

**Brussels, 29 November 2013**

## **RESPONSE TO ECOFYS ONLINE SURVEY ON THE EVALUATION OF THE ENERGY LABELLING DIRECTIVE AND CERTAIN ASPECTS OF THE ECODESIGN DIRECTIVE**

### **SECTION 1: ENERGY LABELLING AND ECODESIGN**

**Question 1.1:** Overall, do you think that the Energy Labelling and Ecodesign Directives have achieved energy savings consistent with economic technical potential (potential savings that are technologically possible at reasonable cost)?

*Possible answers:*

- a: Yes, it has exceeded the potential*
- b: Yes, it has met the potential*
- c: No, it has been successful but there is missed potential*
- d: No, there is significant missed potential*
- e: Don't know*

**Orgalime answer:**

For Ecodesign Directive, we “do not know”. For Energy Labelling Directive, “yes, it has met the potential”.

**Orgalime comment:**

The Ecodesign Directive’s scientific based life cycle approach has led to the identification of the most significant parameter of energy related products being energy efficiency in the use phase. Overall, these energy efficiency potentials are addressed in consistency with economic and technical potentials. However, the market has not sufficiently transformed yet. A positive answer to this question would therefore have needed a more rapid response of the market, i.e.: from the consumer.

More experience is available for the Energy Labelling Directive. Here, we see indeed positive effects and satisfactory consistency of savings and economic and technical feasibilities for several product groups.

**Question 1.2:** Do you think that the Energy Labelling and Ecodesign Directives need to be changed to achieve energy savings that are closer to the full economic technical potential?

*Possible answers:*

- Yes*
- No*
- Don't know*

**Orgalime answer:**

For Ecodesign, “no, we think there is no need to change.” For Energy Labelling Directive, “we don’t know”.

**Orgalime comment:**

For Ecodesign, any weaknesses that we have identified relate to the implementation of the Directive, not the Framework Directive itself. Therefore, we do not see a need to change the Framework Directive.

For the Energy Label, alignment and coordination with the Ecolabel and GPP instruments (especially for non-energy related aspects) would be helpful. Any other parameter shall in any case be relevant, measurable, enforceable, supported by standards, bring significant environment benefit without hampering industry’s competitiveness, and the Energy Labelling Directive should allow for a dynamic system with sufficient flexibility for best performers.

The discussion on the open scale should however not end up in a requirement to relabel products that have been legally placed on the market.

---

*Orgalime, the European Engineering Industries Association, speaks for 38 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 23 European countries. The industry employs some 10.3 million people in the EU and in 2012 accounted for some €1,840 billion of annual output. The industry not only represents some 28% of the output of manufactured products but also a third of the manufactured exports of the European Union.*

---

[www.orgalime.org](http://www.orgalime.org)

Finally, labelling is not the most appropriate tool for providing product information in the area of industrial products in business-to-business relationships (“B2B products”). The scope of the Directive needs to continue to reflect this.

**Question 1.3: Are the Energy Labelling and Ecodesign Directives coherent (contradictory, mutually supportive) with other EU policies and objectives?**

**Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

For both, Ecodesign and Energy Labelling Directives, we think “yes, the two Framework Directives are coherent with other EU policies and objectives”.

**Orgalime comment:**

The Ecodesign and Energy Labelling Directives are generally coherent and work well together in terms of having led to the identification of the most significant environmental parameter (i.e.: energy consumption in the use phase) and in addressing the energy efficiency potential of energy using products in the use phase.

As regards their implementation, the tiers for ecodesign requirement and energy labelling should be synchronised to avoid misunderstandings by the consumer.

However, other pieces of EU environmental legislation are not coherent with the Ecodesign and Energy Labelling Directives and continue to act in isolation from the (findings of the) Ecodesign Directive. This is especially true for the setting of further substance restrictions under RoHS and/or REACH, which may increasingly interfere with energy efficiency requirements of products. The link to substances and their impact on energy efficiency performance could therefore be better taken into account.

It is however also true for the implementation of the EU's Resource Efficiency Policy, which suggests the setting of additional resource efficiency requirements on products under Ecodesign Directive. Instead of such an approach, a thorough and sound implementation of the Recast WEEE Directive has in our view to be the priority for the implementation of the Resource Efficiency Roadmap. To improve WEEE management, the major challenge is to ensure a proper transposition and implementation of the Recast WEEE Directive (WEEE2), especially in the areas of collection and treatment standards. Improving collection matters significantly, as only about one third of WEEE is coming back in official WEEE management schemes today. The establishment of WEEE treatment standards also matters significantly to improve proper end of life recycling, recovery of WEEE in a fair, non-discriminatory, competitive level playing field. We cannot see the significance of the improvement potentials of the suggested additional resource efficiency requirements (such as on the recyclability, recoverability, dismantability or reusability of products) considering the reality of WEEE management and remaining challenges today, while being concerned about the possible negative impacts of such an approach, including to favour the use of certain raw materials in products against others. Considering that raw material input accounts for some 45% of input costs for manufacturing of engineering products, competitiveness impacts would be imminent.

## **SECTION 2: ENERGY LABELLING DIRECTIVE**

**Question 2.1: Energy Labels are currently (or soon to be) mandatory for the following range of product groups. For each of the following product groups, please indicate if these were the most appropriate product groups to select for Energy Labelling.**

**Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

Overall, Orgalime believes “yes, the most appropriate product groups have been selected”.

**Orgalime comment:**

All in all, we support the outcome of the selection of product groups. However, where energy labelling treads into product groups, for which the energy efficiency performance depends on how these products are incorporated in a wider system (e.g.: boilers), we do not consider that energy labelling is the best tool to provide information on the energy performance of that product.

A focus on pure “plug and play” equipment seems most appropriate to us.

**Question 2.2: In retrospect, which other product groups (if any) should have been labelled:****Possible answers:**

- a: Yes, and should still be labelled
- b: Yes, but labelling is no longer relevant
- c: No, but should now be labelled
- d: No, and still should not be labelled
- e: Don't know

**Orgalime answer:**

Orgalime believes that “electric motors, ventilation fans, circulators in buildings, electric pumps, motors and variable speed drives should not be labelled” (answer d).

**Orgalime comment:**

Today, Energy labelling focuses on mass products and is considered as a useful tool for the environmental product information in the area of consumer goods. Labelling should not be imposed in the area of professional goods, especially not on components. Labelling requirements on components could easily result in forcing the manufacturer of finished goods to use certain components only, which could be suboptimal for the product's global design in terms of innovation. Such an approach could then be detrimental to the innovation capacities and competitiveness of such manufacturers. Instead, it should remain the responsibility of the manufacturer of the finished good, to ensure that his product as a whole fulfils any product requirement, including possible eco design requirements adopted under the Eco design Directive  
See also comment to previous question 2.1.

**Question 2.3: Has the correct level of ambition in product energy efficiency classification been set for the mandatory energy labels for the following product groups, taking into account economic technical potential, innovation and market developments?****Possible answers:**

- a: Much too high ambition
- b: Too high ambition
- c: Correct ambition
- d: Too low ambition
- e: Much too low ambition
- f: Don't know

**Orgalime answer:**

Overall, we believe that “the correct level of ambition has been set.” (answer c)

**Orgalime comment:** All in all, we support the chosen level of ambition, notwithstanding that, for some product groups, the level has been more ambitious, while less ambitious for others

**Question 2.4: How effective are the EU energy labels, or are they expected to be, in improving the energy efficiency (energy use per specific service/capacity unit, for example X kWh/standard wash cycle) of new products placed on the market in the following product groups?****Possible answers:**

- a: Very effective
- b: Effective
- c: Neutral
- d: Ineffective
- e: Very ineffective
- f: Don't know

**Orgalime answer:**

Overall across all product groups, we believe that “the energy label has been effective in improving energy efficiency” (answer b).

**Orgalime comment:**

All in all, we see the EU energy label as effective, notwithstanding that, for some product groups, the effectiveness was very high, while less high for others

**Question 2.5: How effective are the EU energy labels, or are they expected to be, in reducing the energy consumption of new products placed on the market in the following product groups?****Possible answers:**

- a: Very effective
- b: Effective
- c: Neutral
- d: Ineffective
- e: Very ineffective
- f: Don't know

**Orgalime answer:** Neutral (answer c).

**Orgalime comment:**

Through raising awareness and informing consumers on energy consumption of products, the energy label contributes to decrease energy consumption of products.

The energy performance of an appliance ties in with both, its size and frequency of use. When setting requirements, for eco design or labelling, we ask for setting requirements that are not discriminating small or big appliances.

