

# Energy-efficiency labelling programme for office equipment: adapting the implementation of the Energy Star programme to a new EU/US agreement

2012/0049(COD) - 15/03/2012 - Legislative proposal

**PURPOSE:** to amend Regulation (EC) No 106/2008 in order to adapt the implementation of the Energy Star programme to a new agreement between the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment.

**PROPOSED ACT:** Regulation of the European Parliament and the Council.

**BACKGROUND:** office equipment will account for a growing share of energy consumption in future as new applications and functionalities appear. In order to meet the Union target for a 20% reduction in primary energy consumption by 2020 relative to projections, as endorsed at the Spring 2007 European Council, **the energy performance of office equipment has to be further optimised.**

[Regulation \(EC\) No 106/2008](#) sets out the rules for implementing the **Energy Star programme** for office equipment (computers, displays, printers, copiers, scanners, etc.) in the European Union. The Energy Star programme is implemented in the EU on the basis of an Agreement between the Government of the United States of America and the European Community on the coordination of energy efficiency labelling programmes for office equipment, which expired in December 2011.

On 12 July 2011 the Council adopted a Decision authorising the Commission to negotiate a new 5-year agreement and the negotiations were concluded on 29 November 2011. It is necessary to amend Regulation (EC) 106/2008 to adapt the implementation of the Energy Star programme to the new agreement.

A [proposal for a Council Decision](#) for the signature and conclusion of the new Energy Star

Agreement is presented to the Council with this proposal for an amendment of Regulation (EC) 106/2008.

**IMPACT ASSESSMENT:** the proposal takes into account the experience gained during the first two periods of implementation of the Energy Star Programme in the EU from 2001 to 2010, as well as the consultations with the European Union Energy Star Board.

The detailed rationale for **concluding a new Agreement continuing the Energy Star Programme for a third period of five years** is set out in the Recommendation from the Commission to the Council to open negotiations for the third Energy Star Agreement and in the [Communication](#) on the implementation of the Energy Star Programme in the period 2006-2010.

The main points are as follows :

- Energy Star has been very effective in steering the office equipment market towards greater energy efficiency. It has succeeded in reducing the electricity consumption of office equipment sold in the last 3 years by around 11 TWh, i.e. by approximately 16 %. As a result, more than EUR 1.8 billion have been saved on energy bills and 3.7 Mt of CO<sub>2</sub> emissions have been avoided.

- It provides a flexible and dynamic policy framework which is particularly well suited to fast-evolving products such as ICT (information and communication technology).
- The EU and the US should continue to cooperate on developing product specifications, so that the same level of requirements can be introduced at approximately the same time by both entities.

LEGAL BASIS: Article 194(1) TFEU.

CONTENT: the primary purpose of this proposal for an amendment of Regulation (EC) 106/2008 is **to adapt the implementation of the Energy Star Programme to the new Agreement** between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment.

The only substantive amendment to the proposal is the deletion of Article 4(4) of Regulation 106/2008, which states that office equipment products for which use of the Common Logo has been granted by USEPA shall be deemed to comply with the Regulation, unless there is evidence to the contrary.

Until now, the programme in the EU and the US has operated on the basis of self-certification by manufacturers. The success of the programme in the EU is considered to be partly based on such lightweight product registration procedures. However, the US has decided to move to third-party certification for products placed on the US market. Such an approach is not recommended for the EU market. It could have a negative impact on the programme and place SMEs at a disadvantage in relation to big manufacturers

Thus under the new agreement **the programme will have to function under two separate product registration systems:** products placed on the EU market will need to be registered with the European Commission, while products placed on the US market will need to register through third parties accredited under the US Energy Star Programme. This means that the principle of mutual recognition will no longer be applicable.

Other amendments aim at updating the references to existing legislation and to the new agreement, as well as updating the name of the Energy Star Board, and providing a clarification of the responsibilities of the Commission and Member States for the enforcement of the Programme.

The strengthening of public procurement provisions will be covered by the [proposal for an Energy Efficiency Directive](#) which addresses public procurement in a comprehensive way. The amended Regulation should take into account the provisions on public procurement in this Directive.

The Commission will continuously monitor the impact of the changes proposed by the US and of the Energy Star Programme on energy savings, manufacturers and compliance. At least two years before the expiry of a new Agreement, it will analyse possible future options for addressing the energy consumption of office equipment, including replacing Energy Star with alternative policy instruments.

BUDGETARY IMPLICATIONS: the proposal aims at continuing the implementation of an existing programme and therefore has no impact on operational and administrative appropriations and on human resources.