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**Eco-design of energy using products directive:  
lights and shadows.**

**Luigi Meli  
Director general  
CECED**

# The industrial sector main figures

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- ❑ Large household appliances (gas and electric)
- ❑ Small appliances
- ❑ Heating, ventilation and Air conditioning appliances
  
- ❑ 200,000 employees, directly, and about 500,000 overall, considering upstream and downstream activities
- ❑ 280 companies, 90% of which are small-medium independent enterprises
- ❑ About 40 billion Euro turn-over
- ❑ Mass production – limited margins

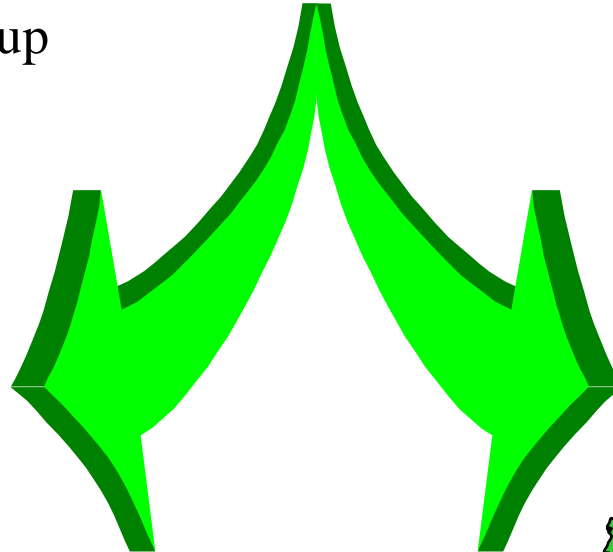


# CECED Membership

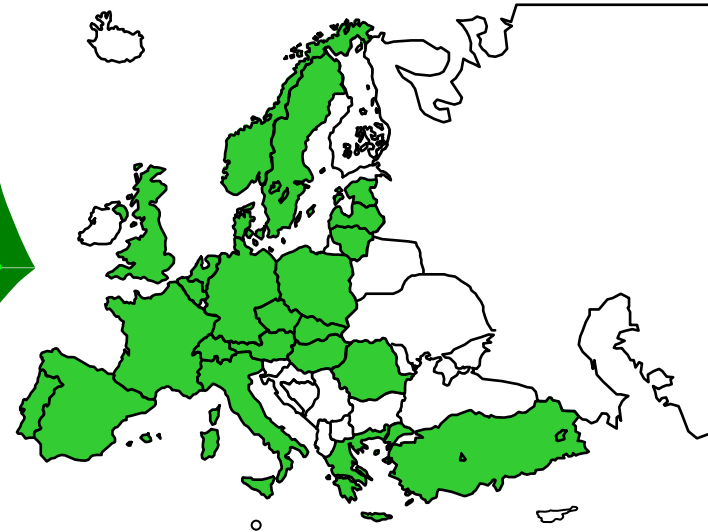
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## 15 Direct Members

Arçelik  
Ariston Thermo Group  
Bosch Siemens  
Candy  
De' Longhi  
Electrolux  
Fagor - FagorBrandt  
Gorenje  
Indesit Company  
Liebherr  
Miele  
Philips  
Saeco  
Groupe Seb  
Whirlpool



## 26 National Associations



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# A major step forward

Eco design of energy using products directive  
is a fundamental pillar for Sustainable consumption and  
production/sustainable industrial production policy.

- Minimum limits to push up the market 2005/32 framework dir.
- Energy label to pull innovation forward 92/75 framework dir.
- Market transformation policies to accelerate the uptake of innovative products and the investment cycles. ???????????

Yet an imperfect picture:

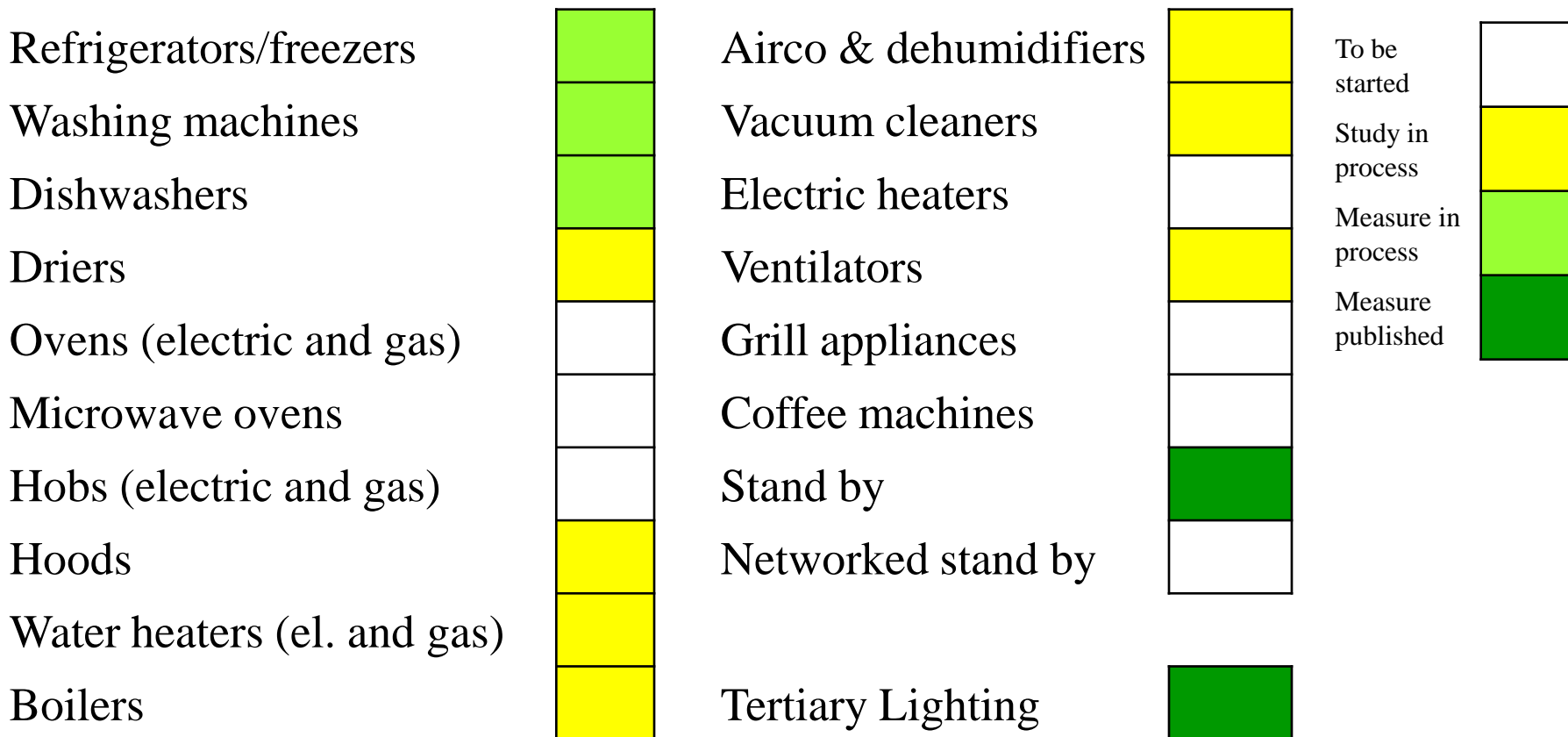
MTP delegated to member states.

Poor evidence so far, albeit very good results in some countries.

# A massive effort

27 project lots have been activated so far by EC.

Household appliances sector is massively involved.



# A demanding landscape

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## Lights

- ❑ Art. 95 – full harmonisation
- ❑ Balance of environmental economic/technical/social impacts
- ❑ Adopts New Approach

## Shadows

- ❑ Complex analysis
- ❑ Lengthy and uncertain approval process
- ❑ Almost a New Approach

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# Technical analysis is complex

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Experience gained in the eleven studies finalised or completed so far.

- ❑ Very demanding analysis because of frequent lack of data and/or lack of performance measurement standards.
- ❑ EC mandates triggered only after finalisation of the studies.
- ❑ Need of interim solutions, imbedded in the implementing measures.
- ❑ Role of standardisation squeezed.
  
- ❑ Ambiguous role of harmonised standards.

# What 2005/32 says

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## Recital 33

This Directive is in accordance with certain principles for the implementation of the new approach as set out in the Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards<sup>21</sup> and of making reference to harmonised European standards.

The Council Resolution of 28 October 1999 on the role of standardisation in Europe<sup>22</sup> recommended that the Commission should examine whether the New Approach principle could be extended to sectors not yet covered as a means of improving and simplifying legislation wherever possible.

# Definitions create a loophole.

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Article 2.27.

‘Harmonised standard’ means a technical specification adopted by a recognised standards body under a mandate from the Commission, in accordance with the procedure .... for the provision of information in the field of technical standards and regulations, for the purpose of establishing a European requirement, compliance with which is not compulsory.

## ANNEX VII

### CONTENTS OF THE IMPLEMENTING MEASURES

The implementing measure will specify, in particular:

5. the measurement standards and/or measurement methods to be used; when available, harmonised standards the reference numbers of which have been published in the *Official Journal of the European Union* will be used;



# Definitions create a loophole.

Article 2.27. In other words:

‘Harmonised standards  
recognised standards  
accordance with  
of technical standards  
European requirements

- ❑ Implementing measures must specify the measurement methods that must be used;

- ❑ If harmonised standard exist they must be used as measurement methods;

## ANNEX VII CONTENTS

The implement

5. the measurement

available, harmonised  
published in the

- ❑ If you use harmonised standards, they cannot be made mandatory.



# The situation appeared a deadlock.

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In addition EUP directive prescribes that quantitative targets must be in legal text and not in standards.