**Question 2.6:** Some labels also provide information on other product- specific parameters. Please rate the overall effectiveness of energy labels in improving the following parameters for new products:

**Possible answers:**

a: Very effective

b: Effective

c: Neutral

d: Ineffective

e: Very ineffective

f: Don't know

**Orgalime answer:** Overall across all product groups, we believe that “the information on other product specific parameters has been effective” (answer b), e.g.: noise (for Washing Machines and Dishwashers), water use (for Washing Machines and Dishwashers), capacity/size, product specific output efficiency (for example, spin drying efficiency class).

**Question 2.7:** Energy labelling currently focuses primarily on energy efficiency – as the rating and scale is based on an index of energy use per specific service/capacity unit, for example for televisions the power consumption per screen size expressed in W/dm<sup>2</sup>. Energy consumption is also currently displayed on labels as a numeric (x kWh/year) value. What should be the focus in future?

**Possible answers:**

Only on energy efficiency

Mainly on energy efficiency (existing focus)

On both energy efficiency and energy consumption

Mainly on energy consumption

Only on energy consumption

Other: please specify

Don't know

**Orgalime answer:** Orgalime believes that “the existing focus on mainly energy efficiency shall be maintained”.

**Orgalime comment:**

The focus on energy efficiency is one of the strengths of the Energy labelling. Indeed, a focus on energy efficiency allows the taking into account of technical specificities related to the functionality of the product, such as volume and size. This guarantees a balanced and fair way of ranking appliances. On the contrary, the absolute consumption would provide a limited range of information about the different performance and characteristics a product can offer, while risking leading to unfair competition and discrimination of larger appliances against smaller ones.

**Question 2.8:** How effective has energy labelling been in increasing the proportion of consumers that are informed about product energy use?

**Possible answers:**

Very effective

Effective

Neutral

Ineffective

Very ineffective

Don't know

**Orgalime answer:**

Orgalime believes that “the energy label has been effective in increasing the proportion of consumers informed about the energy use of products”.

**Orgalime comment:**

This does, however, not mean that increased awareness also translates into respective buying decisions.

**Question 2.9:** How effective has energy labelling been in leading to consumers taking greater account of energy use – as compared to price, size, design, functionality - in their product purchase decisions?

**Possible answers:**

Very effective

Effective

Neutral

Ineffective

Very ineffective

Don't know

**Orgalime answer:**

We “do not know”.

**Orgalime comment:**

Buying decisions are naturally influenced by individual situations and the consumer’s needs, while overall price considerations appear to us of significant importance.

**Question 2.10: What do you think of the following statements regarding the effectiveness of the scale of the EU energy label?****Possible answers:**

A: Strongly agree

B: Agree

C: Neither agree nor disagree

D: Strongly disagree

E: Don't know

**Orgalime answer:**

	A	B	C	D	E	F
Consumers understand the current (A-G) + 3 (A+++ , A++ , A+) class system	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
An A-G class scale is easier for consumers to understand than The A+++ -D class scale	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current energy label classes provide a clear and useful differentiation of product energy efficiency	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Classes are coherent with Ecodesign minimum requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
The current classifications need to be changed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Consumers understand the seasonal and regional information provided in the energy label on air-conditioners	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Orgalime comment:**

The questionnaire does not foresee an answer of “disagree” for this question.

We support the open scale since it provides certain flexibility and incentives for best performers as well as the current label that is generally language neutral.

While the framework Directives are coherent, it is not always the case for the implementation: the tiers for ecodesign and energy labelling requirement should be better synchronized. A better coherence between the ecodesign requirements set and the label efficiency class thresholds would help to make the legislation more effective and will avoid misunderstanding by the consumer and retailers

**Question 2.11: What do you think of the following potential improvement options for the current A-G, A+++ , scales of the energy labels?****Possible answers:**

A: Strongly agree

B: Agree

C: Neither agree nor disagree

D: Disagree

E: Strongly disagree

F: Don't know

**Orgalime answer:**

	A	B	C	D	E	F
Adding further + classes, for example A++++	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Re-setting all classes to an A-G scale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Re-setting all classes to an A-G scale with an overlap in the market between old 'A' and new 'A' label	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
Re-setting all classes to an A-G scale with a dated (year) reference on the label	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Re-setting all classes to a 1-7 scale that takes over from A-G, in order to avoid overlap in the market between 'new' and 'old' A classes if the A-G scale was retained but rescaled	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Introducing an A-'X' label with less than 7 classes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Introducing a dynamic class rating system, which automatically adjusts over time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Moving to an open ended scale	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Removing or indicating on the label the energy classes that are empty of products	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The steps of the scale should be allowed to disregard life cycle cost savings to the consumer, meaning that a product with a better label class would be certain to save energy in the use phase, but could be so expensive to buy that it would not bring overall cost savings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Removing the entire energy labeling system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Orgalime comment:**

One of the EU energy label's strengths lies in its simplicity: it shows a limited number of key pieces of information in a way that can be very quickly and clearly understood by consumers. The DG Energy study on EU product label options (<http://ec.europa.eu/energy/efficiency/studies/doc/2012-12-research-eu-product-label-options.pdf>) concluded that the use of an A-G scale is an effective means of communicating different performance ratings. While we support the Energy labelling scheme, we believe that the current energy label framework should be improved to provide sufficiently strong incentives for best performers. The Energy labelling scale needs to be reviewed to be more dynamic and flexible, but also to create the conditions for industry to further invest in innovative technologies.

The open scale option needs to be further explored, since it may provide the necessary openness to further technological developments. At the same time, it must not end up in relabeling requirements for products that have been legally placed on the market. Overlaps in the market between old and new classes, such as old 'A' and new 'A' label, should also be avoided, since it risks confusing consumers.

Finally, a sufficient number of classes need to be maintained to differentiate between products and provide clear information to consumers. It is of the utmost importance to ensure comparability, but also sufficient differentiation between the functionalities of products. The label scale should be defined in a way that significantly differentiates products both in terms of energy efficiency and its other key functionalities.

**Question 2.12: What kind of impact has Energy Labelling had, or is expected to have, on the competitiveness of EU manufacturers in the following product groups:****Possible answers:**

A: Very positive

B: Positive

C: Neutral or no impact

D: Negative

E: Very negative

F: Don't know

**Orgalime answer:**

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
Overall, across all product groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Orgalime comment:**

The Energy Labelling Directive has positively contributed to manufacturer's overall competitiveness.

**Question 2.13:** What kind of impact has Energy Labelling had, or is expected to have, on the competitiveness of EU SME (Small and Medium Enterprises, firms with less than 250 employees and turnover <50million euros/annum) manufacturers in the following product groups?

**Possible answers:**

- A: Very positive
- B: Positive
- C: Neutral or no impact
- D: Negative
- E: Very negative
- F: Don't know

**Orgalime answer:**

**A      B      C      D      E      F**

Overall, across all product groups

     X                       

**Orgalime comment:**

The Energy Labelling Directive has positively contributed to manufacturer's overall competitiveness, including SMEs.

**Question 2.14:** What kind of impact has Energy Labelling had, or is expected to have, on the competitiveness of EU importers in the following product groups?

**Possible answers:**

- A: Very positive
- B: Positive
- C: Neutral or no impact
- D: Negative
- E: Very negative
- F: Don't know

**Orgalime answer:**

**A      B      C      D      E      F**

Overall, across all product groups

     X                       

**Orgalime comment:**

The Energy Labelling Directive has positively contributed to importer's overall competitiveness.

**Question 2.15:** To the extent that the following product groups have been covered by the Directive to date, what kind of impact has Energy Labelling had on innovation?

**Possible answers:**

- A: Very positive
- B: Positive
- C: Neutral or no impact
- D: Negative
- E: Very negative
- F: Don't know

**Orgalime answer:**

**A      B      C      D      E      F**

Overall, across all product groups

     X                       

**Orgalime comment:**

The Energy Labelling Directive has overall positively influenced innovation.

**Question 2.16:** How has the Energy Labelling Directive affected, or is expected to affect, the prices of the following regulated products, compared to how they might otherwise have been?

**Possible answers:**

- a: Prices are much higher
- b: Prices are higher
- c: Prices have not been impacted
- d: Prices are lower
- e: Prices are much lower
- f: Don't know

**Orgalime answer:**

No answer.

**Orgalime comment:**

In accordance with the requirements of competition law, Orgalime and its members do not discuss pricing of products.

**Question 2.17:** To what extent do you agree or disagree ‘that a higher energy label class ranking results, or will result, in a price premium for better performing products’:

**Possible answers:**

- A: Strongly agree
- B: Agree
- C: Neither agree nor disagree
- D: Disagree
- E: Strongly disagree
- F: Don't know

**Orgalime answer:**

No answer.

**Orgalime comment:**

In accordance with the requirements of competition law, Orgalime and its members do not discuss pricing of products.

**Question 2.18:** For you, or your organisation, do you think that the benefits of mandatory energy labels outweigh their costs?

