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**COVER NOTE**

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from: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 1 October 2013

to: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European  
Union

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Subject: Commission Delegated Regulation (EU) No.../.. of 1.10.2013 supplementing  
Directive 2010/30/EU of the European Parliament and of the Council with  
regard to the energy labelling of domestic ovens and range hoods

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Delegations will find attached Commission document C(2013) 6280 final.

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Encl.: C(2013) 6280 final



Brussels, 1.10.2013  
C(2013) 6280 final

**COMMISSION DELEGATED REGULATION (EU) No .../..**

**of 1.10.2013**

**supplementing Directive 2010/30/EU of the European Parliament and of the Council**

**with regard to the energy labelling of domestic ovens and range hoods**

(Text with EEA relevance)

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE DELEGATED ACT

#### **Grounds for and objectives of the proposal**

The environmental impact of domestic ovens and range hoods in the European Union is significant, in particular their energy consumption in the use phase, which was estimated to be 359 PJ<sup>1</sup> (primary energy consumption) per year in 2010, corresponding to 16.2 Mt CO<sub>2</sub> equivalent.

Provisions for regarding the energy labelling of household electric ovens were established by Commission Directive 2002/40/EC of 8 May 2002 implementing Council Directive 92/75/EEC<sup>2</sup>. However, technological development in the field of domestic cooking appliances has been rapid in recent years. The ecodesign preparatory studies showed that, in addition to the energy efficiency improvements already achieved for domestic electric ovens, there is scope for further reducing the energy consumption of these appliances. Additionally, the studies showed that domestic gas ovens and range hoods have a significant potential for energy savings.

The aim of this draft delegated Regulation is to introduce a revised labelling scheme for domestic ovens including gas ovens and a new scheme for the labelling of domestic range hoods according to their energy efficiency and energy consumption and providing standard product information for consumers. The labelling requirements also provide a dynamic incentive for suppliers to improve energy efficiency and to accelerate the market take-up of energy-efficient domestic ovens and range hoods.

This draft delegated regulation would complement the proposed draft Commission Regulation implementing Directive 2009/125/EC with regard to ecodesign requirements for domestic ovens, hobs and range hoods<sup>3</sup>.

#### **General context**

Low-efficiency domestic ovens and range hoods continue to be sold because of failure to provide incentives for suppliers to place high-efficiency appliances on the market and to guide end-users (consumers) away from purchase decisions based on the selling price rather than on the life cycle cost of the product. Furthermore, those who buy the appliances and those who have to bear the running costs (for example building owners and tenants) have different outlooks. The building owners aim to keep the purchase costs of domestic ovens and range hoods installed in their property down, whereas the people renting the accommodation and using these appliances end up paying higher energy bills. Then, information on energy efficiency of ovens is currently limited to electric ovens which causes an imbalance between electric and gas ovens. Potential cost-effective improvements for the end-user are therefore often not realised.

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<sup>1</sup> i.e 8.6 Mtoe (primary energy consumption) equivalent to around 45 TWh final energy consumption.

<sup>2</sup> OJ L 128, 15.5.2002, p. 45.

<sup>3</sup> OJ L 285, 31.10.2009, p. 10.

These problems have been only partly addressed lasting recent years by means of the labelling scheme set out for electric ovens leading to energy efficiency improvement. This labelling scheme ought to be a springboard for further improvements. However, the preparatory study has shown that if the current energy efficiency classes are not revised, the already achieved limited improvement in energy efficiency for electric ovens will remain static due to the current design of the label G to A classes where class A is over-populated and the most efficient electric ovens cannot be distinguished from other less efficient A-class appliances.

According to the impact assessment, the annual primary energy consumption related to domestic ovens and range hoods can be further reduced below the business as usual scenario by 26 PJ<sup>4</sup> per year in 2020, increasing up to 57 PJ<sup>5</sup> per year by 2030 in a cost-effective way. This reduction would be equivalent to almost 1% of the energy consumed annually by households (except for space/water heating and for transport) and would represent a monetary saving of about 10 euros per year and per household by 2030. In term of generation capacity, this would be equivalent in 2030 to savings of almost six coal-fired power units with a power rate of 200 MW.

