Brussels, XXX
[…](2018) 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 dishwashers

and repealing Regulation (EU) No 1059/2010 with regard to energy labelling of household dishwashers

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Legal and political context of the proposal

In the EU, the Ecodesign Framework Directive sets a framework requiring manufacturers of energy-related products to improve the environmental performance of their products by meeting minimum energy efficiency requirements, as well as other environmental criteria such as water consumption, emission levels or minimum durability of certain components before they can place their products on the market. The Energy Labelling Framework Regulation (EU) 2017/1369 establishes a framework for the provision of accurate, relevant and comparable information on the specific energy consumption of energy-related products and other environmental information, and facilitates the customer's choice in favour of products that are more resource efficient. It complements the Ecodesign Framework Directive by enabling end-consumers to identify the better-performing products via an A-G/green-to-red scale. The energy label is recognised and used by 85% of Europeans. The legislative framework builds upon the combined effect of the two aforementioned pieces of legislation.

The ecodesign and energy labelling framework are central to making Europe more energy efficient, contributing in particular to the 'Energy Union Framework Strategy' , and to the priority of a 'Deeper and fairer internal market with a strengthened industrial base' . Firstly, this legislative framework pushes industry to improve the energy efficiency of products and removes the worst-performing ones from the market. Secondly, it helps consumers and companies to reduce their energy bills. In the industrial and services sectors, this results in support to competitiveness and innovation. Thirdly, it ensures that manufacturers and importers responsible for placing products on the European Union (EU) market only have to comply with a single EU-wide set of rules.

These two instruments are key components of the Union policy for improving the energy and other environmental aspects of products placed on the market or put into service in the European Economic Area (EEA). It is an important instrument for achieving the energy savings objectives for 2020 and 2030, and its implementation is one of the priorities in the commission's Communication on Energy 2020 and Energy Efficiency Plan 2011, being reinforced by the current Ecodesign Working Plan 2016-2019. It is also expected to contribute significantly to the transition towards a more circular economy, as expressed in the Circular Economy action plan 2015[1]. Furthermore, the implementation of the Regulation (EU) No 2017/1369 will contribute to the EU's target of reducing greenhouse gases by at least 20% by 2020 and by at least 40% by 2030.

Regulation (EU) 1059/2010 sets energy labelling requirements for household dishwashers. The revision clause (Article 7) states that by December 2014 the Commission should revise the regulation in the light of the technological development and in particular assess the verification tolerances set in Annex V.

Dishwashers were included as one of the priority products for revision in the Ecodesign Working Plan 2016-2019. Dishwashers are also among the product groups mentioned in Article 11(5)(b) of Regulation (EU) 2017/1369 for which the Commission should adopt a delegated act to introduce an A to G rescaled label by 2 November 2018. The rescaling exercise will result in the existing range of energy classes of A+++ to G being replaced by a range of A to G.

[1] Closing the loop - An EU action plan for the Circular Economy". COM(2015) 614 final, Brussels, 2.12.2015

In accordance with Article 11(8) of Regulation (EU) 2017/1369, no products are expected to fall into energy class A when the rescaled label is introduced, and the estimated time within which a majority of models will fall into that class is at least 10 years.

General context

Household dishwashers are widely used in the European Union. It is estimated that on average 44% of the European households are equipped with a household dishwasher (96 million units). The electricity consumption of the dishwashers was estimated at around 31 TWh/year in 2015 and 317 million m^3 of water. Unless new measures specifically relating to these products are introduced, the total electricity consumption of dishwashers in the EU is expected to reach around 40 TWh/year by 2030, equivalent to around 15 million ton CO_{2eq}.

The energy consumption and emissions related to the usage of dishwashers can be reduced below the level they would reach in a business-as-usual scenario in a cost-effective way.

The main reasons for not realising these saving potentials are the failure of the market to:

(i) provide a better fit between the standard programme used for testing (optimised by the manufacturers) and the other cleaning programmes actually used by consumers;

(ii) guide consumers to make informed purchase decisions based on the life cycle cost rather than the purchase cost (asymmetric information) and

(iii) the lack of incentives for repairing the appliances and for managing properly the products at the end of their use phase.