**Possible answers:**

- Yes, high overall benefits
- Yes, low overall benefits
- Benefits and costs about the same
- No, benefits are less than costs
- No, costs are significantly higher than benefits
- Don't know

**Orgalime answer:**

We do not know.

**Question 2.19:** For EU society as a whole, do you think that the benefits of mandatory energy labels outweigh their costs?

**Possible answers:**

- Yes, high overall benefits
- Yes, low overall benefits
- Benefits and costs about the same
- No, benefits are less than costs
- No, costs are significantly higher than benefits
- Don't know

**Orgalime answer:**

We do not know.

**Question 2.20:** Should there be a legal provision, like for ecodesign, for voluntary initiatives on energy labelling, considering the administrative burden for the Commission and Member State market surveillance costs?

**Possible answers:**

- Yes
- No
- Don't know

**Orgalime answer:**

We do not know.

**Orgalime comment:**

We do not believe that a legal provision on voluntary initiatives on energy labeling is necessary. The option to use labels published in the EU Official Journal prior to the application date may be interesting, provided the corresponding ecodesign requirements, where relevant, are fulfilled. To ensure the transition from one label version to another, it is indeed essential to give suppliers and dealers reasonable time to implement new requirements which cannot be fulfilled overnight. Additionally, this could permit new technologies to penetrate the market at quicker pace.

**Question 2.21:** To what extent do you agree or disagree with the following statements about the energy label?

**Possible answers:**

- a: Strongly agree
- b: Agree
- c: Neither agree nor disagree
- d: Disagree
- e: Strongly disagree
- f: Don't know



**Orgalime answer:**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
The product groupings for the label should be broader and not so technology specific, for example a label on refrigerators should cover all types of refrigerators without variation in label class ambition levels by individual technology type (refrigerator with fresh-food storing compartment, refrigerator-chiller, refrigerator with 1/2/3-star compartments, refrigerator-freezer etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
The information on the label is accurate and reliable	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The information reflects real-life use of the product	x	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy labels are usually displayed in appropriate places in retail stores and showrooms	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy labelling for distance selling (e.g. selling via internet) should be improved	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It would make sense to allow for the use of QR-codes (see figure) in the label in order to display information about the product on the consumers' smartphones or on smart meters.	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Energy labelling has led to lower production costs for manufacturers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Energy labelling has led to improved profit margins on regulated products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Energy labelling has unduly restricted the range of products on the market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
Consumers prefer products with better label classes because they are interested in life cycle cost savings. It matters much less to them that a good label class also means a product which is better for the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

**Orgalime comment:**

One of the EU energy label's strengths lies in its simplicity: it shows a limited number of key pieces of information that can be easily, quickly and clearly understood by consumers. The energy label should remain as simple and focused as possible.

We agree that the energy labelling for distance selling should be improved. A specific implementing measure addressing the online labelling issue is already underway, which aims at improving the level of information for distance selling. Time is necessary to assess the efficiency of this measure once finalised, and whether further action could bring further benefit. For example, ICT channels could be explored as side solutions to complement the information provided in the label with additional information without overloading the label.

However, any further action in addition to the ongoing distance selling implementing measure should not lead to over-regulation.

We see a general issue of enforcement related to distance sales, which however goes beyond the Energy Labelling and Ecodesign Directives.

**Question 2.22: For Energy Labelling, should additional information be displayed on the label on?**

**Possible answers:**

A: Yes, and it should form part of the scoring for the product's label class

B: Yes, as a piece of information additional to the label class scale

C: No

D: No, but the information should be available on product fiches, QR codes or other mechanisms

E: Don't know

**Orgalime answer:** No answer.

**Orgalime comment:**

Identifying additional parameters that could be relevant for a product group requires a case by case approach. In general, we see the potential that the energy label can serve as a tool for providing information on environmental parameters beyond energy efficiency, as already done for a number of areas and product groups. However, this requires a sector by sector approach and must not result in a "one size fits all approach" of trying to converge all environmental information on all parameters into "one overall environmental product performance figure/symbol/label", as this would be misleading. A parameter that matters to a consumer in one Member State may not necessarily be as relevant for consumers in another Member State.

The DG Energy study on EU product label options (<http://ec.europa.eu/energy/efficiency/studies/doc/2012-12-research-eu-product-label-options.pdf>) shows that consumers' choices can be affected by other parameters, such as adding a carbon footprint symbol to the current Energy Label. However, the study highlights that a key driver of purchasing decisions is still likely to be the product performance characteristics.

**Question 2.23: To what extent do you agree or disagree with the following statements on the inclusion of additional information on the energy label?**

**Possible answers:**

a: Strongly agree

b: Agree

c: Neither agree nor disagree

d: Disagree

e: Strongly disagree

f: Don't know

**Orgalime answer:**

	A	B	C	D	E	F
Two separate labels should exist, one for energy consumption and the second one for other environmental aspects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
One single label should exist, including both energy consumption and other significant environmental aspects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Information on other environmental impacts should be provided on mandatory basis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Information on other environmental impacts should be provided on voluntary basis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Information on other environmental impacts should be provided in absolute terms (not in comparison with a benchmark or an index value)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

**Orgalime comment:**

Labelling can only be successful if it is simple, concise, and easy to understand for the consumer. The current simplicity of the label is its strength. It is therefore important to avoid multiplication of symbols and

figures as well as to maintain its focus on energy efficiency. In our view, the current energy label can already provide information on parameters other than energy consumption. For example, the current “energy label” for washing machines includes information on energy consumption, water consumption, noise, washing performance and spin drying performance. Going beyond this requires a careful approach in order to avoid overloading the consumers with information and thereby causing more confusion than help.

Including further information parameters other than energy under the energy labelling should be equally assessed in the Ecodesign framework. If considered appropriate to regulate additional environment parameters for a given product group, implementing measures under the two framework directives should maintain an overall coherence so as to avoid any conflicting requirements for manufacturers. Such an approach would increase the consistency between the different relevant pieces of EU legislation, explore their synergies and provide a coherent environmental information system where assessed necessary. At the same time it would help the consumer to base his buying decision on reliable and harmonised information.

Any parameters to be displayed on the label should be relevant for both the environment and consumers. They need to be measurable and enforceable with reasonable effort, be supported by standards as well as bring significant environment benefit without hampering industry’s competitiveness. Moreover, the calculation methodologies behind the parameters must be clear, credible and sufficiently close to the real life use of the products.

**Question 2.24:** Some products that are labelled are required to have fiches. Fiches are technical information presented within any product brochures accompanying the labelled product and provide standard information on specific parameters relating to the product (e.g. annual water consumption for dishwashers). What do you think of the following changes to fiches?

**Possible answers:**

- a: Very positive
- b: Positive
- c: Neutral
- d: Negative
- e: Very negative
- f: Don't know

**Orgalime answer:**

Adding information on other environmental aspects	e
Adding information on annual running costs (the costs of operating the product)	e
Adding information focussed on business - to- business customers	e
Providing fiches online on a mandatory basis on all labelled products	b
Providing fiches online on a mandatory basis on selected products that are not labelled	e
Providing fiches as QR (bar) codes to labels to enable consumers to quickly access more detailed information on their smartphones (see picture)	b
Removing the requirement for product fiches	a

Other, please insert:

**Orgalime comment:**

The energy labelling review should be the occasion to assess the effectiveness of product fiches and clarify current provisions. The present obligation to provide a printed fiche in all product brochures or with the product represents a significant administrative burden and has a questionable positive effect for consumers. Most of the information given is more relevant to the consumers purchase decision for an appliance rather than to use the product. Therefore, the fiche should be made available at the point of sale (before the purchase) and it should be possible to print the fiches in catalogues or to provide them through ICT solutions, for example as an online version.

**Question 2.25:** Energy use by appliances is determined partly by consumer behaviour. For example, frequent opening of a fridge will lead to an increased energy use, regardless of the energy label. A smart appliance could provide feedback to the user, after observing the user's behaviour with the appliance in the user's home, as to how his behaviour affects the energy performance of the appliance. Would you welcome the introduction of such an advanced and IT-supported form of energy labelling?

**Possible answers:**

- Yes
- No
- Don't know

**Orgalime answer:**

Don't know.

**Orgalime comment:**

Providing a feedback to the user is one of the functionalities a smart appliance can indeed offer. Notwithstanding that the concept of “smart appliance” still requires a common definition and understanding, there could be potential for the further development of the Energy Labelling and Ecodesign Directives in this direction, provided however that the deployment of smart grids goes hand in hand with it, which is not the case today.

Any (new) product requirement must be measurable, relevant and enforceable to ensure a level playing field.

**Question 2.26: Have energy labels been enforceable?**

**Possible answers:**

Yes

Very much so

Yes, to some extent

No, not sufficiently

No, not at all

Don't know

**Orgalime answer:** “Yes, to some extent.”

**Orgalime comment:**

We believe that the Energy labelling directive and its implementing measures are enforceable. However, there is a lack of market surveillance and enforcement activities that poses a threat to the credibility of the legislative framework and undermines the efforts of industry. Most Member States have indeed not provided the necessary resources for effective action so as to mitigate the impact of free riding.