The proposed delegated Regulation in combination with the effect of the ecodesign requirements set out in the draft Commission Regulation implementing Directive 2009/125/EC on domestic ovens, hobs and range hoods can achieve this target.

### **Existing provisions in the area of the proposal**

- Commission Directive 2002/40/EC<sup>6</sup> of 8 May 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household electric ovens.

Other legislation relevant to domestic ovens and range hoods includes:

- Commission Regulation (EU) No 327/2011 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for fans driven by motors with an electric input power between 125 W and 500 kW<sup>7</sup>;
- Commission Regulation (EC) No 1275/2008 implementing Directive 2005/32/EC with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment<sup>8</sup>;
- Directive 2002/96/EC<sup>9</sup> of the European Parliament and of the Council of 27 January 2003 on waste electrical and electronic equipment (WEEE);

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<sup>4</sup> i.e. 0.6 Mtoe/a (primary energy consumption), equivalent to a reduction of 3.1 TWh of final energy consumption.

<sup>5</sup> i.e. 1.4 Mtoe/a (primary energy consumption), equivalent to a reduction of 7.0 TWh of final energy consumption.

<sup>6</sup> OJ L 128, 15.5.2002, p. 45.

<sup>7</sup> OJ L 90, 6.4.2011, p. 8.

<sup>8</sup> OJ L 339, 18.12.2008, p. 45.

<sup>9</sup> OJ L 37, 13.2.2003, p. 24.

- Directive 2011/65/EU<sup>10</sup> of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment;
- Directive 2006/95/EC<sup>11</sup> of the European Parliament and of the Council of 12 December 2006 on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits (codified version);
- Directive 2006/42/EC<sup>12</sup> of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (recast);
- Directive 2004/108/EC<sup>13</sup> of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC.

### **Consistency with other policies and objectives of the Union**

Increased market take-up of energy-efficient domestic ovens and range hoods through the introduction of revised and new energy efficiency classes and proposed ecodesign requirements will contribute to the 20% energy savings which should be achieved by 2020 according to the Energy Efficiency Action Plan (COM(2006) 545), and are confirmed in the Commission's Communication on Energy 2020 (COM(2010) 639) and Energy Efficiency Plan 2011 (COM(2011) 109).

The present proposal will complement promotion of the market take-up of efficient products, which is at the heart of the EU's Europe 2020 strategy for smart, sustainable and inclusive growth (COM(2010) 2020), as it will greatly improve energy efficiency, support the transition to a resource-efficient economy, encourage investment in R&D and ensure a level playing field for domestic ovens and range hoods.

The proposed energy labelling of domestic ovens and range hoods is in line with the Commission's industrial policy, in particular the Sustainable Consumption, Production and Industrial Policy Action Plan (COM(2008) 397) and the European Economic Recovery Plan (COM(2008) 800), which mentions energy efficiency as one of the key priorities, referring for example to the promotion of the rapid take-up of products offering a 'high potential for energy savings'.

Furthermore, implementation of Directive 2010/30/EU<sup>14</sup> contributes to the EU's objective of attaining at least a 20% reduction in greenhouse gas emissions by 2020.

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<sup>10</sup> OJ L 174, 1.7.2011, p. 88.

<sup>11</sup> OJ L 374, 27.12.2006, p. 10.

<sup>12</sup> OJ L 157, 9.6.2006, p. 24.

<sup>13</sup> OJ L 390, 31.12.2004, p. 24.

<sup>14</sup> OJ L 153, 18.6.2010, p. 1.

## 2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

### Consultation of interested parties

#### Consultation methods, main sectors targeted and general profile of respondents

International and EU-level stakeholders and Member State experts were consulted from the very beginning of the preparatory studies, and, together with energy labelling, ecodesign requirements were discussed in the 'Consultation Forum', which is established by the Ecodesign Framework Directive 2009/125/EC<sup>15</sup>. The Consultation Forum is composed of experts from the Member States and a balanced representation of stakeholders, namely environmental and consumer NGOs, retailers and manufacturers. During the April and July 2012 meetings of the Consultation Forum, Commission staff presented a working document outlining ecodesign requirements and an energy efficiency ranking for domestic ovens, hobs and range hoods.