Potential cost-effective improvements that would benefit the end-user are therefore often not realised.

The objective of the revision of Regulation (EU) No 1059/2010 on energy labelling for dishwashers is to trigger a change in market conditions and appliances optimisation, without damaging the increasing penetration rate of dishwashers into the EU market experienced during the last years. The aim is also to rescale the label in accordance with Regulation (EU) 2017/1369.

The proposed revision is expected to reduce the total energy consumption of these products each year across the EU, compared to a business-as-usual scenario, by around 2 TWh/year, 0.5 Mt CO_2 eq/year and up to 16 million m^3/year by 2030. This represents a modest contribution of 0.14% to the EU target on energy efficiency by 2030 and 0.05% to the EU target on CO_2 emissions reduction by 2030. It is also expected to facilitate repair activities and end-of-life treatment by ensuring that the necessary information and spare parts are available. This may be complemented in future by a reparability scoring, which is currently under study.

Existing regulation and standards in EU and third countries

The Energy Labelling Framework Regulation (EU) 2017/1369 is an important instrument for achieving the European targets on energy efficiency and the implementation of this working document is a concreate contribution to this process.

Additionally, other ecodesign regulations are of relevance for dishwashers such as the standby and off mode Regulation (EC) No 1275/2008, the ecodesign Regulation (EU) No 801/2013 on networked standby or the low voltage Directive 201/35/EC and the electromagnetic compatibility Directive 2014/30/EC.

Regarding the legislation set in third countries, many economies around the world (e.g. US, Japan, Australia, China, Brazil or Mexico) have introduced in recent years legislation on these products.

The performance of dishwashers is tested in accordance with standard EN 50242 / EN 60436. Currently, CENELEC is working on the adaptation of the existing measurement standards to fill a number of gaps concerning the identified level of performance between the real washing programme used by consumers and the currently standardised test. This adaptation includes the adoption of a new test load with a higher variety of shapes and materials, the combined assessment procedure for combined cleaning and drying performance, the new reference detergent, test procedures for automatic programmes and the rinsing performance. The adaptation of the standard is in an advanced stage of development and very likely to be in place by the time of the adoption of the energy labelling delegated act.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

2.1. REVIEW STUDY AND STAKEHOLDER CONSULTATIONS

In order to revise both the Ecodesign and Energy Label regulations, a review study[2] was launched in 2014, resulting in a final report published in June 2017. It followed the structure Methodology for Ecodesign of Energy related Products (MEErP)[3]. The study included a stakeholder survey, two stakeholder meetings in 2015 and a web-seminar in 2016. It involved approximately 140 stakeholders .

The review study covered household dishwasher appliances in the current scope of those regulations. A technical, environmental and economic analysis was performed. This assessed the need of updating the requirements for these products and to assess policy options. This was done as per the review clause of the regulations, and within the framework of the Ecodesign Directive and Energy Labelling Regulation.

The review study was developed in an open process, taking into account input from relevant stakeholders including manufacturers and their associations, environmental NGOs, consumer organisations and MS representatives. The study provided a dedicated website and a platform for information interchange (BATIS) where interim results and further relevant materials were published regularly for timely stakeholder consultation and input. The study website http://susproc.jrc.ec.europa.eu/Dishwashers/index.html is still open for download of the study documents and stakeholder comments (status May 2018). During the study, two face-to-face meetings were held on 23rd June 2015 in Seville and 17th November 2015 in Brussels and a webinar was held on 7th October 2016. The minutes of these meetings are available at: http://susproc.jrc.ec.europa.eu/Dishwashers/documents.html

2.2. WORKING DOCUMENTS AND CONSULTATION FORUM

The Commission services prepared two Working Documents with Ecodesign and Energy Labelling requirements based on the results of the Review Study. The Working Documents were circulated to the members of the Ecodesign Consultation Forum and for information to the secretariat of the ENVI and ITRE Committees of the European Parliament. The Ecodesign Consultation Forum consists of a balanced representation of MS representatives, industry