**Question 2.27: How effective do you think the following options for improving enforcement would be?**

**Possible answers:**

A: Very effective

B: Effective

C: Not very effective

D: Not effective at all

E: Don't know

**Orgalime answer:**

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
An EU-Wide market surveillance authority covering the internal market	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
An EU-wide mandatory product database	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
An EU-wide transparent complaint procedure	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
MS-based transparent complaint procedure	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Other, please describe:

**Orgalime comment:**

Strengthening enforcement is one of Orgalime’s core requests. We support the strengthening of cooperation and information exchange between enforcement bodies and the sharing of best practices. The ADCO is a valuable body in that respect. A central market surveillance agency may improve the effectiveness of enforcement, but may not be necessary if Member States cooperation were reinforced effectively. We support the solution proposed in the currently discussed draft Market Surveillance of Products Regulation (MSPR): a Market Surveillance Forum, which would be open to stakeholders.

We strongly oppose to the creation of an “EU-wide mandatory product database”. This option would be very costly and would cause significant administrative burdens for companies. Such a proposal would run counter to the drive for a simplification of the regulatory environment. In addition, it would not solve the issue of free riders. Although registers are used under EU legislation, such as the Waste Electrical and Electronic Equipment Directive, such an instrument is inappropriate to secure the functioning of the Energy labelling Directive and its enforcement.

Neither does an EU-wide transparent complaints procedure seem too effective a solution. The complaints need to be filtered and their relevance should be assessed with regard to the law. This should be best left up to market operators first (after sale service of serious manufacturers or distributors) or the local authorities.

A MS-based complaints procedure is already proposed in the Product safety and market surveillance package. However, it involves high costs to be put in place and few Member States assessed it as

“manageable”. The experience shows that many complaints are filed by dissatisfied customers for many reasons that are not necessarily related to an infringement by the product of the law as a starting point.

**Question 2.28: Are incorrectly or non-labelled products a significant problem, i.e.: large numbers of these products are sold, in the following product groups covered by labelling requirements?**

**Possible answers:**

*Yes, and this results in products with significantly lower energy efficiency being sold*

*Yes, but the impact on new product energy efficiency is low*

*No*

*Don't know*

**Orgalime answer:**

Don't know.

**Orgalime comment:**

Market surveillance projects, such as ATLETE I, highlighted that main problems are the incorrect information provided (i.e. wrong energy class displayed or energy consumption outside allowed tolerances), rather than the non-labelling of appliances.

Member States' market surveillance and enforcement activities would have to be strengthened to provide a proper answer for all product groups.

### **SECTION 3: ECODESIGN DIRECTIVE**

**Question 3.1: Ecodesign implementing measures or voluntary agreements have been developed for the following range of product groups. For each of the following product groups, please indicate if these were the most appropriate product groups to be selected:**

**Possible answers:**

*Yes*

*No*

*Don't know*

**Orgalime answer:**

Overall, the most appropriate product groups have been selected.

	Yes	No	Don't know
Boilers and combi-boilers	<input type="checkbox"/>	<input type="checkbox"/>	X
Water heaters and hot water storage appliances	X	<input type="checkbox"/>	<input type="checkbox"/>
PCs and servers	X	<input type="checkbox"/>	<input type="checkbox"/>
Televisions	X	<input type="checkbox"/>	<input type="checkbox"/>
Stand-by and off-mode losses of EuPs	X	<input type="checkbox"/>	<input type="checkbox"/>
External power supplies	X	<input type="checkbox"/>	<input type="checkbox"/>
Tertiary lighting	X	<input type="checkbox"/>	<input type="checkbox"/>
Room air conditioning appliances	X	<input type="checkbox"/>	<input type="checkbox"/>
Electric motors	<input type="checkbox"/>	<input type="checkbox"/>	X
Ventilation fans	<input type="checkbox"/>	<input type="checkbox"/>	X
Circulators in buildings	<input type="checkbox"/>	<input type="checkbox"/>	X
Domestic refrigerators and freezers	X	<input type="checkbox"/>	<input type="checkbox"/>
Domestic washing machines	X	<input type="checkbox"/>	<input type="checkbox"/>
Domestic dishwashers	X	<input type="checkbox"/>	<input type="checkbox"/>
Laundry dryers	X	<input type="checkbox"/>	<input type="checkbox"/>
Vacuum cleaners	X	<input type="checkbox"/>	<input type="checkbox"/>
Simple set-top boxes	X	<input type="checkbox"/>	<input type="checkbox"/>
Non-directional lighting	X	<input type="checkbox"/>	<input type="checkbox"/>
Directional lighting	X	<input type="checkbox"/>	<input type="checkbox"/>
Water pumps	X	<input type="checkbox"/>	<input type="checkbox"/>
Complex set-top boxes (voluntary agreement)	<input type="checkbox"/>	<input type="checkbox"/>	X
Imaging equipment (voluntary agreement)	X	<input type="checkbox"/>	<input type="checkbox"/>

**Orgalime comment:**

Initially, mass consumer products were selected for implementing measures, which has, in our view, been most appropriate. Over the time, the focus has shifted towards professional equipment/capital goods, for which we challenge the appropriateness of selection. Firstly, very different B2B products have been grouped into one lot (e.g.: laboratory furnaces and ovens), which increases the complexity of discussions during the further implementation process. Secondly, the energy efficiency performance of capital goods often depends on the system into which these products are incorporated (e.g.: electric motors), while the Ecodesign Directive seems better fit to target standalone products.

Recently, B2B products have increasingly moved into the focus of ecodesign measures. For example, capital goods are typically not eligible for regulation under ecodesign directives. Often they are not stand-alone components, but need to be evaluated within the wider system into which they are integrated. Capital goods are often tailor-made large machines, which are not sufficiently comparable to identify measurable standardised processes. If preparatory studies are nevertheless conducted for such products, they should leave the possibility to acknowledge that some products cannot be regulated by means of specific efficiency limits set in an implementing measure (e.g.: industrial furnaces, machine tools).

If capital goods and other complex products are regulated through an implementing measure the specific product group needs to be carefully targeted. For some broad product groups the best approach has been to start off the preparatory study with an inception report in order to get an overview of the product variety targeted within the lot. If a significant potential can be identified for several product subcategories, it is useful to handle those product groups separately in order to attain better efficiency results. Otherwise, in a broad product scope, peripherically affected products can have considerable problems to fulfil the requirements.

Problems concerning non-household products have also been experienced with mixing capital and commercial goods into the same lot. These goods are often not comparable in terms of their size, complexity, existing standards and regulations, production volume etc.. It is advisable to treat such products separately (e.g. commercial washing machines and commercial ovens).

**Question 3.2:** Has the correct level of ambition in minimum ecodesign requirements been set for implementing measures and voluntary agreements for the following product groups, taking into account economic technical potential, innovation and market developments?

**Possible answers:**

- A: Much too high ambition
- B: Too high ambition
- C: Correct ambition
- D: Too low ambition
- E: Much too low ambition
- F: Don't know

**Orgalime answer:**

    A    B    C    D    E    F

Overall, across all product groups

                   X

**Orgalime comment:**

From the perspective of technical and economic feasibility of the given requirements for manufacturers and energy efficiency potentials of the product targeted, we think that overall the correct ambition has been set. However, in how far the level of ambition has/will indeed translate into the appropriate level of ambition from an energy efficiency/savings point of view, still remains to be seen, since most requirements have just or still have to enter into force and have indeed to be taken up by the market. Therefore, we ticked answer F.

**Question 3.3:** Requirements on energy use in Ecodesign implementing measures and voluntary agreements are based primarily on energy efficiency – the energy use per specific service/capacity unit, for example for TVs the power consumption per screen size expressed in W/dm<sup>2</sup>, rather than on the absolute energy consumption. What should be the basis of such requirements in implementing measures and voluntary agreements in the future?

**Possible answers:**

- Only on energy efficiency
- Mainly on energy efficiency
- On both energy efficiency and energy consumption
- Mainly on energy consumption
- Only on energy consumption
- Others: please specify
- Don't know

**Orgalime answer:**

The focus should remain mainly on energy efficiency.

**Orgalime comment:**

The scientific based approach of the framework led to the identification of the real environment benefit areas in application of life cycle thinking, namely the focus on the use phase and mass standalone products.

For the identified priority aspect, only a focus on energy efficiency of products can secure a fair, non-discriminatory level playing field for the implementation of the Directive on products.

The main focus should remain on energy efficiency. Firstly, the calculation of energy consumption would also take into account the usage of a product. This could not be determined in a standardized way for a wide range of products, including industrial goods.