All relevant working documents were circulated to the experts and stakeholders, and published in the Commission's CIRCA system alongside the stakeholder comments received in writing. In addition, the initiative was discussed on many occasions at meetings of Commission staff with stakeholders and Member States, as well as with international partners. The draft delegated regulation measure was notified to the WTO/TBT on 8 May 2013 to ensure that no barrier to trade would be introduced.

#### Summary of responses and how they have been taken into account

In general, a revised energy labelling scale for electric ovens and a new scheme for domestic gas ovens and range hoods is well supported by stakeholders and Member States. The following responses on key aspects of the proposal were received:

#### *Product scope and label*

The Commission's proposal to extend energy labelling requirements to gas ovens, and to set out a new labelling scheme for domestic range hoods was supported by all stakeholders. The suggested scope covers domestic electric and gas ovens and domestic range hood, also when used for non-domestic purposes.

Appliances that use energy sources other than electricity or gas, appliances which offer a 'microwave heating' function, small ovens, portable ovens and range hoods without motor are excluded, either because such appliances are becoming obsolete or their environmental impact is relatively small compared to the impact of the domestic ovens and range hoods under consideration.

Stakeholders, in particular consumer organisations, want the labels to be kept simple for end-users. The product label is generally approved by Member States and stakeholders, with an energy efficiency scale that goes from D to A<sup>+++</sup> for ovens and from G to A<sup>+++</sup> for domestic range hoods.

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<sup>15</sup> OJ L 285, 31.10.2009, p. 10.

### *Energy labelling scales*

The initial draft working proposal that the Commission submitted to the ‘Ecodesign Forum’ included one combined labelling scheme for electric and gas ovens providing comparative energy classes based on the primary energy consumption and on the same calculation metrics. This draft proposal raised some concerns among stakeholders. The combined labelling scheme could be challenging for electric ovens as their primary energy efficiency depends considerably on the energy mix in general and on the local electricity production process in particular, which are not under the control of the oven manufacturers/suppliers. Additionally for gas ovens, it was considered that in most countries the building regulations and standards require gas ovens to have an extra permanent ventilation provision (e.g. a hole), which indirectly could cost space heating/cooling energy to heat/cool the incoming air also when the oven is not operating. However, the effect of these measures can vary considerably with seasons and depends very much on geographical locations and climatic areas. And there is no tangible method of determining this impact on the overall energy efficiency of gas ovens.

With all these uncertainties as regards determination of the primary/overall efficiency of electric and gas ovens, the combined labelling scheme for electric and gas ovens appeared to be challenging for the industry and for various Member States. In this context, the majority of stakeholders did not wish to consider this proposal and thus this option was discarded. Instead, it was suggested to use a labelling scheme, with similar labels for electric and gas ovens but different metrics, which can give incentives to bring both electric and gas ovens into the top classes (class A<sup>++</sup> as a maximum for electric ovens according to the potential technological development and class A<sup>+++</sup> for the potentially higher energy-efficient gas ovens).

The current label for electric ovens distinguishes three discrete categories based on the volume of the oven cavity. This has proven to be less effective and creates some bunching of models just beyond category limits. Stakeholders agreed to redesign this metric and eliminate this type of categorisation and proposed to base the energy classes on a linear relation between volume and energy efficiency of the oven cavity.

For electric ovens, the question of downgrading the energy classification of existing models was also raised. While in general there was understanding between stakeholders that downgrading of existing models (e.g. from ‘A’ to ‘B’) should be avoided as much as possible, it was agreed that downgrading of some models was unavoidable in the design of an effective electric oven label, but this would also be compensated by upgrading of other models.

