Ref. Ares(2024)7747797 - 31/10/2024

EUROPEAN
COMMISSION

Brussels, XXX
[…](2024) XXX draft

COMMISSION REGULATION (EU) …/…

of XXX

amending Commission Regulation (EU) 2023/826 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment and Commission Regulation (EU) 2023/2533 laying down ecodesign requirements for household tumble dryers

(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.

COMMISSION REGULATION (EU) …/…

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amending Commission Regulation (EU) 2023/826 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment and Commission Regulation (EU) 2023/2533 laying down ecodesign requirements for household tumble dryers

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to 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 products ([1]), and in particular Article 15 thereof,

Whereas:

(1) The definition of 'motor-operated building element' in Annex I to Commission Regulation (EU) 2023/826 ([2]) should be changed in order to provide legal clarity and alignment with the products listed in Annex II point 6 as motor-operated building elements.

(2) A definition of the term 'control unit' should be added in Annex I to Commission Regulation (EU) 2023/826, to provide legal certainty as regards motor-operated building elements covered by that Regulation.

(3) Annex II, point 1, to Commission Regulation (EU) 2023/826 contains a list of appliances designed, tested and marketed for household to which the relevant ecodesign requirements apply. In order to ensure legal certainty as regards the grinders referred to in that list the type of grinders to which the reference is made should be specified therein.

(4) Annex IV to Regulation (EU) 2023/826 setting the measurement methods and calculations should be amended so that the measurement conditions included under its point d) apply to all types of household coffee machines covered by that Regulation, and not only to those that are considered networked equipment.

(5) The provisions of Commission Delegated Regulation (EU) 2023/2533 ([3]) applicable from the date of entry into force of that Regulation should be amended to add Article

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1 OJ L 285, 31.10.2009, p.10, ELI: http://data.europa.eu/eli/dir/2009/125/oj.

2 Commission Regulation (EU) 2023/826 of 17 April 2023 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electric and electronical household and office equipment pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulations (EC) No 1275/2008 and (EC) No 107/2009 (OJ *L 103, 18.4.2023, p. 29, ELI: http://data.europa.eu/eli/reg/2023/826/oj).).*

3 Commission Regulation (EU) 2023/2533 of 17 November 2023 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble dryers, amending Commission Regulation (EU) 2023/826, and repealing Commission

7, since software updates should not affect the declared values for the parameters of household tumble dryers, with disregard of the energy efficiency requirements those appliances must comply with.

(6) In order to ensure legal certainty, a definition of average final moisture content should be added in Annex I to Regulation (EU) 2023/2533, and the definitions related to low power modes should be aligned with those in Commission Regulation (EU) 2023/826.

(7) Annex II, point 5(1)(a), to Regulation (EU) 2023/2533 sets out a list of spare parts which, as a minimum, should be made available for professional repairers. That list is also the basis for the selection of the spare parts that have been included in the calculation of the repairability index laid down in Commission Delegated Regulation (EU) 2023/2534 ([4]). The list should be amended in order to further specify some of the spare parts referred to therein and ensure that they can be properly identified, and to add an additional spare part that is needed for the calculation of the repairability index.

(8) Annex II, point 5(1)(b), to Regulation (EU) 2023/2533 should be amended so that repair information related to spare parts whose availability is only required for professional repairers, is not required to be available to the general public via a free access website.

(9) Annex II, point 6(2), to Regulation 2023/2533 should be amended in order to clarify the values that should be provided by manufacturers, importers or authorised representatives for the different parameters for the eco programme and for other programmes, if they are available.

(10) Annex III, point 1(f), to Regulation (EU) 2023/2533 imposes an obligation on manufacturers and importers to calculate the average final moisture content for the eco programme, which is to be declared in the technical documentation file of the product. Declaring in the technical documentation a final moisture content of the load of 0%, which is the value requested in that Regulation, could entail drying up the laundry above its natural water content, resulting in undesired effects such as excessive use of energy and possible damage to the textiles. It is therefore necessary to delete the calculation of the average moisture content from Annex III, so that it does not need to be part of the technical documentation. Instead, the measurement and calculation methods included in the harmonised standards, which provide for appropriate tolerances, should be used to calculate this parameter.

(11) The content of Table 1 in Annex IV should be split in two different tables in order to ensure clarity.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Directive 2009/125/EC.

(13) Regulations (EU) 2023/826 and (EU) 2023/2533 should therefore be amended accordingly,

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Regulation (EU) No 932/2012 (*OJ L, 2023/2533, 22.11.2023, ELI:* http://data.europa.eu/eli/reg/2023/2533/oj).

[4] Commission Delegated Regulation (EU) 2023/2534 of 13 July 2023 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 Delegated Regulation (EU) No 392/2012 (*OJ L, 2023/2534, 22.11.2023, ELI:* http://data.europa.eu/eli/reg_del/2023/2534/oj).

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) 2023/826

Annexes II and IV to Regulation (EU) 2023/826 are amended as set out in the Annex to this Regulation.