The usage is determined by the user, can change several times and often cannot be foreseen by the manufacturer. The product is constructed for one best point. If the best product is no longer aligned to the best point through changes in the production process the energy consumption can sky rocket.

Secondly, with underlying usage patterns certain technologies can be preferred which is against the principle of technology-neutrality.

Ecodesign requirements need to focus on areas that the manufacturer can control to be able to provide a level playing field and fair competition.

See also comments to question 2.7 of section on Energy Labelling Directive.

**Question 3.4:** The Ecodesign implementing measures so far focus primarily on the impacts in the use phase of a product, which is in most energy using products responsible for the largest share of the overall impact. Does the Ecodesign Directive or its implementation need to be changed to more proportionately address impacts in other life cycle phases (including production and disposal) other than the use phase? If yes, how should it be changed? If not, why not?

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

No, we do not see the need to change the framework.

**Orgalime comment:**

The Ecodesign Directive already sets the framework for setting eco-design requirements for any environment parameter over the life cycle of a product. The scientific based approach of the framework led to the identification of the real environment benefit areas in application of life cycle thinking, namely the focus on the use phase and mass standalone products.

Better coherence of other EU legislation (i.e.: WEEE, RoHS, REACH, EPBD, EED) with the Ecodesign Directive however would be helpful.

Requirements should not be on indirect parameters of a product.

**Question 3.5:** To the extent that the following product groups have been covered by the Directive to date, what kind of impact has Ecodesign had on the competitiveness of manufacturers

*Possible answers:*

A: Very positive

B: Positive

C: Neutral or no impact

D: Negative

E: Very negative

F: Don't know

**Orgalime answer:**

**A      B      C      D      E      F**

Overall, across all product groups

                   X

**Orgalime comment:**

The limited data available at this stage and the fact that many requirements of implementing measures have just or are about to enter into force do not allow a conclusive assessment of the effect of the implementing measures.

There are several general aspects that influence the assessment of competitiveness impacts:

- The impact on costs for industry varies between different product groups, and there is no consistent picture in this respect. In some cases, costs have been considerable, in others less substantial. However, we believe one should add that, for the product groups covered to date, the market response towards more sustainable products has been somewhat limited; therefore the expected returns on industry's investment for energy efficient technologies has often not been realised.
- In general, it is a major investment for a company to ensure that they know, follow and are actively involved in the development and implementation of requirements, existing and new ones. Many of the products covered by the Ecodesign Directive are also covered in many cases of RoHS, WEEE, ELV Directive, REACH and Battery Directives, so that overlaps, contradictions and inconsistencies of different regulations render the impact more significant. It is important that these facts are taken into account, so that the overall picture for a specific product products subject to new requirements.
- In the case of new or changed regulations, such as extended coverage means this is almost always some sort of adaptation cost. These costs can be related to new technical documentation, design changes, follow-up etc. This can usually be accepted if the products were not regulated before, if requirements are set in a harmonised way and bring significant benefit from an environmental and economic point of view.

- There are also influences, mainly indirect, for companies that have stand-alone products outside the scope of the Ecodesign Directive, such as verification of possible effects/indirect obligations for components. Motors are an important example, which indeed affect the design of complex industrial products outside the scope.
- The requirements for higher efficiency motors will lead to increased competition. While many buyers of engines previously not focused very much on efficiency, this situation has clearly changed by higher requirements. This means that the development needs for new products has increased. The need for investment in human and material resources, has increased significantly to be able to handle new demands, which is a major result of the Ecodesign Directive.

**Question 3.6:** To the extent that the following product groups have been covered by the Directive to date, what kind of impact has Ecodesign had on the competitiveness of EU SMEs, firms with less than 250 employees and turnover below 50 million EUR/annum) manufacturers?

**Possible answers:**

- A: Very positive  
 B: Positive  
 C: Neutral or no impact  
 D: Negative  
 E: Very negative  
 F: Don't know

**Orgalime answer:**

**A            B            C            D            E            F**

Overall, across all product groups

                             X

**Orgalime comment:**

See previous answer and comment that are valid for any company, whether big or small.

Generally, it is too early to evaluate the impacts on the competitiveness of SMEs considering the early state of implementation. However, SMEs can certainly be significantly affected by ecodesign measures given considering their limited human and financial resources to follow, underpin and implement as complex and demanding a process as ecodesign.. As the efficiency standards can have a large impact on the product design and its production process as well as availability of parts (for example. more efficient electric motors not fitting into installations / machines requiring updates of the entire machine), it is important for SMEs to be informed and involved early in the process of any upcoming measure. It is practically impossible for SMEs to follow all on-going ErP product regulation due to capacity restraints, especially where products come within the scope of an implementing measure without prior involvement of the industry or industry representation because of late changes in the regulatory process or unintended consequences (for example 1194/2012 special purpose lamps).

**Question 3.7:** To the extent that the following product groups have been covered by the Directive to date, what kind of impact has Ecodesign had on the competitiveness of importers?

**Possible answers:**

- A: Very positive  
 B: Positive  
 C: Neutral or no impact  
 D: Negative  
 E: Very negative  
 F: Don't know

**Orgalime answer:**

**A            B            C            D            E            F**

Overall, across all product groups

                             X

**Orgalime comment:**

See answer and comment to question 3.5.

**Question 3.8:** To the extent that the following product groups have been covered by the Directive to date, what kind of impact has Ecodesign had on innovation?

**Possible answers:**

- A: Very positive  
 B: Positive  
 C: Neutral or no impact  
 D: Negative  
 E: Very negative  
 F: Don't know



**Orgalime answer:**

	A	B	C	D	E	F
Overall, across all product groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Overall, across all product groups

**Orgalime comment:**

The scientific based approach of the framework led to the identification of the real environment benefit areas in application of life cycle thinking, namely the focus on the use phase and mass standalone products. This supported manufacturers' own innovation efforts in improving energy efficiency performance of products.

**Question 3.9: How has the Ecodesign Directive affected prices of the following regulated product groups, compared how they might otherwise have been?****Orgalime answer:**

Don't know.

**Orgalime comment:**

In accordance with the requirements of competition law, Orgalime and its members do not discuss pricing of products and can therefore not provide an answer to this question.

In general, the LLCC method aims at ensuring affordability of products and should be maintained.

**Question 3.10: For you, or your organisation, do you think that the benefits of the Ecodesign regulations and voluntary agreements outweigh their costs?****Possible answers:***Yes, high overall benefits**Yes, low overall benefits**Benefits and costs about the same**No, benefits are less than costs**No, costs are significantly higher than benefits**Don't know***Orgalime answer:**

Don't know.

**Orgalime comment:**

This is in general too early to say given the current state of implementation. See answer and comments to question 2.5

Orgalime and its members do not debate prices due to competition law.

We have the following general observations:

- We observe that ecodesign requirements not only affect the product price, but also storage conditions, load-time-buy and suppliers' selections of equipment used in the industry.
- Normally, the purchase price of an energy-related product is rather negligible over the life cycle, where energy during use costs is predominant. Nevertheless, in a purchasing situation, the price is of great importance among various options. The Ecodesign directive bears the potential to lead to competitive changes and create new challenges for the choice of products or technical solutions.
- From a wider perspective, the benefits of the Ecodesign Directive are seen as more positive as soon as the development is harmonised within the EU, properly controlled by market surveillance, and as soon as harmonised European standards take into account the international perspective of an industry that acts globally.
- Administrative costs following product updates (which mean technical changes in internal production documents, production documents, and administration in purchasing) are generally perceived relevant.
- A negative cost-benefit ratio occurs in areas where several regulations do not properly interact with each other and/or lead to confusion, for example motors implementing measure.
- Ecodesign requirements on industrial products are particularly sensitive. For energy-related products that are part of a wider system, requirements on the individual product lead to an increase or no change in energy use from the wider perspective of the system the product operates in. Given the practical constraints of addressing systems under Ecodesign, the issue of better consistency with the Energy Efficiency of Buildings and Energy Efficiency Directives occur, which also influences business' assessment of the benefits of the Ecodesign Regulation.
- Module A as the standard conformity assessment procedure is assessed positively.
- Overall, the assessment of the benefit of the Ecodesign Directive is immediately linked with the level of market response. As mentioned previously, the market is not yet corresponding sufficiently today so that energy efficiency and low carbon investment in general are not bringing the expected/needed return on investment today.

**Question 3.11: For EU society as a whole, do you think that the benefits of Ecodesign regulations and voluntary agreements outweigh their costs?**

**Possible answers:**

Yes, high overall benefits

Yes, low overall benefits

Benefits and costs about the same

No, benefits are less than costs

No, costs are significantly higher than benefits

Don't know

**Orgalime answer:**

Don't know.

