



EUROPEAN COMMISSION  
Impact Assessment Board

Brussels,  
D(2014)

## Opinion

### Title

**DG ENER – Impact Assessment on a Proposal for a Commission Regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to Ecodesign requirements for air heating products, cooling products and high temperature process chillers**

**(draft version of 11 February 2014)\***

### **(A) Context**

Directive 2009/125/EC (Ecodesign Directive) establishes a framework for the setting of Community ecodesign requirements for energy-related products while ensuring the functioning of the internal market. For products representing a significant volume of sales and trade, having a significant environmental impact, and presenting significant potential for its improvement, the Commission is empowered to adopt implementing measures laying down ecodesign requirements following a specific regulatory and consultation process. Air heating products, cooling products and high temperature process chillers have been analysed in several studies (endorsed by stakeholders) that concluded that those products comply with the criteria set in the Ecodesign Directive and are candidates for the adoption of ecodesign requirements. This initiative complements measures covering ecodesign requirements for space heaters and combination heaters (Regulation 813/2013) and for heating products using solid fuels, local space heaters and other process chillers (Regulation 206/2012).

### **(B) Overall opinion: POSITIVE**

**While the overall opinion is positive, the report still needs to be improved in a number of respects. First, the report should provide a clearer overview of the different market actors within the sector, and present further evidence to demonstrate that the purchase decisions of business clientele are not based on the life cycle costs of air heating and cooling products. Second, the report should provide a clearer assessment of the feasibility of implementing the three sub-options within the period outlined (tiers 1 and 2) and transparently present the views of different stakeholder groups in relation to timeframes proposed and stringency of the requirements. Third, the report should better demonstrate the proportionality of the preferred option, and more convincingly present the impacts of the new requirements upon businesses, SMEs, and employment levels within the sector. Finally, the report should clarify how the proposed standards compare to those in third countries.**

**In their written communication with the Board DG ENER accepted to amend the report along the lines of these recommendations.**

\* Note that this opinion concerns a draft impact assessment report which may differ from the one adopted.

### **(C) Main recommendations for improvements**

**(1) Better define the problems.** The report should clearly explain how the present initiative compares in level of ambition to the standards set out in third countries. A much clearer overview of the different market participants, the number of manufacturers and proportion of SMEs operating within the EU should be provided. It should clarify which Member States are primarily concerned. The approximate share of imports in the value added of the sector should be clarified. The report should provide further evidence demonstrating that purchase decisions are not based on life cycle costs, especially given the high price of energy, and the fact that the target market for these products are often profit-maximizing business with sophisticated technical knowledge (as argued when discarding the labelling option later on).

**(2) Better describe the contents of the options and justify their rationale.** The report should clarify the measures and requirements proposed under each sub-option and explain the information requirements and the minimum and maximum energy efficiency requirement levels that will be set. The report should clarify whether new requirements would apply only to new products. Where existing products already installed will have to be replaced, the report should clarify the proportion of total products concerned for each of the options. The report should, on the basis of available evidence (namely the capacity to design and test new products), provide a clearer assessment of the feasibility of implementing the three sub-options within the period outlined (tiers 1 and 2). The report should also provide a clear analysis of the views of stakeholders in relation to timeframes proposed, the feasibility of implementing the three sub-options within the period outlined, and the implementation of the more stringent requirements of sub-option A.

**(3) Strengthen the assessment of impacts.** The report should more transparently present the compliance costs of the different options for businesses and SMEs along the value chain, both inside and outside the EU. It should better assess how production costs and business' levels of profitability will be affected. The report should also reinforce the analysis of the expected employment impacts, the magnitude of the impacts, and assess where increases, but also decreases in employment are likely to take place. The assessment of the impact on competitiveness should also be strengthened on the basis of strengthened presentation of the structure of the industry, and on the basis of a better assessment of the options' compliance costs. The need for further training in the relevant professions should also be assessed.

*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**

The report should present stakeholders' opinions throughout the main text; in particular, in the options and impacts sections. The analysis should generally be made more accessible to the non-expert reader.

### **(E) IAB scrutiny process**

Reference number	2013/ENER/013
External expertise used	No
Date of IAB meeting	Written procedure (19 February 2014)