As regards the general ambition level of labelling requirements, a consensus was reached that all ovens could attain a level that is comparable to the current ‘A’ level for electric ovens and that would leave the ‘A<sup>+</sup>’, ‘A<sup>++</sup>’ and ‘A<sup>+++</sup>’ levels for the most efficient appliances as envisaged in the Labelling Directive.

### *Timetable*

For the labelling of domestic range hoods, stakeholders agreed to make provision in the draft delegated Regulation for an energy efficiency scale that goes from G to A<sup>+++</sup> in three successive stages aligned with the ecodesign timetable.

## Collection and use of expertise

### Input from scientific expertise

Preparatory studies and an impact assessment provided the relevant technical, market and economic analysis needed for setting up the energy labelling scheme for domestic ovens and range hoods. They were carried out by consortiums of external consultants on behalf of the Commission's Directorate General for Energy.

### Main organisations/experts consulted

The preparatory studies were conducted in an open process, taking into account input from stakeholders, including manufacturers, retailers and their associations, environmental NGOs, consumer organisations, EU/EEA Member State experts and experts from outside the EU.

### Summary of advice received and used

No potentially serious risks with irreversible consequences were mentioned by any stakeholder, nor were any identified during the preparatory work.

## Impact assessment

An impact assessment of the possible policy measures was carried out in accordance with Article 15(4)(b) of the Ecodesign Directive 2009/125/EC, which also examined the option of labelling.

Several policy options for achieving a market transformation fulfilling the appropriate level of ambition were considered, including the business as usual scenario, self-regulation, energy labelling only, ecodesign requirements only and a combination of the latter two.

However, due to the clear mandate given by the legislator to establish ecodesign requirements and energy labelling for domestic ovens, hobs and range hoods, the depth of analysis for options other than an implementing legal act is proportionate, and the focus is on assessment of the proposed implementing regulations.

The various impacts that could result from introducing energy labels were assessed against the 'business as usual' scenario. Based on an assessment of costs and benefits, a combination of ecodesign requirements and labelling requirements for the appliances in question was identified as the preferred option to solve the problem of market failure in the take-up of domestic ovens and range hoods with improved environmental performance, as that combination best meets the requirements of the Ecodesign and Energy Labelling Directives.

Consequently, the option comprising the adoption of ecodesign requirements together with the introduction of a product labelling scheme was chosen, as it delivers most savings and is also preferred by stakeholders.

It will ensure that:

- on-going cost-effective improvements in the energy efficiency of domestic ovens, hobs and range hoods are maintained and fostered by creating a transparent



legislative framework that will provide the industry with the long-term security it needs to invest in innovative technology;

- fair competition and product differentiation continue to promote energy improvements by providing consumers with an effective and reliable tool to compare the energy consumption of products and by providing incentives for manufacturers to innovate/invest in energy efficiency, in a context of strong market demand for energy-efficient appliances;
- a cost-effective reduction in energy consumption during use is achieved, with significant savings potential;
- a level playing field for all manufacturers is guaranteed, ensuring fair competition and free circulation of products;
- the competitiveness of the industry, including SMEs, is supported through expansion of the EU internal market for sustainable products;
- the burdens and extra costs borne by manufacturers/suppliers, including SMEs, are not excessive, as the transitional periods take redesign cycles into account;
- the administrative burdens are minimised, as requirements for the placing on the market of domestic ovens, hobs and range hoods relating to energy efficiency are consistent and harmonised throughout the European Union;
- there will be a positive impact on employment in the European Union.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

#### **Summary of the proposed action**

The measure sets out new and revised mandatory information requirements for suppliers placing domestic ovens and range hoods on the market, and for dealers offering these appliances at the point of sale or by distance selling such as via catalogues or the internet. The scope of the measure is aligned with the scope of the draft Commission Regulation implementing Directive 2009/125/EC with regard to ecodesign requirements for these appliances.

The energy efficiency ranking of the appliances in question is based on the scheme laid down in Directive 2010/30/EU in having one energy efficiency scale (D to A<sup>+++</sup>) for electric and gas ovens and one energy efficiency scale (G to A<sup>+++</sup>) for domestic range hoods.