**Orgalime comment:**

Too early to say. See answer and comments to question 2.5 and 3.10

**Question 3.12: Should the possibility of laying down Ecodesign requirements in voluntary agreements rather than mandatory requirements be maintained?**

**Possible answers:**

Yes, and these should continue to be prioritised over mandatory regulations

Yes, but these should not be prioritised over mandatory regulations

No

Don't know

**Orgalime answer:**

Yes, and these should continue to be prioritised over mandatory regulations.

**Orgalime comment:**

The toolbox of different instruments of the framework (legal requirements, voluntary agreements) gives the necessary flexibility for the broad scope of the Directive that covers products with highly variable characteristics, functions and challenges.

Voluntary agreements can provide a more rapid and flexible answer to product performance challenges than regulation and should be maintained as the preferred route to legislation, even though only few such agreements are under way under the Ecodesign Directive today. Many of the product groups subject to implementing measures today were preceded by effective and successful voluntary agreements. This confirms the positive impact of voluntary agreements to drive a market change before legislation may come in place.

**Question 3.13: To what extent do you agree or disagree with the following potential changes to the method of setting specific requirements in the Ecodesign Directive?**

**Possible answers:**

a. Strongly agree

b. Agree

c. Neither agree nor disagree

d. Disagree

e. Strongly disagree

f. Don't know

**Orgalime answer:**

- Go beyond LLCC: Answer e
- Check what it means going beyond LLCC: Answer b
- More ambitious requirements by going beyond LLCC but rather to make LC cost calculations more realistic: Answer b
- Keep present practice of life cycle calculation: Answer b
- Give benchmarks more powerful role as targets: Answer e
- Identify reference levels for best not yet available technology & predefine energy labelling efficiency classes: Answer c
- What other changes would you suggest and why?

**Orgalime comment:**

Orgalime does not see the need to change the method of setting specific eco design requirements. The concept of cutting off least performing products on the basis of LLCC ensures a constant upwards trend of the market. LLCC as such ensures affordability of products for consumers and fair competition.

Speeding up the process by including mechanisms to automatically adapt the efficiency requirement for a product group is not supported by us. Firstly, assuming a specific path for technology progress and making these assumptions the basis for automatic adaptation risks precluding technology developments, which could not be foreseen. Often it is not possible to determine the level of best not yet available technology. Technology-neutrality would be compromised by limiting the freedom of a product designer to predefined efficiency assumptions.

By going beyond the least life-cycle cost the initial rationale of the Directive, namely to cut off the least performing products in terms of environmental impact from the market, would be questioned. The current status of the Ecodesign Directive already pushes the market in terms of incentivising technology development. If this path was changed, the cost-benefit ratio would possibly lose its balance. Identifying the “Break Even Point” involves the same clash with competition law requirements as described above.

**Question 3.14: Are products that are non-compliant with Ecodesign requirements a problem, i.e.: large numbers of these are sold in the following regulated product groups?**

**Possible answers:**

*Yes, and this results in products that perform significantly below the minimum requirements reaching the market*

*Yes, but the impact on average energy efficiency of new products on sale is low*

*No*

*Don't know*

**Orgalime answer:**

Overall, we “don’t know”.

**Orgalime comment:**

Member States enforcement activities are insufficient today and do not allow an appropriate reply.

We can assume that this is a problem. A concrete case is the case of circulators: There are several products reaching the EU market that are falsely declared as a specific type of circulator, which would be outside the scope of current regulations, and therefore, escape the ecodesign requirements.

**Question 3.15: To what extent do you agree or disagree with the following statements about Ecodesign?**

**Possible answers:**

*a. Strongly agree*

*b. Agree*

*c. Neither agree nor disagree*

*d. Disagree*

*e. Strongly disagree*

*f. Don't know*

**Orgalime answer:**

- ErP led to lower production costs: Answer f
- ErP led to improved profit margins on regulated products: Answer f
- ErP unduly restricted range of products on the market : Answer d

## **SECTION 4: RULEMAKING PROCEDURE**

**Question 4.1: Please rate the effectiveness of the following phases in the legislative procedure for laying down Energy Labelling and Ecodesign requirements for products? Effectiveness in the procedure relates to achieving useful results in a timely manner.**

**Possible answers:**

*a: Very effective*

*b: Effective*

*c: Neutral*

*d: Ineffective*

*e: Very ineffective*

*f: Don't know*

**Orgalime answer:**

- Working Plan: Answer c
- Preparatory studies: Answer d
- Consultation Forum: Answer b
- Impact Assessment & draft regulation: Answer c
- Member States expert group on labelling: Answer b
- Regulatory Committee vote: Answer b
- WTO notification process: Answer b
- Scrutiny EP/Council: Answer c

**Orgalime comment:**

Experience has shown that the time needed for and the quality of the process of developing implementing measures is not homogeneous. While some implementing measures were adopted very quickly and efficiently (e.g.: standby and off mode losses), others required more time and level of discussion for various reasons, such as the complexity of the issue under debate.

In general, the project management should be improved in a way that would target only as many lots as manageable under the given resources and would avoid cutting necessary compliance deadlines for industry where time delays occurred at earlier stages of preparing the implementing measure. This would help to improve the legal certainty and the relevance of concluded study findings for final implementing measures. Finally, the overall procedure needs to secure a transparent and inclusive process, involving relevant stakeholders, including industry experts, throughout the process.

#### Working Plan

From the beginning of the process, only as many lots as manageable under the given resources should be targeted. No new preparatory studies should be launched as long as there are still (many) pending studies that tie down resources. The working plan should take into account how much work would still have to be completed under the previous working plan(s) before adding on new product groups. The working plan 2012-2014 divides the list of 9 products into 2 groups, which is a positive step.

#### Preparatory study phase

The efficiency of the preparatory studies could be improved through a better focus on the quality of the stakeholder questionnaires and sufficient timelines being given to stakeholders to answer. Often, manufacturers need to collect and verify data before providing them to the consultant. Such tasks cannot be carried out in 1 to 2 weeks. In addition, transparency in the communication with stakeholders is of utmost importance. The study on a new product group should assess all relevant aspects at one moment in time (not one aspect this year, another aspect next year etc.) and then ensure stability for the product group for a reasonable time. There is no need to include other environmental aspects in the review process of the regulations. Finally, we suggest making better use of standardisation and better this in already at the preparatory study phase (synchronisation of the developments of standards tests and the adoption of implementing measures).

#### Consultation Forum:

This is a key phase for ensuring an inclusive and transparent implementation of the Directive with setting ambitious, technically and economically viable requirements that are technology neutral and meet consumer requirements, including affordability and availability of sustainable, competitive products.

These principles are further reinforced by combining the Consultation Forum meeting with bilateral consultations with key stakeholders throughout the process. This allows a better acceptance and support of the implementing measures under way and facilitate a timely adoption.

#### Impact assessment phase and draft regulation:

Transparency of the impact assessment phase should be improved. The focus of this assessment remains widely unknown. The questions that should be looked at during the impact assessment phase should be discussed with the Consultation Forum. Its members should be informed about the focus and questions of the impact assessment.

#### Implementing measures:

Parameters and requirements included in the final implemented measures should be measurable, enforceable, supported by standards and indeed bring significant environmental benefit. The gap between implementing measures and standard test methods should be reduced.

For example, in the draft measure for professional refrigerators, three different test environments that have no correlation to the EEI are planned. This means that a product classified as A can be tested in test environment 3, 4 or 5 without any notice in which environment the test has been made. Neither does the temperature of the test environment correlate to practical use nor to the requirements under foodstuff regulations.

#### Adoption phase:

The overall procedure, including the final stage, needs to secure a transparent and inclusive process where stakeholders should be able to comment the final proposal before the regulatory committee vote. The final impact assessment should also be communicated to stakeholders.

**Question 4.2: Does the involvement of Member States authorities need to be changed in the preparatory and adoption process of delegated acts and implementing measures for Ecodesign and Energy Labelling in order to ensure their views are taken into account, their rights respected and their administrative burden is reduced to the necessary minimum?**

#### ***Possible answers:***

Yes

No

Don't know

#### **Orgalime answer:**

For both Directives, "don't know".

**Orgalime comment:**

The extent to which Ecodesign and Energy Labelling Directives need to be “lisbonised” is an inter-institutional issue. Please see closing remarks regarding taking into account national situations and particularities when developing a harmonised implementing measure.

**Question 4.3: Does the involvement of stakeholders need to be changed in the preparatory and adoption process of delegated acts and implementing measures for Ecodesign and Energy Labelling in order to ensure their views are taken into account, their rights respected and their administrative burden is reduced to the necessary minimum? If yes, how?**

**Possible answers:**

Yes  
No  
Don't know

**Orgalime answer:**

For both Directives, no, we do not see the need to change.

