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Brussels, 22 January 2008

**Response of ECOS, the EEB, CAN-Europe,  
INFORSE-Europe, Greenpeace, WWF and Friends of the Earth**

**to the EC Consultation Document  
on the revision of the Energy Labelling Directive 92/75/EEC  
on the indication by labelling and standard product information of the consumption  
of energy and other resources by household appliances**

Document reference: ECOS/EuP/2008-11

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# **Response of ECOS, the EEB, CAN-Europe, INFORSE-Europe, Greenpeace, WWF and Friends of the Earth**

**to the EC Consultation Document  
on the revision of the Energy Labelling Directive 92/75/EEC  
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of energy and other resources by household appliances**

## **1. Comments on the main issues**

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### **About this revision process**

ECOS, EEB, CAN-Europe, INFORSE-Europe, Greenpeace, WWF and Friends of the Earth (hereafter “Environmental NGOs”) welcome the launch of the revision process of the energy labelling scheme. The revision of this scheme is long overdue taking into account the increasing need for more ambitious policies against climate change and the problems driven in certain product groups by the disparities between the existing energy classes and the actual products on the market. Environmental NGOs do not support the naming of new classes (A+ and A++) and fear the consumers will lose confidence in the label if it does not again become a clear and straightforward tool.

Environmental NGOs expect this revision process to be transparent and thorough, including all aspects of the energy labelling (e.g. the display on products). They welcome this first Consultation Document but expect the European Commission to clearly express its own position and plans for the revision of the directives as well as analysis of the CECED proposal on the label display and measurement standards. This would help structure the debate.

Environmental NGOs also wish to obtain a timetable with the coming steps of this revision process. This revision process should be implemented quickly enough to avoid any new delay.

### **Legal form**

As far as the legal status is concerned, Environmental NGOs strongly support that individual product groups are covered by regulations (Implementing Measures) instead of directives. A regulation is easier to update and would allow for a EU-harmonised approach to labelling requirements.

### **Reinforced reviews**

The energy labels and especially the performance classes should be revised more often, at least every 5 years and even more often (e.g. 3 years) for the fastest-developing products (electronics, internet access...). The classification should be reviewed according to the dynamics of the relevant market and there should be a clearly defined procedure to ensure that the classes are derived from the best available technologies.

However, the global layout and display of the energy label should not be completely altered when the scheme is revised, to ensure visibility and continuity in the consumer’s mind.

## **Review of the actual scheme**

Environmental NGOs suggest to drop A+ and A++ classes but to retain and upgrade the successful letter scales (A, B, C,...), so that A products are really the best and never represent more than 20% of the market.

One option could be to set the A class by considering the best product expected to be on the market within the year following the date of the revision's entry into force and then let the A-label cover all products that do not use more energy than a certain percentage (e.g. 5%) of what this product consumes.

Ideally, the A product will correspond to the best possible option that is providing the desired function and that is on the market or is expected to be on the market at the time of the regulation's entry into force.

Models using renewable energy sources and/or smartly avoiding some of the energy consumption should be covered and get the A class. For instance, solar-powered solutions for heating or electrical products should be labelled together with the more usual comparable appliance; passive cooling systems should be labelled together with electrical air conditioners and set the A class specifications; etc.

## **Provisions on mandatory display**

Environmental NGOs believe that the way the energy labelling is displayed needs to be improved so as to take new consumer habits into account. The energy labelling display should be mandatory on advertisements (with a fixed font size and minimum size), in printed and on-line catalogues, in auction and second hand websites (such as "e-bay").

## **Upgrade of the measurement standards and tolerances**

The measurement standards used for the energy labelling could be closer to real-life use, so that consumers can get more accurate data on the energy consumption and cost. If the Commission considers issuing a mandate in this sense, Environmental NGOs would be willing to contribute.

Tighter tolerances are also needed on performance classes' boundaries. This goes with the need to ensure a more efficient and harmonised surveillance at the EU level. In some Member States the monitoring and controls are clearly insufficient (*see for example ANEC studies on that topic*).

## **Provisions for the case of non-conformity**

New ideas to discourage non-conformity could be considered. For instance, if a vendor fails to display the energy label information in an appropriate manner or if the information given is not correct, the customer could have the right to return the product and get a full reimbursement within six months after the date of purchase.

## **2. Answers to the specific questions in the Consultation Document**

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### **(1) How do you suggest the Commission could best ensure coherent product policy?**

Environmental NGOs welcome every effort to ensure a better consistency in the EU product policies (such as the on-going discussion on SCP).

In particular the substantial technical expertise gathered within the EuP process might be used with success for other tools such as the Ecolabel and the Energy labelling. For instance, the launch of energy labelling for new products as well as the first revision of the existing labels could be scheduled closely after the final publication of the EuP preparatory studies.

For each product group covered by the EuP, the Commission could maintain a list of EU legislation that covers the technical performance of this product group specifically, including environmental and safety requirements, performance, labelling.