For domestic range hoods, a scale from G to A will become mandatory in 2015, while other scales F to A<sup>+</sup>, E to A<sup>++</sup> and D to A<sup>+++</sup> will be made available successively for A<sup>+</sup>, A<sup>++</sup> and A<sup>+++</sup> appliances respectively, so that the labelling scheme is fully beneficial to the most energy-efficient appliances. In 2016, this scale is to be replaced by a new scale F to A<sup>+</sup>, followed by a scale E to A<sup>++</sup> in 2018 and by a scale D to A<sup>+++</sup> in 2020, while classes G to E are to be abolished to accommodate more ambitious ecodesign requirements. This will ensure dynamic market transformation towards highly energy-efficient domestic range hoods.

The proposed product labels and standardised product information will help overcome the lack of information for people buying domestic ovens and range hoods and create a more balanced outlook among building owners and tenants.

The measurement methods and the verification procedure for market surveillance purposes are fully aligned with the draft Commission Regulation implementing Directive 2009/125/EC.

### **Legal basis**

The draft delegated Regulation implements Directive 2010/30/EU, and in particular Article 10 thereof.

### **Subsidiarity principle**

The draft delegated Regulation implements Directive 2010/30/EU in line with Article 10.

### **Proportionality principle**

In accordance with the principle of proportionality, this measure does not go beyond what is necessary in order to achieve the objective.

The form of the implementing measure is a delegated Regulation which is directly applicable in all Member States. This ensures that national and EU administrations will not incur any costs for transposition of the implementing legislation into national legislation.

In terms of conformity assessment, the extra costs will cover both these energy labelling and ecodesign measures.

### **Choice of instrument**

Proposed instrument: delegated Regulation.

### **Budgetary implication**

There are no budgetary implications for the EU budget.

### **Additional information**

None.

### **Review/revision/sunset clause**

The draft includes a review clause.

### **European Economic Area**

The proposed act concerns a European Economic Area matter and should therefore extend to the European Economic Area (EEA).

**COMMISSION DELEGATED REGULATION (EU) No .../..**

**of 1.10.2013**

**supplementing Directive 2010/30/EU of the European Parliament and of the Council**

**with regard to the energy labelling of domestic ovens and range hoods**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products<sup>16</sup>, and in particular Article 10 thereof,

Whereas:

- (1) Directive 2010/30/EU requires the Commission to adopt delegated acts as regards the labelling of energy-related products that offer significant potential for energy savings and present a wide disparity in performance levels with equivalent functionality.
- (2) The energy used by electric ovens accounts for a significant part of total energy demand in the Union. In addition to the energy efficiency improvements already achieved, the scope for further reducing the energy consumption of these appliances is substantial.
- (3) Provisions for the energy labelling of household electric ovens were established by Commission Directive 2002/40/EC of 8 May 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household electric ovens<sup>17</sup>.
- (4) Technological development in the field of domestic cooking appliances has been rapid in recent years. The ecodesign preparatory studies showed that domestic gas ovens and range hoods show significant potential for energy savings. In order to ensure that the energy labels provide dynamic incentives for suppliers to further improve the energy efficiency of these appliances and to accelerate market transformation towards energy-efficient technologies, Directive 2002/40/EC should be repealed and new provisions should be laid down.

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<sup>16</sup> OJ L 153, 18.6.2010, p. 1.

<sup>17</sup> OJ L 128, 15.5.2002, p. 45.