Article 2
Amendments to Regulation (EU) 2023/2533

Regulation (EU) 2023/2533 is amended as follows:

1. In Article 13, the second paragraph is replaced by the following:

   ‘It shall apply from 1 July 2025. However, Articles 6 and 7 shall apply from 12 December 2023.’.

2. Annexes I, II, III and IV are amended as set out in the Annex to this Regulation.

Article 3
Entry into force and application

This Regulation shall enter into force on the fourth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN

DRAFT

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EUROPEAN
COMMISSION

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ANNEX 1

ANNEXES

to the

COMMISSION REGULATION (EU) …/…

amending Commission Regulation (EU) 2023/826 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment and Commission Regulation (EU) 2023/2533 laying down ecodesign requirements for household tumble dryers pursuant to Directive 2009/125/EC

ANNEX I

(1) Regulation (EU) 2023/826 is amended as follows:

(a) Annex I is amended as follows:

(i) point 21 is replaced by the following:

‘21. ‘Motor-operated building element’ means opening or comfort equipment for use in buildings or related structures, excluding ventilation equipment, that can move or rotate, or both, by using input from the mains power source. The motor-operated building element incorporates an electric motor or an actuator and a control unit, and is operated by the end-user through cabled and/or wireless control(s), via a network, or controlled automatically with the use of sensors;’;

(ii) point 22 is replaced by the following:

‘22. ‘Control unit’ is a unit that receives signals from the end-user through cabled and/or wireless control(s), via a network, or from sensors, and enables the required operation of the motor or actuator of the motor-operated building element. It may include sensors that are connected to it and that are receiving power from the same mains input point as the rest of motor-operated building element;’;

(iii) The following point is inserted:

‘23. ‘Media streaming device’ means a hardware device that delivers any media content, live or recorded, to end-user devices over a network and played back in real time.’;

(b) In Annex II, point 1), the eighth indent is replaced by the following:

‘- grinders used in the kitchen for the processing of food;.

(c) Annex IV is amended as follows:

(i) in the second paragraph, point (d) is deleted;

(ii) the following paragraph is inserted after the first paragraph:

‘For all types of household coffee machines, the measurement shall be performed after completion of the last brewing cycle, or, where applicable, after completion of a descaling process, a self-cleaning process or any operation performed by the user, unless an alarm has been triggered requiring user intervention to prevent any possible damage or accident.’;

(2) Regulation (EU) 2023/2533 is amended as follows:

(a) Annex I is amended as follows:

(i) point (11) is replaced by the following:

‘(11) ‘standby mode’ means a condition where the equipment is connected to the mains power source, depends on energy input from the mains power source to work as intended and provides only one or more of the following functions, which may persist for an indefinite time:

(a) reactivation function;

(b) reactivation function and only an indication of enabled reactivation function;

(c) information or status display;';

(ii) the following points are added:

'(19) 'average final moisture content' means the average amount of moisture contained in the load at the end of the drying cycles for the eco programme at full and at half load;

(20) 'reactivation function' means a function that via a remote switch, a remote control, an internal sensor or timer provides a switch from standby mode to another mode, including active mode, providing additional functions;

(21) 'main function' means a function delivering the main service(s) for which the equipment is designed, tested and marketed, and which corresponds to the intended use of the equipment;

(22) 'information or status display' means a continuous function providing information or indicating the status of the equipment on a display, including clocks. A simple light indicator is not considered a status display;

(23) 'active mode' means a condition in which the equipment is connected to the mains power source and at least one of the main functions has been activated;

(24) 'off mode' means a condition in which the equipment is connected to the mains power source and is not providing any function, or it is in a condition providing only:

(a) an indication of off mode condition;

(b) functionalities intended to ensure electromagnetic compatibility under Directive 2014/30/EU of the European Parliament and of the Council;';

(b) Annex II is amended as follows:

(i) point 5(1) is amended as follows:

(1) subpoint (a) is amended as follows:

(1) item (iii) is replaced by the following:

'(iii) water pump;';

(2) item (vii) is replaced by the following:

'(vii) drums and drum bearings;';

(3) the following item is added:

'(xx)motor capacitor;';

(2) subpoint (b) is replaced by the following:

'(b) availability of spare parts referred to in point (a), shall be ensured for a minimum period starting at the latest on

1 July 2025 or two years after the placing on the market of the first unit of the model, whichever is the later date, and ending at least 10 years after placing on the market the last unit of the model concerned. For that purpose, the list of spare parts and the procedure for ordering them shall be publicly available on the free access website of the manufacturer, importer or authorised representative, at least during the same period and starting at the date referred to in this point;';

(ii) in point 6, subpoint (2) is replaced by the following:

'(2) Values for the following parameters:

(a) rated capacity in kg;

(b) programme duration, expressed in hours and minutes;

(c) electricity, and where applicable, gas consumption in kWh/drying cycle;

(d) acoustic airborne noise emission of the drying cycle;

For the eco programme, the values of the parameters under points (a), (b) and (c), shall be calculated both at full load and at partial load; the value for the parameter under point (d) shall be calculated only at full load.

