

(C) Main recommendations for improvements

(1) Clarify the scope of the report. The report should clarify that this impact assessment supports a new legislative proposal on energy labelling and that the future of the ecodesign directive and any related work plans on new products to be covered is outside its scope.

(2) Clarify the impacts. The report should explain why an EU action on ecodesign and energy labelling brings down the costs of national action to achieve energy efficiency targets if only savings exceeding those by ecodesign can be counted towards Member State obligations. It should explain how the effectiveness of the measures proposed under ecodesign and energy labelling is affected when products are frequently replaced before the end of their lifetime. The report should clarify if any mitigating measures for vulnerable consumers can be foreseen, including by Member States. In addition to net savings, the report should inform about the costs of energy saving potential from the existing implementing regulations as well as from adding new products.

(3) Elaborate the market surveillance issues. The report should explain why the new market surveillance regulation is not expected to improve compliance of the two directives given that it removes overlaps of enforcement provisions with sector-specific product legislation. Are ecodesign and energy labelling directives excluded from the scope of the market surveillance regulation? In addition, it should explain why an option to establish a benchmark for a sufficient level of market surveillance is not considered to improve the enforcement by Member States, as such benchmarks exist in other areas (e.g. CEN standards have been developed on minimum sampling regimes to ensure product quality such as petrol and diesel, Directive 98/70/EC). The report should reflect the digital dimension in enhancing the market surveillance, for example, by considering an option to develop a mobile app for consumers to check the product registration in the database and to report its absence to competent authorities.

Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report.

(D) Procedure and presentation

(E) IAB scrutiny process

Reference number	2013/ENER+/036
External expertise used	No
Date of IAB meeting	Written procedure An earlier version of this report was submitted to the IAB in 8 May 2015, for which the Board issued an opinion on 5 June 2015.