- (5) The provisions of this Regulation should apply to domestic electric and gas ovens, including when incorporated into cookers, and to domestic electric range hoods.
- (6) This Regulation should introduce a revised energy efficiency scale from A<sup>+++</sup> to D for all ovens concerned and a new energy efficiency scale from A to G with a '+' added on at the top of the scale every two years until the A+++ class has been reached for domestic range hoods, these further classes should be added to accelerate the market penetration of high-efficiency appliances.
- (7) The combined effect of the provisions set out in this Regulation, and in the Commission Regulation XXX/2013[Numbering of the Commission Regulation on the ecodesign requirements for domestic ovens, hobs and range hoods and OJ reference in footnote to be added before publication in the OJ] is expected to result in annual primary energy savings of 27 PJ/a in 2020, increasing up to 60 PJ/a by 2030.
- (8) The sound power level of a domestic range hood can be an important consideration for end-users. Information on sound power levels should be included on the labels of domestic range hoods, to enable end-users to make an informed decision.
- (9) The information provided on the respective labels should be obtained through reliable, accurate and reproducible calculation and measurement methods that take into account the recognised state-of-the-art calculation and measurement methods including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation<sup>18</sup>.
- (10) This Regulation should specify a uniform design and content for the labelling of domestic ovens, including when incorporated into cookers, and domestic electric range hoods.
- (11) This Regulation should specify requirements as to the technical documentation and the fiche for domestic ovens, including when incorporated into cookers, and domestic electric range hoods, also when used for non-domestic purposes.
- (12) This Regulation should specify requirements as to the information to be provided for any form of distance selling, advertising and technical promotional material of domestic ovens (including when incorporated into cookers) and domestic electric range hoods, also when used for non-domestic purposes.
- (13) It is appropriate to provide for a review of the provisions of this Regulation taking into account technological progress, and in particular the effectiveness and the appropriateness of the approach followed for the determination of the domestic ovens energy efficiency classes.

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<sup>18</sup> OJ L 316, 14.11.2012, p. 12.

HAS ADOPTED THIS REGULATION:

*Article 1*  
***Subject matter and scope***

1. This Regulation establishes requirements for the labelling and the provision of supplementary product information for domestic electric and gas ovens (including when incorporated into cookers) and for domestic electric range hoods, including when sold for non-domestic purposes.
2. This Regulation shall not apply to:
  - (a) ovens that use energy sources other than electricity or gas;
  - (b) ovens which offer a ‘microwave heating’ function;
  - (c) small ovens;
  - (d) portable ovens;
  - (e) heat storage ovens;
  - (f) ovens which are heated with steam as a primary heating function;
  - (g) ovens designed for use only with gases of the ‘third family’ (propane and butane).

*Article 2*  
***Definitions***

In addition to the definitions set out in Article 2 of Directive 2010/30/EC, the following definitions shall apply for the purposes of this Regulation:

- (1) ‘oven’ means an appliance or part of an appliance which incorporates one or more cavities using electricity and/or gas in which food is prepared by use of a conventional or fan-forced mode;
- (2) ‘cavity’ means the enclosed compartment in which the temperature can be controlled for preparation of food;
- (3) ‘multi-cavity oven’ means an oven with two or more cavities, each of which is heated separately;
- (4) ‘small oven’ means an oven where all cavities have a width and depth of less than 250 mm or a height less than 120 mm;
- (5) ‘portable oven’ means an oven with a product mass of less than 18 kilograms, provided it is not designed for built-in installations;
- (6) ‘microwave heating’ means heating of food using electromagnetic energy;

