

Brussels, XXX
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COMMISSION REGULATION (EU) .../...

of XXX

**implementing Directive 2009/125/EC of the European Parliament and of the Council
with regard to ecodesign requirements for household washing machines and household
washer-dryers**

**and repealing Regulation (EU) No 1015/2010 with regard to ecodesign requirements for
household washing machines and amending Regulation (EC) No 1275/2008 with regard
to ecodesign requirements for standby and off mode electric power consumption of
electrical and electronic household and office equipment**

(Text with EEA relevance)

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COMMISSION REGULATION (EU) .../...

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implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household washing machines and household washer-dryers

and repealing Regulation (EU) No 1015/2010 with regard to ecodesign requirements for household washing machines and amending Regulation (EC) No 1275/2008 with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to Article 114 of 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 products¹, 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 representing significant volumes of sales and trade, having a significant environmental impact and presenting significant potential for improvement through design in terms of their environmental impact, without entailing excessive costs.
- (2) Article 15(4)(a) of Directive 2009/125/EC requires the Commission to consider the life cycle of the product and all its significant environmental aspects including energy efficiency.
- (3) The Commission established ecodesign requirements for household washing machines in Commission Regulation (EU) No 1015/2010 implementing Directive 2009/125/EC².
- (4) Article 7 of Commission Regulation (EU) No 1015/2010 requires the Commission to review the Regulation in light of technological progress.
- (5) The Commission has reviewed Commission Regulation (EU) No 1015/2010 and analysed the technical, environmental and economic aspects of household washing machines and household washer-dryers 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 18 of Directive 2009/125/EC.

¹ OJ L 285, 31.10.2009, p. 10.

² OJ L 293, 11.11.2010, p. 21.

- (6) The review study shows that there is a need to revise the ecodesign requirements for household washing machines and to establish ecodesign requirements for washer-dryers, on parameters related to use of essential resources such as energy and water and also to introduce requirements related to resource efficiency and environment aspects such as reparability and recyclability.
- (7) Non-household washing machines and non-household washer-dryers have distinct characteristics and uses. They are subject to other regulatory work and should therefore not be included in the scope of this Regulation.
- (8) The environmental aspects of household washing machines and household washer-dryers, which have been identified as significant for the purposes of this Regulation are the consumption of energy and water during the use phase, the generation of waste at the end of life, the emissions to air and water in the production phase (due to the extraction and processing of raw materials) and in the use phase (because of the consumption of electricity and water discharge).
- (9) The annual energy and water consumption of products subject to this Regulation in the Union was estimated at 35.3 TWh and 2496 million m³ respectively in the Union in 2015. Unless specific measures are taken, annual electricity consumption of household washing machines and household washer-dryers is estimated to decrease to 33.5 TWh and the water consumption to decrease to 1764 million m³ in 2030. Finally, it was estimated that the service life-time of household washing machines and washer-dryers has been decreasing to around 12.5 years for the last years and it should continue to decrease in the absence of resource efficiency requirements.
- (10) The Commission Communications on circular economy³ and on the ecodesign working plan⁴ underline the importance of using the ecodesign framework to support the move towards more resource efficient and circular economy. The WEEE Directive 2012/19/EU⁵ refers to Directive 2009/125/EC indicating that ecodesign requirements should facilitate the re-use, dismantling and recovery of WEEE by tackling the issues upstream. Therefore this Regulation should lay down appropriate requirements contributing to circular economy objectives.
- (11) This Regulation lays down specific requirements for the low power modes of household washing machines and household washer-dryers. Therefore, the requirements of Commission Regulation (EC) No 1275/2008⁶ should not apply to products covered by the scope of this Regulation and for which specific requirements are set. Regulation (EC) No 1275/2008 should be amended accordingly.
- (12) Measurements of the relevant product parameters should be performed through reliable, accurate and reproducible measurement methods, which take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) No 1025/2012⁷.
- (13) In accordance with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.

³ COM/2015/0614 final of 02.12.2015

⁴ COM(2016) 773 final of 30.11.2016

⁵ OJ L 197, 24.7.2012, p. 38

⁶ OJ L 339, 18.12.2008, p 45

⁷ OJ L 316, 14.11.2012, p. 12

- (14) To facilitate compliance checks, manufacturers should provide information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC in so far as that information relates to the requirements laid down in this Regulation. [The parameters of the technical documentation in accordance with this Regulation which are identical to the parameters of the product information sheet in accordance with **[the energy labelling regulation on household washing machines and household washer-dryers]** and which have been entered in the product database should no longer be included in the technical documentation of this Regulation.]
- (15) To improve the effectiveness and credibility of the Regulation and to protect consumers, products that automatically alter their performance in test conditions to improve the declared parameters should be prohibited.
- (16) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified to make information on the life-cycle environmental performance of products subject to this Regulation widely available and easily accessible, in accordance with Directive 2009/125/EC, Annex 1, part 3(2).
- (17) A review of this Regulation should assess the appropriateness and effectiveness of its provisions in achieving its goals. The timing of the review should be sufficient for all provisions to be implemented and show an effect on the market.
- (18) Commission Regulation (EU) No 1015/2010 should be repealed and new provisions should be laid down by this Regulation to ensure that the ecodesign requirements for household washing machines and new requirements for household washer-dryers continue to accelerate the market transformation towards energy-efficient and environment-friendly technologies.
- (19) Product parameters should be measured and calculated using reliable, accurate and reproducible measurement and calculation methods which take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations following a request by the Commission in accordance with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council.
- (20) To facilitate the transition between Commission Regulation (EU) No 1015/2010 and this Regulation, the new name '40-60 eco' should be allowed on the programme selection and displays as from the entry into force of this Regulation, and the old names 'Standard 60 °C cotton' and 'Standard 40 °C cotton' should be allowed until six months after the application date of ecodesign measures, without prejudice to any other measure of Commission Regulation (EU) No 1015/2010 or of this Regulation when they apply.
- (21) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19(1) of Directive 2009/125/EC.

