

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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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)

Article 1

Subject matter and scope

1. This Regulation establishes eco-design requirements for the placing on the market of electric mains-operated and gas-fired household tumble driers and built-in household tumble driers, 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 drier'* 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 Council¹ or with Directive 2014/53/EU of the European Parliament and of the Council²;
- (2) *'built-in household tumble drier'* means a household tumble drier that is designed, tested and marketed exclusively:
 - (a) to be installed in cabinetry or encased (top and/or bottom, and sides) by panels;
 - (b) to be securely fastened to the sides, top or floor of the cabinetry or panels; and
 - (c) to be equipped with an integral factory-finished face or to be fitted with a custom front panel;
- (3) *'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
- (4) *'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

¹ 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).

² 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)

in the Declaration of Conformity as complying with the Directive 2014/35/EU of the European Parliament and of the Council³ or with Directive 2014/53/EU of the European Parliament and of the Council⁴;

- (5) *'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;
- (6) *'household spin-extractor'* also known commercially as *'spin-drier'*, 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;
- (7) *'air-vented tumble drier'* means a tumble drier that draws in fresh air, passes it over the textiles and vents the resulting moist air into the room or outside;
- (8) *'condenser tumble drier'* means a tumble drier which includes a device (either using condensation or any other means) for removing moisture from the air used for the drying process;
- (9) *'automatic tumble drier'* means a tumble drier which switches off the drying process when a certain moisture content of the load is detected, for example through conductivity or temperature sensing;
- (10) *'non-automatic tumble drier'* means a tumble drier which switches off the drying process after a predefined period, usually controlled by a timer, but which may also be manually switched off;
- (11) *'equivalent model'* means a model which has the same technical characteristics relevant for the technical information to be provided, but which is placed on the market or put into service by the same manufacturer, importer or authorised representative as another model with a different model identifier;
- (12) *'programme'* means a series of operations that are predefined and which are declared by the manufacturer as suitable for drying certain types of textile;
- (13) *'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;
- (14) *'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;

³ 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).

⁴ 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)

Article 3

Ecodesign requirements

1. The ecodesign requirements for household tumble driers set out in Annex I shall apply from the dates indicated therein.

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.
3. Where the information included in the technical documentation for a particular model has been obtained:
 - (a) 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
 - (b) 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.

3. The technical documentation shall include the information in the order and as set out in Annex VI of Regulation (EU) 2019/XXX [OP - Please insert here references of the energy labelling regulation on household tumble driers]. 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) 2019/XXX [OP - Please insert here references of the energy labelling regulation on household tumble driers].

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:

- a) the improvement potential with regard to energy and environmental performance of household tumble driers;
- b) 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;
- c) the effectiveness of existing requirements on resource efficiency;
- d) 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 June 2024**

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 June 2024**. 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,

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