Basic information

2012/0049(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Energy-efficiency labelling programme for office equipment: adapting the implementation of the Energy Star programme to a new EU/US agreement Amending Regulation (EC) No 106/2008 2006/0187(COD) **Subject** 3.60.08 Energy efficiency 3.60.15 Cooperation and agreements for energy 3.70.17 European ecolabel and ecolabelling, ecodesign	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, Research and Energy	KOVÁCS Béla (NI)	14/05/2012
	Shadow rapporteur MAZEJ KUKOVIČ Zofija (PPE) THOMSEN Britta (S&D) HALL Fiona (ALDE) HASSI Satu (Verts/ALE)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	3213	2012-12-20

European Commission

Commission DG	Commissioner
Energy	OETTINGER Günther

European Economic and Social Committee

European Committee of the Regions

Key events

Date	Event	Reference	Summary
15/03/2012	Legislative proposal published	COM(2012)0109	Summary
29/03/2012	Committee referral announced in Parliament, 1st reading		
05/11/2012	Vote in committee, 1st reading		
20/11/2012	Committee report tabled for plenary, 1st reading	A7-0382/2012	Summary
11/12/2012	Decision by Parliament, 1st reading	T7-0467/2012	Summary
11/12/2012	Results of vote in Parliament		
20/12/2012	Act adopted by Council after Parliament's 1st reading		
05/02/2013	Final act signed		
06/02/2013	End of procedure in Parliament		
06/03/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/0049(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 106/2008 2006/0187(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 194-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/7/09148

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE491.231	21/06/2012	
Amendments tabled in committee		PE492.926	16/07/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0382/2012	20/11/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0467/2012	11/12/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00057/2012/LEX	05/02/2013	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2012)0109	15/03/2012	Summary
Commission response to text adopted in plenary	SP(2013)111	13/02/2013	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2012)0109	04/05/2012	
Contribution	IT_SENATE	COM(2012)0109	13/09/2012	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1056/2012	25/04/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2013/0174
OJ L 063 06.03.2013, p. 0001 Summary

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

2012/0049(COD) - 20/11/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Béla KOVÁCS (NI, HU) on the proposal for a Regulation of the European Parliament and of the Council on a European Union energy-efficiency labelling programme for office equipment amending Regulation (EC) No 106 /2008 on a Community energy efficiency labelling programme for office equipment.

The committee recommended that the European Parliament's position at first reading under the ordinary legislative procedure should be to amend the Commission proposal as follows:

Title: the original title is replaced by the following: Regulation (EC) No 106/2008 of the European Parliament and of the Council of 15 January 2008 on a **Union** energy-efficiency labelling programme for office equipment

Objective: the Regulation's objective is to lay down the rules for the Union energy-efficiency labelling programme for office equipment (hereinafter referred to as the Energy Star programme) as defined in the 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.

Energy Star and ecodesign: it is stipulated that the Energy Star programme shall contribute to fulfilling the Member States' and the Union's **energy-efficiency targets** as referred to in Directive 2012/27/EU of the European Parliament and of the Council on energy efficiency. It shall be coordinated, with other Union labelling or quality certification arrangements as well as with schemes such as, in particular, the **Union Ecolabel award scheme**, established by Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel and measures implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of **ecodesign** requirements for energy-related products. That coordination shall include the exchange of evidence and, if appropriate, the setting of common levels of specifications and requirements across the different schemes.

Conformity assessment and marking: simplified provisions have been proposed so that the Commission or the Member States may submit for testing products covered by this Regulation in order to verify their compliance with the Regulation's requirements.

Work plan: it is stipulated that the work programme that the Commission shall draw up every three years includes a strategy to implement the Energy Star Programme that includes energy-efficiency improvement, bearing in mind the need to pursue a **high standard of consumer and environmental protection** and the market penetration which the Energy Star programme should seek to achieve at Union level.