- (7) 'conventional mode' means the operation mode of an oven only using natural convection for circulation of heated air inside the cavity of the oven;
- (8) 'fan-forced mode' means a mode of an oven when a built-in fan circulates heated air inside the cavity of the oven;
- (9) 'cycle' means the period of heating a standardised load in a cavity of an oven under defined conditions;
- (10) 'cooker' means an appliance consisting of an oven and a hob using gas or electricity;
- (11) 'operation mode' means the status of an oven during use;
- (12) 'heat source' means the main energy form for heating an oven;
- (13) 'range hood' means an appliance, operated by a motor which it controls, intended to collect contaminated air from above a hob, or which includes a downdraft system intended for installation adjacent to cooking ranges, hobs and similar cooking products, that draws vapour down into an internal exhaust duct;
- (14) 'automatic functioning mode during the cooking period' means a condition in which the air flow of the range hood during the cooking period is automatically controlled through sensor(s), including as regards humidity, temperature, etc.;
- (15) 'fully automatic range hood' means a range hood in which the air flow and/or other functions are automatically controlled through sensor(s) during 24 hours including the cooking period;
- (16) 'best efficiency point' (BEP) means the range hood operating point with maximum fluid dynamic efficiency ( $FDE_{hood}$ );
- (17) 'lighting efficiency' ( $LE_{hood}$ ) means the ratio between the average illumination of the lighting system of the domestic range hood and the power of the lighting system in lux/W;
- (18) 'grease filtering efficiency' ( $GFE_{hood}$ ) means the relative share of grease retained within the range hood grease filters;
- (19) 'off mode' means a condition in which the appliance is connected to the mains power source but is not providing any function or only provides an indication of off mode condition, or only provides functionalities intended to ensure electromagnetic compatibility pursuant to Directive 2004/108/EC <sup>19</sup>;
- (20) 'standby mode' means a condition where the appliance is connected to the mains power source, depends on energy input from the mains power source to work as intended and provides only reactivation function, or reactivation function and only an

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<sup>19</sup> Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC, OJ L 390, 31.12.2004, p.24.

indication of enabled reactivation function, and/or information or status display which may persist for an indefinite time;

- (21) ‘reactivation function’ means a function facilitating the activation of other modes, including the active mode, by remote switch including remote control, internal sensor, or timer to a condition providing additional functions, including the main function;
- (22) ‘information or status display’ means a continuous function providing information or indicating the status of the equipment on a display, including clocks;
- (23) ‘end-user’ means a consumer buying or expected to buy a product;
- (24) ‘point of sale’ means a location where appliances are displayed and/or offered for sale or hire;
- (25) ‘equivalent model’ means a model placed on the market with the same technical parameters as another model placed on the market under a different commercial code number by the same manufacturer or importer.

### *Article 3*

#### ***Responsibilities of suppliers and timetable***

Suppliers shall ensure that:

- 1. As regards labels, fiches and technical documentation
  - (a) For domestic ovens:
    - (i) each domestic oven is supplied with (a) printed label(s) containing information in the format set out in point 1 of Annex III for each cavity of the oven;
    - (ii) a product fiche, as set out in point A of Annex IV, is made available for domestic ovens placed on the market;
    - (iii) the technical documentation, as set out in point A of Annex V, is made available on request to the authorities of the Member States;
    - (iv) any advertisement for a specific model of domestic oven contains the energy efficiency class, if the advertisement discloses energy-related or price information;
    - (v) any technical promotional material concerning a specific model of domestic oven which describes its specific technical parameters includes the energy efficiency class of that model;
    - (vi) an electronic label in the format and containing the information set out in point 1 of Annex III is made available to dealers for each cavity of each domestic oven model;
    - (vii) an electronic product fiche as set out in point A of Annex IV is made available to dealers for each domestic oven model.

- (b) For domestic range hoods:
  - (i) each domestic range hood is supplied with a printed label containing information in the format set out in point 2 of Annex III;
  - (ii) a product fiche, as set out in point B of Annex IV, is made available for domestic range hoods placed on the market;
  - (iii) the technical documentation as set out in point B of Annex V, is made available on request to the authorities of the Member States;
  - (iv) any advertisement for a specific model of domestic range hood contains the energy efficiency class, if the advertisement discloses energy-related or price information;
  - (v) any technical promotional material concerning a specific model of domestic range hood which describes its specific technical parameters includes the energy efficiency class of that model;
  - (vi) an electronic label in the format and containing the information set out in point 2 of Annex III is made available to dealers for each domestic range hood model;
  - (vii) an electronic product fiche as set out in point B of Annex IV is made available to dealers for each domestic range hood model.

