

The revised Energy Labeling Framework Regulation 2017/1369/EU

Brief

The revised [Energy Labelling Regulation](#) (2017/1369/EU) was published in the Official Journal of the EU in July 2017.

Objectives

Since 1995, the energy label aims to enable consumers to choose more efficient products, thus encouraging the development of more energy efficient products. The energy label provides information on the consumption of energy and other resources by energy-related products during the use phase.

The objectives of this legislation are in line with the Circular Economy policy, which aims to provide better information to consumers, thus enabling informed choices at purchase.

The current review of the energy label mainly aimed to revert back to a simpler tool: the “A to G” energy label scale that is well understood by consumers.

Main aspects of the revised energy labelling framework

❖ **Scope** (Articles 1 & 2)

The scope remains identical to the existing Directive 2010/30/EU: energy-related products, in line with the Ecodesign Directive (2009/125/EC). However, the definition of energy-related products has been extended to any ‘system’ with an impact on energy consumption during use, in addition to ‘goods’.

In line with the previous Directive, the Regulation does not apply to ‘means of transport for persons and goods’ and ‘second-hand products’. However, it introduces an exception for ‘second-hand products’ imported from a third country, which fall under the scope.

❖ **Relation with other labels** (Recital 23 & Article 6)

The revised framework strengthens the existing provisions that prohibits imitation of the energy label to retain by confidence in this instrument. The Regulation clarifies that mimicking the energy label is prohibited both for energy-related products that are unregulated under this framework and for non-energy-related products.

However, Member States are still allowed to maintain or introduce new national schemes for the labelling of such products. In addition, other EU labels, such as the labelling of tyres and EU Ecolabel are also permitted since they are not considered to be misleading.

❖ **A-G energy label** (Articles 2.19, 11.10 & 11.11)

The revised framework reverts to an “A to G” labelling scale, thus doing away with the additional A+ and higher classes. The label, either in printed or electronic form, includes 7 classes (A-G) from dark green to red.

However, the label can contain fewer classes for some products, if it is impossible to define 7 energy classes that correspond to significant energy and cost savings from a customer's perspective.

In addition, energy classes E, F or G should be shown in grey if models belonging to these classes are banned from the EU market due to an Ecodesign implementing measure. It should be noted that in this case, the label with the grey classes applies only to new product units placed on the market or put into service.

❖ **Rescaling of energy labels** (Article 11)

Reverting to the A-G scale requires a rescaling mechanism for existing labels as well as future labels, which was not foreseen under the previous framework.

Rescaling timeline

The Regulation sets rescaling deadlines for energy labels into force on 1 August 2017. Products groups are divided in 3 product categories:

1. *White / household equipment*: rescaled labels to be displayed by November 2019.
Delegated acts should be adopted by 2 November 2018 with a maximum 12-month transition period
2. *Heaters and boilers* (Regulations 811/2013, 812/2013 & 2015/1187): rescaled labels to be displayed between 2027 and 2032.
Delegated acts should be adopted by 2 August 2026 (or 2030, in any event); the transition period is not specifically fixed.
3. *Other product groups*: rescaled labels to be displayed by 2024 / 2025.
Delegated acts should be adopted by 2 August 2023 with a maximum 18-month transition period.

Rescaling of new labels

Once the new labels are implemented, further rescaling will be triggered by a significant number of products falling into the 2-top classes: either 30 % in class A or 50% in both classes A and B. A second criterion is further technological developments to be expected.

Obligations of suppliers for rescaled labels

The supplier is required to provide both the existing and rescaled labels to the dealer 4 months before the rescaled label must be displayed. For products placed on the market before this 4-month period, rescaled labels should be provided upon request.

Obligations of dealers for rescaled labels

The dealer must affix rescaled labels on displayed products, both in shops and online, within 14 working days after the specified date (the date is provided in the relevant delegated act). The dealer cannot display the rescaled labels before that date.

About supplier and dealer obligations, derogations are foreseen for technical constraints, end of activities and labels printed on packaging.

❖ **General obligations of manufacturers** (Article 3)

Supplier obligations remain generally identical to the previous framework: products placed on the market should be accompanied with printed label and product information sheet. In addition, references to the energy efficiency class should be made in any promotional material.

As a new aspect, labels and sheet should be provided within 5 working days upon dealer's request. Regarding product information sheet, product specific delegated acts may only require suppliers to fulfill the new product database.

In addition, the Regulation newly introduces provisions on software updates and smart appliances, and explicitly bans the use of defeat devices.

❖ **Priority product groups & stakeholder consultation** (Articles 11.1, 14 & 15)

This Regulation introduces a long term 'Working Plan' that is an indicative list of priority products to set new energy labels and plans for the review and rescaling of existing labels. Both new and revised labels should be assessed through a specific preparatory study.

The Energy labelling 'Working Plan' may be combined with the 'Ecodesign Working Plan' and must be reviewed every 3 years. Contrary to current practices, setting such a separate working plan means that energy labels may be introduced for products not subject to an Ecodesign measure or even an Ecodesign preparatory study (MEErP study).

In addition, this Regulation also introduces a new consultation body: the 'Consultation Forum'. It should be composed of the European Commission, Member States and stakeholders (industry - including SMEs and craft industry - trade unions, traders, retailers, importers, environmental protection groups and consumer organisations).

Considering this consultation body will be combined with the 'Ecodesign Consultation Forum', the Regulation confirms today's practices.

❖ **Energy label stability** (Articles 11.8 & 11.9)

To ensure a stability of the energy label and avoid too frequent rescaling, the top-class A should be left empty when a new label is introduced or an existing label is rescaled. Moreover, the label scales should be designed to populate the top class in more than 10 years.

If a technology is expected to develop more rapidly, the 2 top-classes A & B should be left empty when the new or rescaled label is introduced.

❖ **Product database** (Articles 4, 12 & Annex I)

The revised framework introduces a product registration database – consisting of a compliance part and a public part – which must be established by January 2019. This database aims to support market surveillance activities by the Member States and provide consumers with a tool to compare the energy efficiency of appliances. It should also provide up-to-date information on regulated products notably for the review of labels.

The public part will display the name / trademark and contact details of the supplier, model identifier, energy label together with energy efficiency class and other parameters. It will also provide the parameters of the product information sheet.

Regarding the compliance part, it should be made accessible only to market surveillance authorities and the European Commission.

As from 1 January 2019, suppliers must fulfill the database before placing on the market a unit of a new model (covered by an energy label). They are required to provide the model identifier of all equivalent models already placed on the market as well as specific parts of the technical documentation (see Article 12.5); additional parts can be voluntarily uploaded.

It should be noted that suppliers must enter similar information in the database, by 30 June 2019, for equipment placed on the market between 1 August 2017 and 1 January 2019. On a voluntary basis, the database can also be filled for equipment placed on the market before 1 August 2017.

Next steps

While this Regulation applies from 1 August 2017, the revised energy labelling framework will gradually replace the Directive 2010/30/EU.

In addition, the European Commission is developing the product registration database. To this end, they set-up a sub-group of the Consultation Forum that is structured in 3 discussion platforms ('suppliers', 'compliance' and 'public').

References

- [Regulation 2017/1369/EU](#) setting a framework for energy labelling
- [Energy labelling implementing measures](#)
- European Commission (DG Energy) [website](#) on Energy label