[2] Ecodesign and energy label preparatory study on Dishwashers, available at: http://susproc.jrc.ec.europa.eu/Dishwashers/documents.html

[3] Kemna, R.B.J., Methodology for the Ecodesign of Energy-related Products (MEErP) – Part 2, VHK for the European Commission, 2011 (MEErP)

associations and NGOs in line with Article 18 of the Ecodesign Directive. On 19 December 2017, they were discussed in the Ecodesign Consultation Forum meeting.

The Working Documents were circulated before the meeting to the members of the Ecodesign Consultation Forum. More than 20 papers were received and analysed by the Commission Services before and after the Consultation Forum.

2.3. RESULTS OF STAKEHOLDER CONSULTATION DURING AND AFTER THE CONSULTATION FORUM

The comments of the main stakeholders on key features of the Commission services' Working Document received during and after the Consultation Forum can be summarised as follows:

Minimum energy efficiency requirement under Ecodesign

Industry stakeholders recommended not to set stricter requirements than what applies currently, as this would negatively impact the affordability of appliances and slow down the penetration of dishwashers in countries with low income, while even the worst performing dishwashers are more energy efficient than handwashing. According to industry experts, the current class A+ (lowest class for full-size dishwashers) correspond already to the Least Life Cycle Cost (LLCC). On the contrary, environmental NGOs considered Commission proposals as the lowest possible ambition possible and requested a second tier with stricter requirements.

Calculation of the Energy Efficiency Index (EEI)

All stakeholders asked to revise the distinction between larger and smaller appliances in the calculation of the energy efficiency index, where there is currently a discrepancy between the Ecodesign requirement and the calculation, and which gives an unfair advantage to bigger appliances according to consumer organisations.

Technology to be recognised as BAT and repartition of Energy Label classes

Stakeholders were split on the technology type to be considered as Best Available Technology (BAT), and, following the provisions of the new Energy Labelling regulation, this choice has a major impact on the level of the highest classes of the Energy Label. Some Member States and industry actors consider that the heat pump-equipped dishwasher technology cannot be considered as BAT because enabled energy savings do not compensate for its higher purchase price and because of its limited availability on the market. Other Member States and environmental NGOs consider that it is currently the best technology on the market and it should be considered as such.

On the further repartition of energy classes, industry stakeholders called to keep an incentive for the lower performing appliances to progress by providing smaller bandwidth classes than currently proposed (towards the lower end of the scale), considering that the current proposal would see the majority of currently-available appliances rated as E or F (once re-scaled).

Material efficiency requirements

Stakeholders were generally in agreement with the requirements proposed on the marking of refrigerating gases and dismantling of electric and electronic equipment, with nuances on the wording, and were split on Commission's proposals for requirements on spare parts and on access to information. Some Member States consider that these requirements will be difficult

to enforce by Market Surveillance Authorities and that access to repair and maintenance information should be restricted to authorised repairers only. Industry (especially manufacturers) concurred on the last point, and were more open on spare parts requirements, if they were instead replaced by declarations. Environmental NGOs and other Member States supported the proposals and/or suggested more ambitious ones.

Noise

Some Member States and industry stakeholders proposed to revise the proposed classes on noise emissions in a more lenient manner.

Low-power modes

Many stakeholders saw a need to revise the proposed provisions on low-power modes, where some wording was considered as too vague and not fully consistent.

2.4. OPEN PUBLIC CONSULTATION

An *online public consultation (OPC)*[4] took place from 12th February to 7th May 2018, with the aim to collect stakeholders' views on issues such as the expected effect of potential legislative measures on business and on energy consumption trends.

The OPC contained a common part on Ecodesign and Energy labelling, followed by product specific questions on (i) refrigerators, (ii) dishwashers, (iii) washing machines and washer-dryers, (iii) televisions, (iv) electronic displays and (v) lighting.

