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

**COMMISSION DELEGATED REGULATION (EU) …/…**

**of XXX**

**supplementing Regulation (EU) 2017/1369 of the European Parliament**

**and of the Council with regard to energy labelling of household tumble dryers**

**and repealing Commission Regulation (EU) 392/2012**

(Text with EEA relevance)

|  |
| --- |
| *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 DELEGATED REGULATION (EU) …/…**

**of XXX**

**supplementing Regulation (EU) 2017/1369 of the European Parliament**

**and of the Council with regard to energy labelling of household tumble dryers**

**and repealing Commission Regulation (EU) 392/2012**

 (Text with EEA relevance)

Article 1
**Subject matter and scope**

1. This Regulation establishes requirements for the labelling of and the provision of supplementary product information on 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 Regulation (EU) 2017/1369, the following definitions shall apply for the purpose of this Regulation:

1. ʻmains’ or ‘electric mains’ means the electricity supply from the grid of 230 (±10 %) volts of alternating current at 50 Hz;
2. ‘household tumble dryer’ or ‘tumble dryer’ means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed 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;
3. ‘built-in household tumble dryer’ means a household tumble dryer that is designed, tested and marketed exclusively:
	* + 1. to be installed in cabinetry or encased (top and/or bottom, and sides) by panels;
			2. to be securely fastened to the sides, top or floor of the cabinetry or panels; and
			3. to be equipped with an integral factory-finished face or to be fitted with a custom front panel;
4. ‘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
5. ‘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[[1]](#footnote-1) or with Directive 2014/53/EU of the European Parliament and of the Council[[2]](#footnote-2);
6. ‘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;
7. ‘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. Household spin-extractors are also commercially known as ‘spin-dryers’;
8. ‘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;
9. ‘condenser tumble dryer’ means a tumble dryer that removes moisture from the clothes by condensing water;
10. ‘end-user’ means a consumer buying or expected to buy a household tumble dryer;
11. ‘point of sale’ means a location where household tumble dryers are displayed or offered for sale, hire or hire-purchase.
12. *‘gas-fired tumble dryer’* means a tumble dryer which primary energy is gas.

For the purpose of the annexes, additional definitions are set out in Annex I.

Article 3
**Obligations of suppliers**

1. Suppliers shall ensure that:
	1. each household tumble dryer is supplied with a printed label in the format and containing the information set out in Annex III;
	2. the parameters of the product information sheet, as set out in Annex V are entered into the product database; if specifically requested by the dealer, the product information sheet shall be made available in printed form;
	3. the content of the technical documentation set out in Annex VI is entered in the product database;
	4. any visual advertisement of a specific model of household tumble dryer, including visual advertisements on the internet, contains the information set out in point 1 of Annex VII;
	5. any technical promotional material or other promotional material in distance selling or telemarketing, concerning a specific model of household tumble dryer, except distance selling on the internet, contains the information set out in points 2 to 5 of Annex VII;
	6. in case of distance selling on the internet, any technical promotional material or other promotional material concerning a specific model of household tumble dryer contains the information set out in Annex VIII;
	7. an electronic label in the format and containing the information as set out in Annex III shall be made available to dealers for each model of tumble dryer;
	8. an electronic product information sheet, as set out in Annex V, is made available to dealers for each model of tumble dryer.
2. The energy efficiency class, the condensation efficiency class (if relevant) and the acoustic airborne noise emission class are defined in Annex II and shall be calculated in accordance with Annex IV

Article 4
**Obligation of dealers**

Dealers shall ensure that:

* 1. each household tumble dryer, at the point of sale, including at trade fairs, bears the label provided by the supplier in accordance with paragraph 1(a) of Article 3, with the label being displayed for built-in appliances in such a way as to be clearly visible, and for all other appliances in such a way as to be clearly visible on the outside on the front or top of the household tumble dryer; in cases of trade fairs, where end-users cannot purchase, hire or hire-purchase products at a fair, there is no obligation for such products to bear the energy label.
	2. the product information sheet set out in Annex V is provided, including the cases of distance selling and sale through the internet;
	3. any visual advertisement for a specific model of household tumble dryer contains the energy efficiency class of that model and the range of energy efficiency classes available on the label, in accordance with Annex VII;
	4. any technical promotional material or other promotional material in distance selling or telemarketing concerning a specific model of household tumble dryer, except distance selling on the internet, contains the information set out in Annex VII;
	5. in case of distance selling on the internet, any technical promotional material or other promotional material concerning a specific model of household tumble dryer contains the information set out in Annex VIII.

*Article 5***Obligations of internet hosting platforms**

Where a hosting service provider as referred to in Article 14 of Directive 2000/31/EC allows the direct selling of household tumble dryers through its internet website, the service provider shall enable the showing of the electronic label and electronic product information sheet provided by the dealer on the display mechanism in accordance with the provisions of Annex VIII and shall inform the dealer of the obligation to display them.

Article 6
**Measurement methods**

The information to be provided pursuant to Articles 3 and 4 shall be obtained by reliable, accurate and reproducible measurement and calculation methods, which take into account the recognised state-of-the-art measurement and calculation methods as set out in Annex IV. Methods allowing the appliances 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 supplier in the label, are expressly prohibited.

The energy consumption of the product and any of the other parameters declared in the label 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.

Article 7
**Verification procedure for market surveillance purposes**

Member States shall apply the procedure laid down in Annex IX when performing the market surveillance checks referred to in paragraph 3 of Article 8 of Regulation (EU) 2017/1369.

Article 8
**Review**

The Commission shall review this Regulation in the light of technological progress and present the results of this review including, if appropriate, a draft revision proposal, to the Consultation Forum no later than *[OP – please insert the date - six years after day of entry into force of this Regulation]*.

The review shall in particular assess the following:

* 1. the improvement potential with regard to the energy consumption, functional and environmental performance of household tumble dryers;
	2. the effectiveness of existing measures in realising changes of end-user behaviour in purchasing more energy and resource efficient appliances and using more energy and resource efficient programmes;
	3. the possibility to address circular economy objectives.

Article 9
**Repeal**

Commission Delegated Regulation (EU) 392/2012 is repealed as of 1 January 2025.

Article 10
**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, points 1(a) and 1(b) of Article 3 shall apply from 1 September 2024.

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

Done at Brussels,

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). [↑](#footnote-ref-1)
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) [↑](#footnote-ref-2)