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|  | Brussels, XXX[…] (2019) XXX draft |

**COMMISSION REGULATION (EU) …/…**

**of XXX**

**laying down ecodesign requirements for household tumble driers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008**

**and repealing Commission Regulation (EU) 932/2012**

(Text with EEA relevance)

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| *This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussion and may contain confidential and/or privileged material.* |

COMMISSION REGULATION (EU) No xxx/20xx

of xx xxxx 20xx

implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble driers

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products[[1]](#footnote-1) and in particular Article 15(1) thereof,

After consulting the Consultation Forum referred to in Article 18 of Directive 2009/125/EC,

Whereas:

1. Directive 2009/125/EC requires the Commission to set ecodesign requirements for energy-related products that represent significant volumes of sales and trade, that have a significant environmental impact and that present significant potential for improvement in terms of their environmental impact without entailing excessive costs.
2. Article 16(2) of Directive 2009/125/EC provides that in accordance with the procedure referred to in Article 19(3) and the criteria set out in Article 15(2), and after consulting the Consultation Forum, the Commission should, as appropriate, introduce implementing measures for products offering a high potential for cost-effective reduction of greenhouse gas emissions, such as tumble dryers.
3. The proposal for a revised Energy Efficiency Directive (EED) requires Member States to enhance their National Energy and Climate Plans (NECPs) to achieve at least an overall 9% reduction in EU energy consumption in 2030 compared to the EU Reference Scenario 2020. In this context, the ecodesign and energy labelling rules for products arise as important instruments to realise EU’s energy and decarbonisation objectives.
4. …

Article 1
**Subject matter and scope**

1. This Regulation establishes ecodesign requirements for the placing on the market of electric mains-operated and gas-fired household tumble dryers, including those sold for non-household use.
2. This Regulation shall not apply to household washer-dryers and household spin-extractors.

*Article 2*

**Definitions**

In addition to the definitions set out in Article 2 of Directive 2009/125/EC, the following definitions shall apply for the purpose of this Regulation:

1. ‘*household tumble dryer*’ or ‘tumble dryer’ means an appliance in which textiles are dried in a rotating drum by tumbling through which heated air is passed and which is declared by the manufacturer in the Declaration of Conformity as complying with the Directive 2014/35/EU of the European Parliament and of the Council[[2]](#footnote-2) or with Directive 2014/53/EU of the European Parliament and of the Council[[3]](#footnote-3);
2. *‘automatic washing machine’* means a washing machine where the load is fully treated by the washing machine without the need for user intervention at any point during the programme
3. *‘household washing machine’* means an automatic washing machine which cleans and rinses household laundry by using water, chemical, mechanical and thermal means, which also has a spin extraction function, and which is declared by the manufacturer in the Declaration of Conformity as complying with the Directive 2014/35/EU of the European Parliament and of the Council[[4]](#footnote-4) or with Directive 2014/53/EU of the European Parliament and of the Council[[5]](#footnote-5);
4. *‘household washer-dryer’* means a household washing machine which, in addition to the functions of an automatic washing machine, in the same drum includes a means for drying the textiles by heating and tumbling, and which is declared by the manufacturer in the Declaration of Conformity as complying with Directive 2014/35/EU or with Directive 2014/53/EU;
5. ‘*household spin-extractor*’ means an appliance in which water is removed from the textiles by centrifugal action in a rotating drum and drained through an automatic pump and which is designed to be used principally for non-professional purposes. The household spin-stractor is also commercially known as spin-dryer;
6. ‘*air-vented tumble dryer*’ means a tumble dryer that draws in fresh air, passes it over the textiles and vents the resulting moist air into the room or outside;
7. ‘*condenser tumble dryer*’ means a tumble dryer that removes moisture from the clothes by condensing water;
8. *‘equivalent model’* means a model which has the same technical characteristics relevant for the technical information to be provided as another model with a different model identifier, which is placed on the market or put into service by the same manufacturer, importer or authorised representative;
9. *‘programme’* means a series of operations that are predefined and which are declared by the manufacturer as suitable for drying certain types of textile;
10. *‘model identifier’* means the code, usually alphanumeric, which distinguishes a specific product model from other models with the same trade mark or the same manufacturer’s, importer’s or authorised representative’s name;
11. *‘product database’* means a collection of data concerning products, which is arranged in a systematic manner and consists of a consumer-oriented public part, where information concerning individual product parameters is accessible by electronic means, an online portal for accessibility and a compliance part, with clearly specified accessibility and security requirements, as laid down in Regulation (EU) 2017/1369;
12. *‘end-user’* means a consumer buying or expected to buy a household tumble dryer;
13. *‘heating element tumble dryer’*means a tumble dryer, either condenser or air-vented, which inside air is heated by means of an electric resistance;
14. *‘heat pump tumble dryer’* means a condenser tumble dryer which inside air is heated by means of a heat pump system;
15. *‘gas-fired tumble dryer’* means a tumble dryer which primary energy is gas.