1230 responses were received of which 67% were consumers and 19% businesses (of which three quarters were SMEs and one-quarter large companies). NGOs made up 6% of respondents, and 7% were "other" categories. National or local governments were under 1% of respondents, and 0.25% came from national Market Surveillance Authorities.

The countries of residence of the participants were predominantly the UK (41%) and Germany (26%), with a second group of Austria, Belgium, France, the Netherlands and Spain comprising together some 17%. Nine other Member States comprised another 9.5% of replies, but residents in 12 EU Member States gave either zero or a negligible number of responses. Non-EU respondents comprised around 5% of replies.

It should be noted that of the 1230 respondents, 719 (58%) replied only to lighting related questions as part of a coordinated campaign related to lighting in theatres. This was considered to significantly distort the replies, and for some questions the "lighting respondents" were removed from the calculation. Furthermore, as respondents did not have to reply to all questions, a high rate of "no answer" was observed (from 5% - up to 90%), in addition to those who replied "don't know" or "no opinion". To reflect better the actual answers, the number of "no answers" was deducted and the remaining answers treated as 100%.

2.4.1. Overall results

The first part of the questionnaire asked general questions aimed at EU citizens and stakeholders with no particular specialised knowledge of Ecodesign and Energy Labelling regulations.

[4] https://ec.europa.eu/info/consultations/public-consultation-ecodesign-and-energy-labelling-refrigerators-dishwashers-washing-machines-televisions-computers-and-lamps_en

Some 63% of the participants were in favour of including Ecodesign requirements on reparability and durability, and 65% of respondents considered that this information should be on Energy Labels.

Regarding the reparability of products, participants valued mostly as "very important" to "important" (in the range 62%-68%)[5] each of the following: a warranty, the availability of spare parts, and a complete manual for repair and maintenance. The delivery time of spare parts was rated as 56% "very important" to "important".

2.4.2. Small and Medium Enterprises (SME)[6] Consultation

One of the aims of the OPC was to gather specific information on SMEs' roles and importance on the market, and to acquire more knowledge on how the aspects related to the environmental impacts of these six product groups were considered by SMEs.

Approximately 10.5% or replies were from SMEs. In the OPC responses, SMEs reported that they were aware of the Ecodesign and EU Energy Label requirements applicable to the products they were involved in. Nevertheless, SMEs mostly declined to respond (90%) or replied in "don't know/ no opinion" (6%) when asked about the potential impact on their businesses per se, or potential impacts on SMEs compared to larger enterprises, of the introduction of resource efficiency requirements in the revised Ecodesign and Energy Labelling regulations. Of those SMEs who gave an opinion, some 3-4% considered that the impacts could be negative, and around 1% thought that the effects would be positive.

2.4.3. Responses relating specifically to Household Dishwashers

Regarding technical questions on household dishwashers, of the participants who answered this question (c. 47%), only half of the respondents were aware that dishwashers are required to reach minimum cleaning performance requirements, and that this means that pre-rinsing is therefore not necessary. Approximately 30% of respondents were aware that longer time duration dishwasher programmes tend to use less energy than shorter programmes (caveats: c. 20% were not aware of this relationship, and a further 51% gave either no answer or responded "don't know/ no opinion").

With regard to what should be displayed on the EU Energy Label, c.50% of participants considered that information on the combination of time and energy consumption for dishwashers should be made more clearly available.

In order to be able to evaluate the performance of household dishwashers, participants considered the inclusion of the following aspects as "important" or "very important"[7]: most frequently used programmes (45%), most energy-intensive programmes (35%), programme duration (34%), and low power modes (33%). Consumers also considered that the most relevant parameters to be communicated on the EU Energy Label were the following parameters: water consumption, energy consumption and energy efficiency; this group was followed by a second group comprising noise emissions, capacity (amount of plates and glasses, etc.) and the combined cleaning and drying performance.