**(2) Do you agree to the general principle of reinforcing the use of energy labelling in order to more vigorously contribute to the Union's objectives on climate mitigation, competitiveness and sustainable product policy?**

Yes, environmental NGOs support an upgrading and reinforcement of the use of the energy labelling as long as it goes hand in hand with the EU establishing minimum requirements for products in legislative measures. The use of this mandatory labelling scheme should not be perceived as a justification for delaying or blocking more stringent product legislation, or for favouring voluntary approaches.

Consistency needs to be ensured between the energy labelling basis and the EuP process. The energy labelling should be revised in a way to facilitate the enforcement of the EuP requirements and to improve market surveillance. However there does not seem to be a need at this stage to merge the labelling directives with EuP (as long as the synergy is ensured).

The Energy labelling could also be made more integrated with the eco-label. The eco-flower could come closer to the A letter on the display. Eco-labelled A products should be more clearly identified.

**(3) For energy using products, would you favour the use of an energy label focusing on the energy consumption at use or of an 'eco-design label', (near to the Eco-label showing the 'best') giving the global environmental performance of the product throughout its life-cycle?**

Environmental NGOs support the long-term development of an approach for EU eco-labelling requirements including information on non-energy impacts. However for practical and pragmatic reasons the energy labelling should be retained, as it is far too far early for an "Ecodesign" or "LCA" style label to exist. A lot of expertise and discussion are still needed. Access to data and monitoring might also prove to be a huge problem when all life-cycle phases are included.

Considering now such an ecodesign labelling to replace the energy labelling would hamper the revision process and prevent the urgent upgrading of the energy classes.

We believe that the EU should develop additional labelling tools when appropriate as a complement and not as a substitute for a mandatory energy-labelling scheme. Ad-hoc information requirements on non-energy environmental impacts (e.g. mercury content, use of recycled materials...) can be implemented in relevant legislation (such as EuP). We support that the coming directive opens the possibility to include other environmental aspects than energy and other phases of the product life than the use-phase on a case-by-case basis. In addition, a process could be started to develop labelling for non-energy environmental impacts and recycling, to supplement the energy label in a user-friendly way.

**(4) Are you in favour of adding CO<sub>2</sub> on the energy label? How could reliable information be assured in the light of different energy mixes in the 27 Member States?**

Environmental NGOs are concerned that adding CO<sub>2</sub> aspects to the energy label would create more difficulties to implement the energy labelling scheme, without necessarily providing additional useful information. For electricity using products it is unclear how the CO<sub>2</sub> aspects would be considered given the different energy mixes and electricity providers in EU countries. Consumers should now be aware of the equation "less energy = save the planet", so the extra information on CO<sub>2</sub> would not add much in terms of improving consumption behaviours. Instead of adding CO<sub>2</sub> data, other information requirements could be considered as a more useful complement to the Energy labelling to raise consumer awareness. We propose to include indication of the electricity consumption on stand-by / off mode. For a growing number of product groups this would significantly improve the label. It would raise consumer awareness about stand-by losses and drive innovation to reduce these modes even more than what the EuP directive imposes.

**(5) Are you in favour of adding annual running costs on the energy label? How could reliable information be assured in the light of different energy prices in the 27 Member States?**

Rather than the annual cost (which only gives partial information) Environmental NGOs prefer the global use cost over an average lifetime (*similar to what the Euro-Topten guide provides: [www.topten.info](http://www.topten.info)*). For each product group an average lifetime figure would be set and would be the same for all models into this category. With this information the consumer would be able to quickly assess the average life-cycle cost of the product and compare it on that basis. An average electricity price could be used for this data, and the price should be stated next to the figure.

**(6) Would you like to add other products to the scope of the labelling Directive than those covered at present (household appliances only)? If yes, which products would you suggest (non-household or non energy-using products, 'energy-relevant' product, services such as holiday packages or other)?**

Environmental NGOs suggest that products covered by the EuP ecodesign directive are also considered for labelling and that with extension of the scope of the EuP ecodesign directive, the scope of labelling is also extended. We see as priorities the following product groups:

- TVs,
- Boilers and other small combustion installations,
- IT network equipment such as DSL-modems,
- Coffee machines.

In addition to the products covered by the EuP ecodesign directive, NGOs suggests also adding other relevant products, including:

- Cars and trucks (similar to the French labelling scheme, independent from the vehicle size),
- Mobile phones,
- Electromechanical hand tools for the house, gardens and parks,
- Luminaires, also as separated from lamps,
- Building elements and equipment having an influence on energy performance: windows, relevant insulation products<sup>1</sup>, doors...
- Tyres.

**(7) In view of dynamic labelling, which approach would you suggest for the transition from an existing labelling scheme to a new labelling classification in order to cause minimum distortions?**

The display of the new label could include a different background colour in a transition period (e.g. 12 months) and should permanently have a clear indication of the base-year (e.g. "Energy Label 2008"). This would be so that consumers would understand that the system is being upgraded and that an old label A may in fact today be a C.

However this transition issue should not be exaggerated: markets move fast and retailers do not keep huge stocks. Moreover, consumers usually do not seek information on appliances every month but rather when they need to buy one.

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<sup>1</sup> While it might not be meaningful to label insulation materials as such, building components other than doors and windows might be relevant, from pipe insulation over "smart-building" equipment to prefabricated building elements; if this is included in the scope, a later assessment can determine the specific product groups to include in future regulation.