Enforcement and New Approach appeared to be in contradiction:

- ❑ Measurement standards are included in the regulation together with quantitative targets
- ❑ Quantitative targets are fixed but not the way to measure them.

Enforcement wins  
over New Approach

New Approach wins  
over Enforcement

# A creative solution has been found.

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Implementing measures fix the limits and require that manufacturers should use a reliable, accurate and reproducible method.

A separate EC Communication details to Member States which measurement methods should be used when enforcing the Regulation.

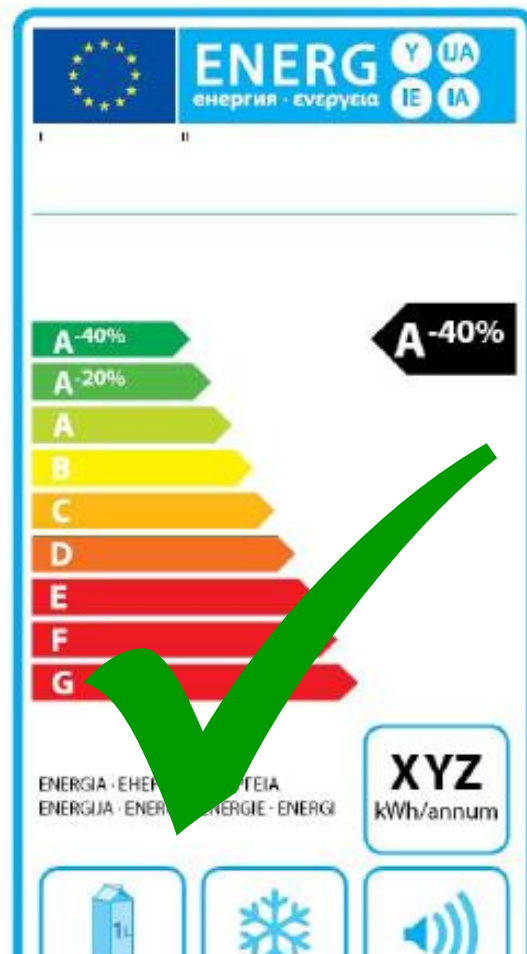
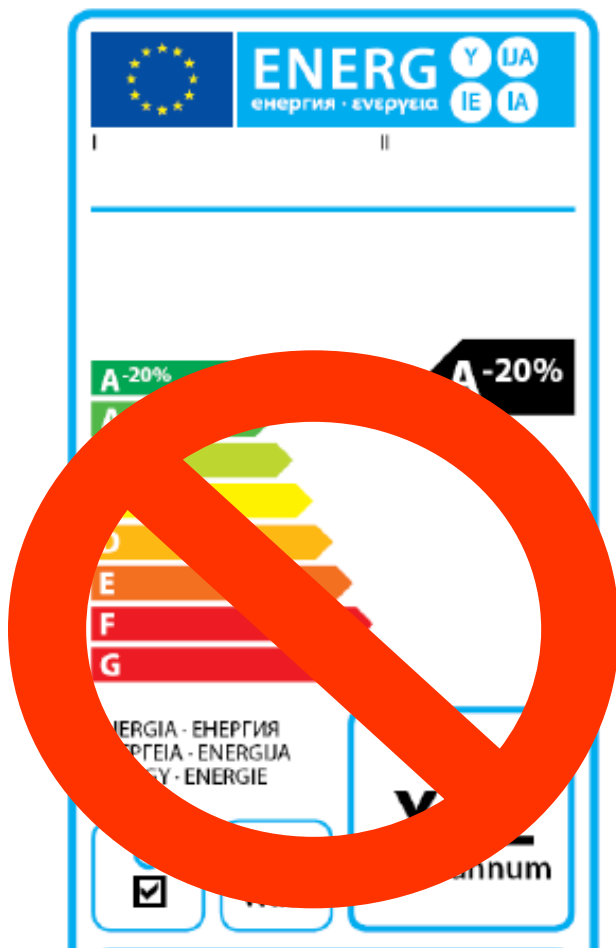
This Communication may contain references to Harmonised Standards or detailed measurement procedures, if no public standard is available.

This solution reduces the scope for free riding about the legal obligations and preserves somehow the spirit of the New Approach.

# Unfortunately the issues are not over.

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- ❑ In the spirit of SCP/SIP Ecodesign and Energy Label Implementing Measures are developed together based on the same technical analysis.
- ❑ Both follows the procedure of Comitology with Scrutiny.
- ❑ This means that the Commission and the Regulatory Committee prepare the implementing measures; European Parliament and Council have a right of scrutiny.
- ❑ Recently four measures were presented for scrutiny
  - ❑ Ecodesign and energy label for refrigerators
  - ❑ Ecodesign and energy label for TVs.



The Parliament has rejected the labelling for TVs.  
The process is on hold for all products that require a label.

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Thank you  
for your attention

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