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[5] Scale ranging from not important, somewhat important, important, very important, don't know or no opinion and no answer

[6] SMEs < 250 employees

[7] The response scale used ranged from the following possible evaluations: not important, somewhat important, important, very important, don't know or no opinion and no answer.

Regarding material efficiency elements, respondents gave the following answers for "important" and "very important" rankings: quick repair time (40%), post-repair warranty (38%), a detailed quotation for a complete repair (37%), a list of spare parts and instructions to enable self-repair (36%), a list of certified repairers (35%). If the "somewhat important" ranking is included for each of the above elements, this captures in each case an additional 9%-11% of respondents.

The two most numerous responses for the expectation of how long spare parts were expected to remain available for dishwashers were: more than 10 years (c.32% of respondents), and between 5-10 years (c.20%). Fewer than 2.5% of respondents cited a period of 5 years or less. (9% "don't know/ no opinion" responses were recorded, and c.37% gave no reply).

2.5. IMPACT ASSESSMENT

An Impact Assessment is required when the expected economic, environmental and social impacts of EU action are likely to be significant. The Impact Assessment for the review of Regulations (EU) No 1016/2010 and (EU) No 1059/2010 was carried out between January and March 2018.

The data collected in the review study served as a basis for the impact assessment. Additional data and information was collected and discussed by the Impact Assessment study team with industry and experts representing other stakeholders and Member States. The additional data and information collection focussed on:

– additional market data, especially the differences between number of models and volume of sales of the energy efficiency classes for the period 2003-2013

– fine tuning of the metrics (revised standard)

– possible impacts on manufacturers

Inception Impact Assessments (IIAs) on *"Regulatory measures on the review of Ecodesign requirements for household dishwashers"* and "*Regulatory measure on the reviews of energy labelling for household dishwasher (EU) No 1059/2010*" were published[8] before the Consultation Forum. Feedback on both IIAs were received (11 and 9 comments respectively) on a number of aspects. In general, the feedback supported the Ecodesign and Energy Label requirements for household dishwashers as they help mitigate climate change, help EU citizens save on their energy and water bills, and better integrate domestic appliances in a Circular Economy through the proposed reparability and recyclability requirements.

Feedback commented on the strictness of the Ecodesign requirements regarding energy minimum requirements, the testing programmes, and the low power modes as well as several aspects of the information to be included on the energy label. Feedback also focused on the resource efficiency aspects that are in general supported and some additional proposal were made in order to ensure their proper implementation.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

3.1. Summary of the proposed action for Energy Label Regulation

1. Definition of the scope of the proposed Regulations

[8] Registered under references ARES (2018) 476416 and ARES (2018) 476380

The working document establishes energy label requirements for the placing on the market of electric mains-operated household dishwashers, and electric mains-operated household dishwashers that can also be powered by batteries, including built-in household dishwashers.

2. Information on the label

(1) Rescaled label introducing A to G classes in accordance with Regulation 2017/1369;

(2) Energy consumption of the eco programme in kWh per cycle;

(3) Water consumption of the eco programme in litres per cycle;

(4) Duration of the eco programme in hh:mm;

(5) Airborne acoustic noise emission classes;

(6) Clear indication that the values refer to only the ECO programme;

(7) QR code linking to the model information in the product database.

3.2. Measurements and calculations

Measurements and calculations of the relevant product parameters should be performed using methods that are reliable, accurate and reproducible. Manufacturers may apply the measurement and calculation methods and harmonised standards established in accordance with Article 13 of Regulation (EU) 2017/1369 as soon as they are made available and their references are published for that purpose in the *Official Journal of the European Union*. These methods are developed specifically so as to be reliable, accurate and reproducible. Requirements for calculating the Energy Efficiency Index are laid down in Annex III of the energy label regulation.

CENELEC should adapt the existing measurement standards that would provide proper measurement methods for all household dishwashers covered by the scope of the proposed measure.

