



EUROPEAN COMMISSION

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C(2016) 382 final

Dear President,

The Commission would like to thank the Camera Deputaților for its Opinion concerning the proposal for a Regulation of the European Parliament and of the Council setting a framework for energy efficiency labelling and repealing Directive 2010/30/EU {COM(2015) 341 final}.

As part of the Energy Union strategy, the Commission presented in July 2015 proposals to deliver a new deal for energy consumers, to launch a redesign of the European electricity market, to update energy efficiency labelling and to revise the EU Emissions Trading System. The package is an important step towards implementing the Energy Union strategy with a forward looking climate change policy, launched as one of the political priorities of the Juncker Commission in February 2015.

The Commission would like to underline that 'Energy efficiency first' is a central principle of the Energy Union strategy because it is an effective way to cut emissions, bring savings to consumers and reduce the EU's fossil fuel import dependency. Energy labelling is an important part of the Commission's energy efficiency policy. Since its introduction twenty years ago, the success of the EU energy label has encouraged the development of ever more energy efficient products. As a result, the energy labels need updating as many models are in the highest classes, providing no differentiation for consumers. In the revision of the Energy Labelling Directive in 2010 the addition of A+, A++ and A+++ classes to the A-G label scale was meant to address this issue. However, the Commission's review has shown that these classes are less effective in persuading consumers to buy more efficient products than the A-G scale.

The Commission therefore proposed returning to the original A to G energy label scale and periodically rescale it. In addition, the proposal addresses non-compliance through the establishment of a product registration database, in which suppliers would register their product information and compliance data. The Commission's proposed revision of the energy labelling framework ensures coherence and continuity, and makes sure consumers are able to make more informed choices that will help them save energy and money.

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The Commission welcomes the Camera Deputaților's broad support for the aims of the proposal but notes its concerns about potential fraud with energy labels. The Commission takes these concerns seriously and notes in this respect that the Council has added in its general approach a clause preventing the use of defeat devices or similar ways to automatically alter the performance of products in test conditions. In response to the more technical comments in the Camera Deputaților's Opinion the Commission would like to refer to the attached Annex.

The Commission would like to add that the points made in this reply, including the specific comments in the Annex, are based on the initial proposal presented by the Commission, which is currently in the legislative process involving both the European Parliament and the Council in which the Romanian government is represented. The Council reached a general approach under the Luxembourgish Presidency on 26 November 2015 and the European Parliament is expected to deliver its opinion in the first half of 2016. The Commission remains hopeful that an agreement will be reached in the course of this year.

The Commission hopes that these clarifications address the issues raised by the Camera Deputaților and looks forward to continuing our dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Miguel Arias Cañete
Member of the Commission*

ANNEX

The Commission has carefully considered each of the issues raised by the Camera Deputaților in its Opinion and is pleased to offer the following clarifications.

Consultation of experts: The suggestion to consult experts is addressed in the proposal. Article 10 introduces a Consultation Forum, which the Commission has to consult in respect of each delegated act and which consists of experts from Member States and interested parties concerned with the product group in question. In addition, as referred to in recital 20 of the proposal, already before the consultation of the members of the Consultation Forum, a technical, environmental and economic analysis of the product groups concerned is to be carried out. This is done by independent experts and is open to involvement of experts from Member States and interested parties.

Actual energy consumption: The Commission proposal allows for the provision of supplementary information on the label, which, as specified in Article 2(20) may include absolute energy consumption. The suggestion to display a reminder that the actual energy consumption may deviate from this figure is difficult to address from a practical point of view, because it is not possible to cover all EU languages on the label for such a reminder.

Voluntary labels: The suggestion to tackle harmonisation at EU level of voluntary labels is addressed indirectly by the Commission proposal: mandatory EU labels replace some voluntary labelling initiatives by Member States or industry, where it is considered beneficial to regulate the product group at EU level. Moreover, the Commission proposal makes sure through its provisions in Article 3(c) and (d) that voluntary labels do not mislead or confuse customers with respect to the consumption of energy and that they do not mimic the EU energy label.

TTIP (Transatlantic Trade and Investment Partnership): As to the suggestion to inform the public on the connection between the proposal and TTIP, at this stage the Commission can only say that renewable energy and energy efficiency are issues being looked at in the context of TTIP. There has not been any decision yet if and how these issues would be covered. In this context it is also important to note that the US 'EnergyGuide' label differs to a great extent from the EU energy label: it does not have classes, indicates estimated yearly operating cost and uses language to provide additional information.