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation establishes ecodesign requirements for placing on the market and putting into service of electric mains-operated household washing machines and household washer-dryers, and electric mains-operated household washing machines

and household washer-dryers that can also be powered by batteries, including built-in household washing machines and household washer-dryers;

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

Article 2

Definitions

For the purpose of this Regulation the definitions in Article 2 of Directive 2009/125/EC shall apply. In addition, the definitions set out in Annex I of this Regulation and the following definitions shall apply:

1. ‘household washing machine’, also referred to as ‘washing machine’ in this Regulation, means an automatic washing machine which cleans and rinses household laundry by using water, chemical, mechanical, thermal and electric means, which also has a spin extraction function, and which is declared by the manufacturer in the Declaration of Conformity (DoC) as complying with the Low Voltage Directive 2014/35/EU;
2. ‘household washer-dryer’, also referred to as ‘washer-dryer’ in this Regulation, means a household washing machine which, in addition to the functions of an automatic washing machine, in the same drum includes both a spin extraction function and a means for drying the textiles by heating and tumbling, and which is declared by the manufacturer in the Declaration of Conformity (DoC) as complying with the Low Voltage Directive 2014/35/EU;
3. ‘built-in household washing machine’ or ‘built-in household washer-dryer’ means a household washing machine or household washer-dryer that is designed and marketed exclusively to be installed inside an enclosing structure such as a kitchen cupboard;

Article 3

Ecodesign requirements

Household washing machines and household washer-dryers shall comply with the ecodesign requirements set out in Annex II from the dates indicated therein.

Article 4

Conformity assessment

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.

Article 5

Verification procedure for market surveillance purposes

Member States shall apply the verification procedure described in Annex IV to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC.

Article 6

Circumvention

The manufacturer or importer shall not place on the market 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 declared by the manufacturer in the technical documentation or included in any of the documentation provided with the product.

Where applicable, the energy consumption of the product shall not increase 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.

Article 7

Indicative benchmarks

The indicative benchmarks for the best-performing products and technologies available on the market at the time of adopting this Regulation are set out in Annex V.

Article 8

Evaluation

The Commission shall assess this Regulation and shall present the results of this assessment, including, if appropriate, a draft revision proposal, to the Consultation Forum no later than five years after its entry into force.

This assessment shall address in particular the improvement potential with regard to energy and environmental performance of household washing machines and household washer-dryers in view of technological progress, the effectiveness of existing requirements and the feasibility of new measures on automatic dosage of detergents and other additives, a minimum service lifetime for the appliance or some of its parts, and on the setting of filters to remove microplastics from the water outlet.

Article 9

Repeal

Commission Regulation (EU) 1015/2010 shall be repealed as from the day of entry into force of this Regulation, except for Articles 3 and 5 thereof and Annexes I to III thereto that shall apply until this Regulation starts to apply.

By derogation to Annex I, point 1 of Commission Regulation (EU) 1015/2010, from the entry into force of this Regulation, the indications of 'Standard 60 °C cotton' and 'Standard 40 °C cotton' may not be clearly identifiable on the programme selection device of household washing machines or on the household washing machines display, if:

- The programmes 'Standard 60 °C cotton' and 'Standard 40 °C cotton' are clearly identifiable in the booklet of instructions and in the technical documentation with the meaning of Article 4(2) of Commission Regulation (EU) 1015/2010; and
- The '40-60 eco' programme is clearly identifiable in accordance with Annex II, point 1 of this Regulation.

Article 10

Amendment to Regulation (EC) No 1275/2008

Annex I, point 1 to Regulation (EC) No 1275/2008 is replaced by the text set out in Annex VII to this Regulation.

Article 11

Entry into force and application

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. The ecodesign requirements listed in Annex II, points 1, 2, 3(1), 3(2) and 4 to 10, shall apply from 1 April 2021.

By derogation to Annex II, point 1, the indication of '40-60 eco' programme may not be clearly identifiable on the programme selection or on the display until 1 October 2021 if:

- The '40-60 eco' programme is clearly identifiable in the user instruction provided by the manufacturer in accordance with Annex II, point 9, and in the technical documentation in accordance with Annex II, point 10; and
 - The programmes 'Standard 60 °C cotton' and 'Standard 40 °C cotton', defined in Annex I, point 1 of Commission Regulation (EC) 1015/2010, are clearly identifiable in accordance with Annex I, point 1 of Commission Regulation (EU) 1015/2010.
3. The ecodesign requirement listed in Annex II, points 3(3) and 3(4) shall apply from 1 April 2024.

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

Done at Brussels,

*For the Commission
The President*