For programmes other than the eco programme, when they are available, indicative values shall be calculated as follows:

(a) for synthetics dry programme, values for parameters under points (a) to (d) shall be calculated at full load;

(b) for delicates/wool drying programme, values for the parameters under points (a) to (d) shall be calculated at full load.

(c) for synthetics extra/very dry programme, values for the parameters under points (a) to (d) shall be calculated at full load;

(d) for synthetics iron dry programme, values for the parameters under points (a) to (d) shall be calculated at full load.

(e) for cotton extra/very dry programme, values for the parameters under points (a), (b) and (c) shall be calculated both at full load and at partial load; values for the parameter under point (d) shall be calculated only at full load;

(f) for cotton iron dry programme, values for the parameters under points (a), (b) and (c) shall be calculated both at full load and at partial load; values for the parameter under point (d) shall be calculated only at full load;';

(c) Annex III is amended as follows:

(i) in the introductory part, the third and the fourth paragraph are replaced by the following:

'The eco programme as identifiable on the programme selection, on the display and through the network connection, depending on the functionalities provided by the household tumble dryer, and with no further modification of the final moisture content setting, shall be used for the measurement and calculation of the EEI, the condensation efficiency, the programme duration and the airborne acoustic noise emissions. The energy consumption, condensation efficiency and programme duration shall be measured concurrently.

The calculation of the weighted energy consumption, the weighted programme duration and the condensation efficiency shall be done on the basis of three drying cycles at full load and four drying cycles at partial load.';

(ii) in point 1, subpoint (f) on the calculation of the average final moisture content is deleted;

(d) Annex IV is amended as follows:

(i) point 1 is replaced by the following:

'1. The verification tolerances set out in Table 2 relate only to the verification of the declared values by Member State authorities and shall not be used by the manufacturer, importer or authorised representatives as an allowed tolerance to establish those values in the technical documentation or in interpreting these values with a view to achieving compliance or to communicate better performance by any means.';

(ii) in point 3(b), subpoint (v) is replaced by the following:

'(v) when the Member State authorities test the unit of the model, the determined values, that is to say the values of the relevant parameters as measured in testing and the values calculated from these measurements comply with:

(a) the validity criteria set out in Table 1;

(b) the respective verification tolerances set out in Table 2.';

(iii) points 6 and 7 are replaced by the following:

'6. The model and all equivalent models shall be considered not to comply with this Regulation as soon as the determined value for the average final moisture content for the eco programme does not comply with the validity criteria as given in Table 1 for one of the three additional units referred to in point (5). In this case, the other units not yet tested do not need to be tested. The model shall be considered to comply if the determined value for the average final moisture content complies with the validity criteria as given in Table 1 for each of the three additional units.

7. The model shall be considered to comply with the applicable requirements where, for the three units referred to in point (5), the arithmetical mean of the determined values complies with the respective verification tolerances set out in Table 2.';

(iv) point 11 is replaced by the following:

'11. The Member State authorities shall only apply the validity criteria set out in Table 1 and the verification tolerances set out in Table 2 and shall only use the procedure described in points (3) to (8) for the requirements referred to in this Annex. For the parameters in Table 1 and in Table 2 no other validity criteria or verification tolerances, such as those set out in harmonised standards or in any other measurement method, shall be applied.';

(v) table 1 is replaced by the following:

'

Table 1 - Validity criteria

Parameter	**Validity criteria**
Average final moisture content of the eco programme μ_t	The determined value shall be measured and calculated and be lower than 1,5 %.

';

vi) the following table is added:

'

Table 2 - Verification tolerances

Parameter	**Verification tolerances**
E_{dry} and $E_{dry½}$	The determined value (*) shall not exceed the declared value of E_{dry} and $E_{dry½}$ by more than 6 %.
Eg_{dry} and $Eg_{dry½}$	The determined value (*) shall not exceed the declared value of Eg_{dry} and $Eg_{dry½}$ by more than 6 %.
$Eg_{dry,a}$ and $Eg_{dry½,a}$	The determined value (*) shall not exceed the declared value of $Eg_{dry,a}$ and $Eg_{dry½,a}$ by more than 6 %.
C_t	The determined value (*) shall not be less than the declared value of C_t by more than 6 %.
T_{dry} and $T_{dry½}$	The determined value (*) shall not exceed the declared value of T_{dry} and $T_{dry½}$ by more than 6 %.
P_o	The determined value (*) of P_o shall not exceed the declared value by more than 0,10 W.
P_{sm}	The determined value (*) of P_{sm} shall not exceed the declared value by more than 10 % if the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
P_{ds}	The determined value (*) of P_{ds} shall not exceed the declared value by more than 10 % where the declared value is higher than 1,00 W, or by more than 0,10 W if the declared value is lower than or equal to 1,00 W.
Acoustic airborne noise emissions	The determined value (*) shall not exceed the declared value by more than 2 dB with respect to 1 pW.
* Where three additional units are tested in accordance with point (5), the determined value means the arithmetical mean of the values determined for those	

three additional units.

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