3.3. Verification procedure for market surveillance purposes

When performing the market surveillance checks referred to in Article 8 of Regulation (EU) 2017/1369, the authorities of the Member States shall apply the verification procedure for the requirements set out in Annex IX to the revised EU Energy label regulation for household dishwashers.

The verification tolerances set out in that Annex relate only to the verification of the measured parameters by Member States authorities and shall not be used by the manufacturer or importer as an allowed tolerance to establish the values in the technical documentation.

3.4. Date for evaluation and possible revision

The revised Regulation is to be reviewed no later than five years after its entry into force.

The main issues for a possible revision are:

- energy and water consumption;

- changes in the user behaviour increasing the use of most-efficient programmes;

- assessing if further requirements on increasing material efficiency and durability of the products, including a possible scoring on reparability, can be applied.

COMMISSION DELEGATED REGULATION (EU) …/...

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supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling[9] repealing Directive 2010/30/EU, and in particular Articles 11 and 16 thereof,

Whereas:

(1) Regulation (EU) 2017/1369 empowers the Commission to adopt delegated acts as regards the labelling or re-scaling of the labelling of product groups representing significant potential for energy savings and, where relevant, other resources.

(2) Provisions on the energy labelling of household dishwashers were established by Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU[10].

(3) Household dishwashers are among the product groups mentioned in Article 11(5)(b) of Regulation (EU) 2017/1369 for which the Commission should adopt a delegated act to introduce an A to G rescaled label.

(4) Regulation (EU) No 1059/2010 contains a review clause in Article 7 requiring the Commission to review the regulation in light of technological progress.

(5) The Commission has reviewed Regulation (EU) No 1059/2010 and analysed technical, environmental and economic aspects of as well as real-life user behaviour. The review was undertaken in close cooperation with stakeholders and interested parties from the Union and third countries. The results of the review were made public and presented to the Consultation Forum established by Article 14 of Regulation (EU) 2017/1369.

(6) The review concluded that there was a need for the introduction of revised energy labelling requirements for household dishwashers.

(7) The environmental aspects of household dishwashers, identified as significant for the purposes of this Regulation, are energy and water consumption in the use phase, the generation of waste at the end of life, the emissions to air and water in the production

[9] OJ L 198, 28.7.2017, p. 1.
[10] OJ L 314, 30.11.2010, p. 1.

phase (due to the extraction and processing of raw materials) and in the use phase (because of the consumption of electricity).

(8) Recognizing the growth of sales of energy-related product through web-stores and internet sales platforms, rather than directly from suppliers, it should be clarified that web-stores and internet sales platforms should be responsible for displaying the label provided by the supplier in proximity to the price. They should not be responsible for the accuracy or content of the label provided.

(9) The review has shown that the electricity and water consumption of products subject to this Regulation can be further significantly reduced by implementing energy label measures focusing on better differentiating between products to ensure incentives to suppliers to further improve the energy and resource efficiency of household dishwashers while accelerating the market transformation towards more efficient technologies.

(10) The measures provided for in this Regulation were discussed by the Consultation Forum and the Member States' experts in accordance Articles 14 and 18 of Regulation (EU) 2017/1369.

(11) Regulation (EU) No 1059/2010 should be repealed and new provisions should be laid down by this Regulation.

HAS ADOPTED THIS REGULATION:

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 household dishwashers and electric mains-operated household dishwashers that can also be powered by batteries, including built-in household dishwashers.

2. This Regulation shall not apply to battery-operated household dishwashers that can be connected to the mains through an AC/DC converter purchased separately, or to custom-made household dishwashers made on a one-off basis and not equivalent to other household dishwasher models.

Article 2

Definitions

In addition to the definitions laid down in Article 2 of Regulation (EU) 2017/1369 and the definitions laid down in Annex I of this Regulation, the following definitions shall apply for the purposes of this Regulation:

(1) ‘Household dishwasher’, also referred to as ‘dishwasher’ in this Regulation, means a machine which cleans, rinses, and dries tableware, and which is declared by the manufacturer in the Declaration of Conformity (DoC) as complying with the Low Voltage Directive 2014/35/EU;

(2) ‘Built-in household dishwasher’ means a household dishwasher that is designed and marketed exclusively to be installed inside an enclosing structure such as a kitchen cupboard;

(3) ‘point of sale’ means a location where household dishwashers are displayed or offered for sale, hire or hire-purchase.