Review and revision: lastly, before the Parties to the Agreement discuss its renewal, the Commission shall evaluate the effectiveness of the Energy Star programme in improving the energy efficiency of office equipment, **in creating new jobs** and in providing market opportunities for manufacturers.

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

2012/0049(COD) - 11/12/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 618 votes to 20, with 18 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on a European Union energy-efficiency labelling programme for office equipment amending Regulation (EC) No 106 /2008 on a Community energy efficiency labelling programme for office equipment.

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary are the result of a compromise negotiated between the European Parliament and the Council. They amend the proposal as follows:

Title: the original title is replaced by the following: Regulation (EC) No 106/2008 of the European Parliament and of the Council of 15 January 2008 on **a Union** energy-efficiency labelling programme for office equipment

Objective: the Regulation's objective is to lay down the rules for the Union energy-efficiency labelling programme for office equipment (hereinafter referred to as the Energy Star programme) as defined in the 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.

Energy Star and ecodesign: it is stipulated that the Energy Star programme shall contribute to fulfilling the Member States' and the Union's **energy-efficiency** targets as referred to in Directive 2012/27/EU of the European Parliament and of the Council on energy efficiency. It shall be coordinated, with other Union labelling or quality certification arrangements as well as with schemes such as, in particular, the **Union Ecolabel award scheme**, established by Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel and measures implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products. That coordination shall include the exchange of evidence and, if appropriate, the setting of common levels of specifications and requirements across the different schemes.

Conformity assessment and marking: simplified provisions have been proposed so that the Commission or the Member States may submit for testing products covered by this Regulation in order to verify their compliance with the Regulation's requirements.

Work plan: it is stipulated that the work programme that the Commission shall draw up every three years includes a strategy to implement the Energy Star Programme that includes energy-efficiency improvement, bearing in mind the need to pursue a high standard of **consumer and environmental protection** and the market penetration which the Energy Star programme should seek to achieve at Union level.

Review and revision: lastly, before the Parties to the Agreement discuss its renewal, the Commission shall evaluate the effectiveness of the Energy Star programme in improving the energy efficiency of office equipment, in **creating new jobs** and in providing market opportunities for manufacturers.

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

2012/0049(COD) - 05/02/2013 - Final act

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.

LEGISLATIVE ACT : Regulation (EU) No 174/2013 of the European Parliament and of the Council amending Regulation (EC) No 106/2008 on a Community energy-efficiency labelling programme for office equipment

CONTENT: the Regulation amends (EC) No 106/2008 regarding the rules for the Union energy-efficiency labelling programme for office equipment (the Energy Star programme) as defined in the 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 signed on 10 December 2012 in Brussels and 18 January 2013 in Washington. The Agreement will cover a period of five years.

Energy Star and ecodesign: the Energy Star programme shall contribute to fulfilling the Member States' and the Union's energy-efficiency targets as referred to in Directive 2012/27/EU of the European Parliament and of the Council on energy efficiency.

The programme shall be **coordinated, as appropriate, with other Union labelling or quality certification arrangement**s as well as with schemes such as the Union **Ecolabel award scheme**, established by Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel, and measures implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products. That coordination shall include the exchange of evidence and, if appropriate, the setting of common levels of specifications and requirements across the different schemes.

Conformity assessment: other existing and new voluntary energy-efficiency labelling schemes for office equipment products in the Member States may co-exist with the Energy Star programme. Products covered by the Regulation which are placed on the Union market **may be tested** by the Commission or Member States in order to verify their compliance with the requirements of the Regulation.

European Union Energy Star Board (EUESB) shall review the implementation of the Energy Star programme within the Union and shall provide the Commission with advice and assistance.

Review and revision: before the Parties to the Agreement discuss its renewal, the Commission shall evaluate the effectiveness of the Energy Star programme in improving the energy efficiency of office equipment, in **creating new jobs and in providing market opportunities for manufacturers**. The results of such an evaluation and assessment shall be reported to the European Parliament and to the Council at least two years before the expiry of the Agreement.

ENTRY INTO FORCE : 26/03/2013.

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 CO2 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.