Ecodesign requirements for energy-related products. Recast

2008/0151(COD) - 16/07/2008 - Legislative proposal

PURPOSE: proposal for a Directive to extend the scope of the framework Ecodesign Directive to cover other energy related products than energy-using products.

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTENT: the current Ecodesign Directive (Directive 2005/32/EC) establishes requirements that energy-using products must meet if they are to benefit from free movement within the Community. It covers only energy-using products (excluding means of transport). For these, it can introduce mandatory minimum requirements corresponding to the performance of the product that has least life cycle cost.

The aim of this proposal is to **extend its scope to allow for the setting of Community ecodesign** requirements for all energy related products. An extended scope will allow the introduction of implementing measures for those non energy-using product categories that have the highest potential for improvement of environmental performance while also leading to the highest savings during the use phase. This would not be possible under the current Directive which is restricted to energy-using products.

The Commission also notes that establishing a single framework for the ecodesign of energy related products will ensure efficiency and consistency by using a common methodology for setting requirements for such products at EU level. The resulting comprehensive Ecodesign framework Directive will also be the essential building block for an integrated sustainable environmental product policy, as complemented by initiatives on labelling and incentives relating to public procurement and taxation. In addition to setting minimum requirements for the placing on the market of products, it will enable the setting of environmental performance benchmarks referring to the best performing products on the market. This is already possible under the present Ecodesign Directive for energy-using products and will hence be extended to be possible for all energy related products, providing for a link to incentives relating to public procurement and taxation.

Directive 2005/32/EC has been substantially amended by Directive 2008/28/EC. Since further amendments, relating to the extension of the product scope to include all energy related products are to be made, it should be recastin the interests of clarity. The Commission stresses the importance of not disrupting the ongoing implementation of the present Ecodesign Directive and safeguards it by strictly limiting the proposal and scope for discussion to the extension of the product scope.

Amendments are introduced into the recitals and provisions of the Ecodesign Directive to reflect the extension of the scope to cover all energy related products.

In **Article 2**, in particular, the definition of energy related product is introduced. The latter is defined as any good having an impact on energy consumption during use which is placed on the market and/or put into service in the EU, including parts dependent on energy input

and intended to be incorporated into energy related products covered by this Directive which are placed on the market and/or put into service as individual parts for end-users and of which the environmental performance can be assessed independently.

In **Article 21**, relating to the review of the Directive by the Commission, it is added that, in

the context of the extension of the product scope, the Commission shall also review the possibility of extending the scope of the Directive to non energy related products.

Article 23 sets the provisions for implementation of the recast Directive by Member States and defines its date of application.