**Orgalime comment:**

We believe that the Directives allow for transparency and inclusiveness. According to the product group in question, sufficient flexibility has been applied to ensure that the relevant stakeholders could be involved directly.

**Question 4.4: How will the administrative burden for the European Commission to implement Ecodesign and the Energy Label change in the future, assuming:**

- No change of framework:
- Scope extension to non-ErP and means of transport:
- Other environmental impacts on label and ErP requirements on production/disposal phase:

**Possible answers:**

a: Large increase  
b: Increase  
c: Remain about the same  
d: Decrease  
e: Large decrease  
f: Don't know

**Orgalime answer:**

- No change of framework: Answer c
- Scope extension to non-ErP and means of transport: Answer a
- Other environmental impacts on label & ErP requirements on production/disposal phase: Answer a

**Orgalime comment:**

An extension of the scope would risk opening the framework Directives themselves through an ordinary legislative procedure, which is time and resource intense. Once adopted, the whole implementation process (be it establishment of the working plan, preparatory studies, MEErP, drafting IMs and carrying out of impact assessments) would have to be checked for possible adjustments or changes to incorporate the new product groups. This, however, risks giving rise to significant uncertainties for the existing implementing measures, for which the legal base would, at least be changed, or at worst, disappear. All implementing measures would then risk having to be reviewed again. All this involves significant burdens in administrative, financial and human terms, for regulators but also the affected industries. All in all, legal uncertainty and jeopardizing the credibility of the instrument in our sector, which, to date, is the only targeted industry, is at stake. We strongly object to possible moves in this direction.

**Question 4.5: How could the administrative burden of the Commission in developing implementing measures and delegated acts be decreased so as to allow a faster development and review of measures and acts?**

**Possible answers:**

By introducing a fast track method for reviewing existing measures, where the level of the revised requirements would be determined in a partly automatic procedure based on technological progress achieved in the meantime  
By shortening the adoption procedure through carrying out certain consultations in parallel  
By other means

**Orgalime answer:**

“By other means”, namely improvements of study phase in terms of timing and quality (better targeted scope and focus, better use of and synchronisation with standardisation etc.) Also, Article 15(6) of the Ecodesign Directive provides for two options for setting ecodesign criteria, namely determining generic ecodesign requirements according to Annex I of the Directive or setting specific ecodesign requirements according to Annex II of the Directive.

In practice, generic requirements alone have not been considered for implementing measures up to date. In our view it could be more effective and more efficient for selected products to apply a detailed list of generic requirements, which could be developed on the basis of the current Annex I of 2009/125/EC. This technology-neutral list of generic ecodesign requirements could be the basis for the standardisation process of all future product groups selecting this implementation option. This option would confer the work load of the preparatory study to the standardisation bodies and effectively relieve the Commission of administrative burden. This procedure would need to be linked to mandating the European standardisation bodies with developing the concrete product-specific standard to specify those generic requirements. Our sector has had positive experiences in the field of safety of machinery where this approach is applied as a standard procedure. CEN consultants ensure the quality of the standardisation process by accompanying the process. The more implementation shifts to B2B products, the more we feel that flexibility in the choice of setting generic and specific eco design requirements depending on the product sector in question coupled with making better use of standardisation for the implementation of the Eco Design Directive will gain in importance.

A truly “New Approach” way for the future implementation seems generally promising in terms of overall consistency of environmental product legislation.

**Question 4.6: Does the Market Surveillance Regulation EC 765/2008 and Commission Proposal COM(2013)75 amending it, provide Member States with adequate competences and powers to carry out market surveillance and ensure reliability of energy label?**

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

Yes, it does.

**Orgalime comment:**

This current regulation is specifying the obligations between market operators (e.g. manufacturers, importers, distributors). Provision described (especially in Chapter III of the Regulation 765/2008) provides national authorities with sound tools to carry out efficient market surveillance activities. The currently discussed Product Safety and Market Surveillance Package should also apply to Ecodesign and Energy Labelling Directives.

Market surveillance regulation 765/2008 provides the national authorities with adequate competences and powers to carry out market surveillance activities. There is room for improving the cross-border cooperation of authorities as well as the cooperation at the external border of the European Union. Better use of available databases RAPEX and ICSMS would add to effectiveness. These are positive elements of the proposal currently under negotiation. Furthermore, more resources are needed to staff the market surveillance authorities adequately in order to render market surveillance effective.

**Question 4.7: Does the Market Surveillance Regulation EC 765/2008 and Commission Proposal COM(2013)75 amending it, provide Member States with adequate competences and powers to carry out market surveillance on Ecodesign Directive?**

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

Yes, it does.

**Orgalime comment:**

See answer and comments to question 3.5

Market surveillance regulation 765/2008 provides the national authorities with adequate competences and powers to carry out market surveillance activities. There is room for improving the cross-border cooperation of authorities, as well as the cooperation at the external border of the European Union. Better use of available databases, RAPEX and ICSMS, would increase effectiveness. These are positive elements of the proposal currently under negotiation. Furthermore, more resources are needed to staff the market surveillance authorities adequately in order to render market surveillance effective.

**Question 4.8: Have appropriate and effective cooperation mechanisms in market surveillance between administrations been established for the Energy Labelling and Ecodesign Directives?**

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

No, cooperation mechanisms are not sufficient.

**Orgalime comment:**

Strengthening enforcement is one of Orgalime's core requests since the current level of enforcement by market surveillance authorities and coordination between them is low. We support the strengthening of cooperation and information exchange between enforcement bodies and the sharing of best practices. This will improve the compliance of products placed on the market and ensure fair competition for the industry. The ADCO is a valuable body in that respect. In the currently discussed draft Market Surveillance of Products Regulation (MSPR), a mechanism is foreseen to strengthen cooperation, namely a Market Surveillance Forum, which we support.

**Question 4.9: Do Member States provide sufficient resources for national market surveillance for Ecodesign and Energy Labelling?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

No, they do not.

**Orgalime comment:**

Most Member States have not provided the necessary resources for effective action so as to mitigate the impact of free riding. Such a lack of Market surveillance and enforcement activities are posing a threat to the credibility of the legislative framework and undermining the efforts of industry.

**Question 4.10: Should the Commission or other EU bodies be more involved to ensure enforcement activities for the Energy Labelling and Ecodesign Directives, considering for example the EU product notification system in place under the cosmetic products regulation (2009/1223/EC, Article 13) or in form of an EU-wide complaint system or other? Who should be involved and what role could they play?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

No, they should not.

**Question 4.11: Should the Energy Labelling Directive be changed to include a conformity assessment procedure (like the Ecodesign Directive has)?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

No, it should not be changed for that purpose.

**Orgalime comment:**

Orgalime supports the given conformity assessment procedure under the Ecodesign Directive (module A). At the end of conformity assessment stands the obligation to affix the CE marking on the product. This is not suitable for the Energy Labelling Directive as it is to introduce another label for its purpose.

**Question 4.12: Is the conformity assessment procedure in the Ecodesign Directive appropriate?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

Yes, module A is appropriate.

**Orgalime comment:**

Article 8 of the Directive correctly establishes module A (self-declaration of the manufacturer) as the standard conformity assessment procedure, which we fully support.

It should be maintained, considering the considerable experience with this conformity assessment procedure carried out by manufacturers, which is a core element of the New Legislative Framework and standard procedures, especially in the safety area. It limits economic and administrative burdens of manufacturer while adequately reflecting the fact that the producer remains legally liable for the product that is finally placed on the market.

While module A has been set as the standard conformity assessment procedure, article 8 of the Ecodesign Directive furthermore acknowledges the specific case of certain product groups, for which another module than A has already been chosen before (for example boilers). This exceptional case is already acknowledged in article 8 when stating that “*Where duly justified and proportionate to the risk, the conformity assessment procedure shall be specified among relevant modules as described in Annex II to Decision No 768/2008/EC*”

There is however neither a need nor a justification to change the standard rule of module A given in the framework directive, and especially not for making third party certification the rule instead.

In any case, mandatory third party certification can by no means be a replacement for proper market surveillance and enforcement activities.

**Question 4.13: What else could be improved regarding market surveillance?**

Orgalime answer:

Market surveillance in Europe needs to be strengthened, and this from a horizontal perspective, as the issue is critical beyond the Ecodesign Directive. It is important for the development of a coordinated market surveillance of all directives and regulations that impose requirements on products. This applies for example to the LVD, EMCD, RoHS, REACH, WEEE and the Ecodesign Directive.

One possible example of the improvement is that the criteria for the sampling of products at the market are designed in such a way that no trader can be confident in advance that their products will not be checked. Knowing that their products sooner or later will be controlled is an important parameter in the legal system and will lead to being a deterrent against placing non-compliant products on the market.

**Question 4.14: Have effective harmonised energy performance testing standards been developed for the product groups regulated under the Energy Labelling and Ecodesign Directives?**

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

Yes, but improvements are both, needed and possible.