Article 3
Obligations of suppliers

1. In addition to the obligations of suppliers laid down in Regulation (EU) 2017/1369, suppliers shall ensure that:

   (a) Each household dishwasher is supplied with a printed label in the format as set out in Annex IV;

   (b) the parameters of the product information sheet, as set out in Annex V, are entered into the product database defined in Article 12 of Regulation (EU) 2017/1369;

   (c) if requested by the dealer, the product information sheet shall be made available in printed form;

   (d) the content of the technical documentation uploaded into the product database is in accordance with Annex VI;

   (e) any visual advertisement for a specific model of household dishwasher, including on the Internet, contains the energy efficiency class and the range of efficiency classes available on the label in accordance with Annex X;

   (f) any technical promotional material concerning a specific model of household dishwasher, including on the Internet, which describes its specific technical parameters includes the energy efficiency class of that model and the range of efficiency classes available on the label, in accordance with Annex X;

   (g) an electronic label in the format and containing the information as set out in Annex VIII shall be made available to dealers for each household dishwasher model;

   (h) an electronic product information sheet as set out in Annex VIII is made available to dealers for each household dishwasher model.

   (i) products that have been designed so that a model’s performance is automatically altered in test conditions with the objective of reaching a more favourable level for any of the parameters specified in the relevant delegated act or included in the documentation provided with the product, shall not be placed on the market.

2. The energy efficiency class and the acoustic airborne noise emission class are defined in Annex II and shall be calculated in accordance with Annex III.

Article 4
Obligations of dealers

In addition to the obligations of dealers laid down in Regulation (EU) 2017/1369, dealers shall ensure that:

(a) each household dishwasher, at the point of sale, bears the label provided by suppliers in accordance with Article 3(a) displayed on the outside of the front or top of the household dishwasher, in such a way as to be clearly visible;

(b) in the case of distance selling, the label and product information sheet are provided in accordance with Annexes VII and VIII;

(c) any visual advertisement for a specific model of household dishwasher contains the energy efficiency class of that model and the range of efficiency classes available on the label, in accordance with Annex X;

(d) any technical promotional material concerning a specific model of household dishwasher, including on the Internet, which describes its specific technical parameters includes the energy efficiency class of that model and the range of efficiency classes available on the label, in accordance with Annex X.

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 selling of household dishwashers through its Internet site, the service provider shall enable the showing of the electronic label and electronic product fiche 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 III.

Article 7
Verification procedure for market surveillance purposes

Member States shall apply the procedure laid down in Annex IX when assessing the conformity of the declared energy efficiency class, the airborne acoustic noise emission class and the other parameters listed in Table 1 of Annex IX.

Article 8
Evaluation

The Commission shall review this Regulation in the light of technological progress and present the results of this review to the Consultation Forum no later than five years after its entry into force.

The review shall in particular assess:

(a) the improvement potential with regard to energy during the use phase and environmental performance of household dishwashers;

(b) the effectiveness of existing measures in achieving changes in end-user behaviour in purchasing more energy and resource efficient appliances and using more energy and resource efficient programmes; and

(c) the possibility to introduce measures related to circular economy such as material efficiency, reparability, durability, upgradability and recyclability.

In addition, the Commission shall review the label to rescale it when the requirements in Article 11 of Regulation (EU) 2017/1369 are met.

Article 9
Repeal

Regulation (EU) No 1059/2010 is repealed as of the day of entry into force of this Regulation.

Article 10
Entry into force and application

1. This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union.

2. It shall apply from 1 April 2021. However, for the purpose of the obligations laid down in Article 3(1)(a) and (b) this Regulation shall apply from 1 February 2021.

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

Done at Brussels,

For the Commission
The President