Article 3
**Ecodesign requirements**

1. The ecodesign requirements for household tumble dryers set out in Annex II shall apply.
2. Compliance with the requirements set out in Annex II shall be measured and calculated in accordance with the methods set out in Annex III.

Article 4
**Conformity assessment**

1. The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control system set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.
2. For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation file shall contain a copy of the calculations set out in Annex II to this Regulation.

Where the information included in the technical documentation for a particular model has been obtained from a model that has the same technical characteristics relevant for the technical information to be provided but is produced by a different manufacturer, or by calculation on the basis of design or extrapolation from another model of the same or a different manufacturer, or both, the technical documentation shall include the details of such calculation, the assessment undertaken by the manufacturer to verify the accuracy of the calculation and, where appropriate, the declaration of identity between the models of different manufacturers. The technical documentation shall include a list of all equivalent models, including the model identifiers.

1. The technical documentation shall include the information in the order and as set out in Annex VI of Regulation (EU) 20XX/XXX [OP - Please insert here references of the energy labelling regulation on household tumble dryers]. For market surveillance purposes, manufacturers, importers or authorised representatives may, without prejudice to point 2(g) of Annex IV to Directive 2009/125/EC, refer to the technical documentation uploaded to the product database which contains the same information laid down in Regulation (EU) 20XX/XXX [OP - Please insert here references of the energy labelling regulation on household tumble dyiers].

Article 5
**Verification procedure for market surveillance purposes**

Member States shall apply the verification procedure described in Annex III to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC for compliance with requirements set out in Annex I to this Regulation.

Article 6
**Circumvention**

The manufacturer, importer or authorised representative shall not place on the market products designed to be able to detect they are being tested (e.g. by recognising the test conditions or test cycle), and to react specifically by automatically altering their performance during the test with the aim of reaching a more favourable level for any of the parameters declared by the manufacturer, importer or authorised representative in the technical documentation or included in any documentation provided.

The energy consumption of the product and any of the other declared parameters shall not deteriorate after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user prior to the update. No performance change shall occur as a result of rejecting the update.

A software update shall never have the effect of changing the product's performance in a way that makes it non-compliant with the ecodesign requirements applicable for the declaration of conformity.

Article 7
**Benchmarks**

The benchmarks for best-performing household tumble driers available on the market at the time of entry into force of this Regulation are set out in Annex IV.

Article 8
**Revision**

The Commission shall review this Regulation in the light of technological progress and shall present the results of this review, including, if appropriate, a draft revision proposal, to the Consultation Forum by *[OP – please insert date - 6 years after its entry into force]*.

The review shall in particular assess on the following:

1. the improvement potential with regard to energy and environmental performance of household tumble dryers;
2. the evolution of consumer behaviour and the feasibility of a mandatory feedback mechanism on the loading of the appliance and the energy consumption of the selected programme;
3. the effectiveness of existing requirements on resource efficiency;
4. the appropriateness of setting additional resource efficiency requirements for products in accordance with the objectives of the circular economy, including the availability of additional spare parts;

Article 9

**Amendment to Regulation (EU) No 1275/2008**

In point 1 of Annex I to Regulation (EC) No 1275/2008:

* the entry ‘Clothes dryers’ is deleted;
* the entry 'Other appliances for cooking and other processing of food, cleaning, and maintenance of clothes' is replaced by 'Other appliances for cooking and other processing of food, cleaning and maintenance of clothes with the exception of household tumble driers'.

*Article* 10

**Repeal**

Regulation (EU) No 932/2012 is repealed as of 1 January 2025

Article 11
**Entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2025. However, Article 6, first paragraph shall apply from *[OP – please insert the day of entry into force of this Regulation]*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

1. OJ L 285, 31.10.2009, p. 10. [↑](#footnote-ref-1)
2. Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357). [↑](#footnote-ref-2)
3. Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014) [↑](#footnote-ref-3)
4. Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357). [↑](#footnote-ref-4)
5. Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014) [↑](#footnote-ref-5)