEAN COMMISSION

Brussels, March 2009

**COMMENTS OF THE COMMISSION ON AN OPINION FROM  
THE CZECH SENATE**

**COM(2008)399 – DIRECTIVE OF THE EUROPEAN PARLIAMENT AND THE  
COUNCIL ESTABLISHING A FRAMEWORK FOR THE SETTING OF ECODESIGN  
REQUIREMENTS FOR ENERGY RELATED PRODUCTS.**

The Commission would like to thank the Senate of the Czech Republic for the resolution on the Proposal for a Directive of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy related products.

The resolution of the Senate focus on two points of concern:

- a) The first one requests a clarification of the definitions "energy related products" and "an impact on energy consumption".
- b) The second relates to the "quantification of social, economic and environmental impacts of the extended scope of the Directive".

The Commission wishes to shed some light on these points:

*1.1.1. a) Clarification of the definitions "energy related products" and "an "an impact on energy consumption"*

The proposal for the extended Ecodesign Directive aims to cover **any** energy related product, that is to say any product having an impact on energy consumption during use. But energy related products without a significant environmental impact, a significant potential for improvement and a significant volume of sales and trade (indicatively more than 200,000 units a year within the Community) would not be subject to ecodesign requirements.

A<sub>[e]</sub> product has an impact on energy consumption during use as soon as its use can reduce or increase the energy consumption of the user. This definition includes energy-using products, but also products that do not consume energy but have an impact, even indirect, on energy consumption. A window, for example, according to its thermal insulation capacity, can contribute to increase or reduce the energy needed to heat a dwelling, and therefore has an

impact on the energy bill. Some water-using products like efficient shower heads or taps can also contribute to consume less water and thus reduce the energy needed to heat water.

1.1.2. *b) "Quantification of social, economic and environmental impacts of the extended scope of the Directive"*

The current framework Directive 2005/32/EC covers **any** energy-using product, namely any "product which is dependent on energy input to work as intended". However, article 15 of the Directive, which is not modified by the recast, specifies that **only** products which have a significant environmental impact, a significant potential for improvement and a significant volume of sales and trade (indicatively more than 200,000 units a year within the Community) can be addressed by implementing measures setting ecodesign requirements (such as a minimum level of energy efficiency). Others are still covered by the Directive but are not submitted to specific requirements because they do not fulfil article 15's criteria.

The potential environmental impact of the extended scope of the Directive is therefore significant. Many energy related products, such as windows, insulation materials, some water-using products, could allow energy savings through better design, which would lead to economic savings for businesses and end users.

The social and economic impact shall not be negative. Article 15 § 5 of the current framework Directive 2005/32/EC, which is not modified by the recast, specifies that ecodesign requirements prepared by the Commission for a given product shall not have any negative impact on consumers, in particular as regards affordability of the product, and on industry's competitiveness and administrative burden. Furthermore, **all implementing measures on specific products adopted under the framework Directive will be subject to a detailed impact assessment.**

The implementation of the framework Directive by the Commission is key to address products which really impact on the environment and offer a potential for improvement through better design, while avoiding creating red tape or generating an increase in prices of common goods for consumers. Furthermore, the Commission adopts implementing measures assisted by a Regulatory Committee composed of representatives of the Member States, and under the right of scrutiny of the European Parliament and the Council.