**Orgalime comment:**

Measures should be always based on reliable standards. Standardisation bodies should be put in a position to have sufficient time to develop appropriate measurement methods for finally approved Ecodesign requirements. A better synchronisation of the development of implementing measures and standardisation would be needed.

Over the past years there has been often a misalignment between the development of the measures and the availability of standards. Some measures were developed even if suitable standards did not really exist.

We trust that the Commission will better liaise with standardisation and avoid this gap in the future.

The recently appointed consultant will hopefully support the Commission in this task.

Up to now the potential of standards with regard to the implementation of the directive has not yet been used to the extent possible. Standards should become an integral part of the implementation process.

## **SECTION 5: SCOPE EXPANSION**

**Question 5.1: Should the scope of Energy Labelling Directive be extended to non-ErP (non-energy related products – which are products that do not influence energy consumption during use, but have other environmental impacts due e.g.: to their manufacturing, such as foodstuffs, clothing and furniture)?**

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

No, the scope of the Energy Labelling Directive should not be extended.

**Orgalime comment:**

Extending the scope of the Energy Labelling Directive beyond ErP is not an option, in our view, as it would upset the implementation for the existing scope. It will give rise to legal uncertainty and jeopardise the credibility of the instrument in our sector, which to date is the only targeted industry.



**Question 5.2: Should scope of the Ecodesign Directive be expanded to non-ErP?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

No, the scope of the Ecodesign Directive should not be extended.

**Orgalime comment:**

Extending the scope of the existing Ecodesign Directive beyond ErP is not an option, in our view, as it would upset the implementation for the existing scope.

It will give rise to legal uncertainty and jeopardise the credibility of the instrument in our sector, which to date is the only targeted industry. It would also contradict the EU's Industrial Policy objectives of providing regulatory predictability and stability.

The existing MEErP methodology already provides for a full life cycle approach.

We request to study a new product group and all relevant aspects at one moment in time (not one aspect one year, another aspect next year, etc.) and then ensure stability for the product group for a reasonable time. Too frequent reviews are equally upsetting the objectives of regulatory predictability and stability. Moreover they inevitably undermine the competitiveness of manufacturers faced with recurrent research and development costs which he cannot amortise over a short period.

**Question 5.3: Should the scope of the Energy Labelling and Ecodesign Directives be limited to energy/resource use in the use phase, while a set of other legal instruments applying to other significant environmental aspects (material efficiency, pollution) is adopted?****Possible answers:**

Yes

No

Don't know

**Orgalime answer:**

For energy related products in scope today, the scope should not be changed.

For non-ErP outside of scope today, we do not know.

**Orgalime comment:**

The Ecodesign Directive already provides the framework for setting Ecodesign requirements on any parameter at any stage of the life cycle of energy related products. Its scientific based approach led to the identification of the real environment benefit areas in application of life cycle thinking, namely the focus on the use phase and mass standalone products in this area. Any parameter to be regulated needs to be measurable, enforceable, supported by standards, and bring significant environment benefit without hampering industry's competitiveness. Any parameter to be regulated needs in particular to satisfy the criterion of "significant improvement potential without entailing excessive costs".

Studies need to look at all relevant aspects at one moment in time (not one aspect this year, another aspect next year etc.) and then ensure stability for the product group for a reasonable time.

Regarding Energy Labelling, product labelling is one option of providing information on the environmental performance of a product. For consumer products, the Energy Label and its current focus on energy efficiency coupled with providing information on other parameters where relevant is a successful tool.

In the area of B2B (professional goods), we challenge the suitability of labelling as the best option for providing information between professional business partners and on goods that operate in systems rather than as standalone equipment.

The DG Energy study on EU product label options (<http://ec.europa.eu/energy/efficiency/studies/doc/2012-12-research-eu-product-label-options.pdf>) shows that consumers' choices can be affected by other parameters. However, the study highlights that providing information about the environmental impact of a product throughout its life cycle is unfamiliar for consumers. This may led to some confusion.

While information on environmental performances influences consumers' choice, a key driver of purchasing decisions is still the product performance characteristics. The study also underlines a number of considerations in introducing new environmental product labels. The study recommends reviewing the availability of test methods and standards, further developing methodologies for some environmental aspects (such as resource depletion and water eco-toxicity), generating tools to support manufacturers in reporting against product indicators and converging with existing methods.

It is therefore important to avoid multiplication of symbols and figures as well as to maintain its focus on energy efficiency in the use phase. Going beyond the current label risks seriously undermining the ongoing implementation and jeopardise the credibility of this instrument.

**Question 5.4:** Should the Energy Labelling Directive be extended to cover buildings, technical building systems and other systems, thus ensuring uniform EU rules for the labelling of such systems, instead of the current approach, where MS set the labelling rules in the national transposition of the EPBD and in other national legislation?

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

No.

**Orgalime comment:**

We agree with focusing on products (components) rather than complex systems for the sake of practicability, measurability and simplicity, as there are practical limits for targeting components that go into systems, especially into buildings, despite their efficiency potentials.

The more complex a product, the more difficult it becomes to set requirements, for example complex set top boxes, capital goods or other products integrated into systems of e.g.: buildings or electric distribution.

**Question 5.5:** Do you see opportunities for synergies between all or parts of EU legislation relevant to product groups? For example, merging all required documents and information into a single form, or merging certain Directives into one (Ecodesign, Energy Labelling, Energy Star, Tyre Labelling)

*Possible answers:*

Yes

No

Don't know

**Orgalime answer:**

No.

**Orgalime comment:**

For energy related products, the implementation of the Ecodesign and Energy Labelling Directives should continue to go hand in hand. If this requires a merger of the two Directives into one, what remains unclear to us among other, is the impact on conformity assessment procedures: in particular confusion could occur due to Ecodesign being a CE-marking Directive following well established conformity assessment procedures, while such a procedure seems unsuitable for Energy Labelling Directive.

In our view, a strong differentiation is necessary between the different instruments applying to the product groups. Labels are no panacea. Differentiation is necessary between consumer goods (B2C) and professional equipment (B2B) that are sold to professionals for industrial use.

Therefore, again, we ask for a better differentiation between B2B and B2C products. If there is a proven need for labelling, an intelligent combination of the Directive with the Labelling Directive might be possible. The Eco-label should in any case remain voluntary.

## 6. CLOSING REMARKS

Overall, Orgalime has in its earlier position identified the strengths, weaknesses and improvement potentials of the Ecodesign and Energy Labelling Directives.

In addition, we have the following closing remarks:

Orgalime is a full supporter of harmonisation in the area of ecodesign. Nevertheless, implementation has shown in the past that in some areas national situations and particularities can become very relevant and significantly influence the (non-)progress made on the development of an implementing measure (for example use of the Primary Energy Factor (PEF) in the implementing measures on boilers, water heaters, ovens, or air emission requirements in the implementing measure on boilers, or water quality requirements in the implementing measure on dishwashers). This has rendered debates somewhat complex and time consuming. To facilitate future implementation where similar situations could arise, we suggest that preparatory studies should regularly look into and provide a clear picture of the various national situations/particularities from the beginning, and especially identify any possible "problem zone". Preparatory studies should also in this respect provide the proper base for the decision making at the following steps of implementation of harmonised measures.

Regarding the current Primary Energy Factor (PEF), we have the following additional comment: such a fixed PEF discriminates electric product against gas sourced products and is not always compatible with the energy mix in some European countries. This would undermine the objectives of a low-carbon economy, particularly on reducing greenhouse gas emissions and on the promotion of renewable energy sources. We would therefore recommend a careful approach when regulating specific product groups.

We see potential to save energy in Europe if more focus were placed on system optimisation. Raising the requirements for individual products, such as for example transformers, in infrastructure systems and other systems, or the integration of products in buildings, are some examples. Another example is the preliminary study of electric motors that included the practice of Northern Europe to capitalize losses, but also to point out the difficulties that result when a component is regulated within a system. We recommend striving for better consistency between the Ecodesign, Energy Performance of Buildings and Energy Efficiency Directives to better exploit the energy savings potentials of system optimisation.

Tremendous savings potentials have also been identified for better Demand Side Management in EU electricity market (see Commission Communication on “Public Intervention in Electricity Prices” and accompanying Staff Working Document on “Demand Side Flexibility”). Product requirements alone cannot exploit these potentials. Realising these potentials requires a proper deployment of smart grids and the technologies enabling them.



---

*The European Engineering Industries Association*

**ORGALIME** aisbl | Diamant Building | Boulevard A Reyers 80 | B1030 | Brussels | Belgium  
Tel: +32 2 706 82 35 | Fax: +32 2 706 82 50 | e-mail: [secretariat@orgalime.org](mailto:secretariat@orgalime.org)  
Ass. Intern. A.R. 12.7.74 | VAT BE 414341438