2. As regards efficiency classes:

- (a) For domestic ovens, the energy efficiency class of the cavity of the oven shall be determined in accordance with point 1 of Annex I, and point 1 of Annex II.
- (b) For domestic range hoods,
  - (i) the energy efficiency classes shall be determined in accordance with point 2.a) of Annex I and point 2.1. of Annex II;
  - (ii) the fluid dynamic efficiency classes shall be determined in accordance with point 2.b) of Annex I and point 2.2. of Annex II;
  - (iii) the lighting efficiency classes shall be determined in accordance with point 2.c) of Annex I and point 2.3. of Annex II;
  - (iv) the grease filtering efficiency classes shall be determined in accordance with point 2.d) of Annex I and point 2.4. of Annex II.

3. As regards formats of the labels:

- (a) For domestic ovens, the format of the label for the cavity of the oven shall be as set out in point 1 of Annex III, for appliances placed on the market from 1 January 2015.
- (b) For domestic range hoods, the format of the label shall be as set out in point 2 of Annex III, according to the following timetable:



- (i) for domestic range hoods placed on the market from 1 January 2015 with energy efficiency classes A, B, C, D, E, F, G, labels shall be in accordance with point 2.1.1 of Annex III (Label 1) or, where suppliers deem appropriate, with point 2.1.2 of that Annex (Label 2);
- (ii) for domestic range hoods placed on the market from 1 January 2016 with energy efficiency classes A<sup>+</sup>, A, B, C, D, E, F, labels shall be in accordance with point 2.1.2 of Annex III (Label 2) or, where suppliers deem appropriate, with point 2.1.3 of that Annex (Label 3);
- (iii) for domestic range hoods placed on the market from 1 January 2018 with energy efficiency classes A<sup>++</sup>, A<sup>+</sup>, A, B, C, D, E, labels shall be in accordance with point 2.1.3 of Annex III (Label 3) or, where suppliers deem appropriate, with point 2.1.4 of that Annex (Label 4);
- (iv) for domestic range hoods placed on the market from 1 January 2020 with energy efficiency classes A<sup>+++</sup>, A<sup>++</sup>, A<sup>+</sup>, A, B, C, D, labels shall be in accordance with point 2.1.4 of Annex III (Label 4).

*Article 4*  
***Responsibilities of dealers***

Dealers shall ensure that:

1. For domestic ovens:
  - (a) each oven presented at the point of sale carries the label for each cavity provided by suppliers in accordance with Article 3(1)(a)(i) displayed on the front or top of the appliance, or in the immediacy of the appliance, so as to be clearly visible and identifiable as the label belonging to the model without having to read the brand name and model number on the label;
  - (b) ovens offered for sale or hire where the end-user cannot be expected to see the product displayed, as specified in Article 7 of Directive 2010/30/EU, are marketed with the information provided by suppliers in accordance with part A of Annex VI to this Regulation, except where the offer is made through the Internet in which case the provisions of Annex VII shall apply;
  - (c) any advertisement for any form or medium of distance selling and marketing concerning a specific model of oven contains a reference to the energy efficiency class, if the advertisement discloses energy-related or price information;
  - (d) any technical promotional material concerning a specific model which describes the technical parameters of an oven includes the energy efficiency class of the model.
2. For domestic range hoods:
  - (a) each domestic range hood presented at the point of sale is accompanied by the label provided by suppliers in accordance with Article 3(1)(b)(i) displayed on

the front or top of the appliance, or in the immediacy of the appliance, so as to be clearly visible and identifiable as the label belonging to the model without having to read the brand name and model number on the label;

- (b) domestic range hoods offered for sale or hire where the end-user cannot be expected to see the product displayed, as specified in Article 7 of Directive 2010/30/EU, are marketed with the information provided by suppliers in accordance with part B of Annex VI to this Regulation, except where the offer is made through the Internet in which case the provisions of Annex VII shall apply;
- (c) any advertisement for any form or medium of distance selling and marketing concerning a specific model of domestic range hood contains a reference to the energy efficiency class, if the advertisement discloses energy-related or price information;
- (d) any technical promotional material concerning a specific model which describes the technical parameters of a domestic range hood includes the energy efficiency class of the model.

#### *Article 5*

#### ***Measurement and calculation methods***

The information to be provided under Articles 3 and 4 shall be obtained by reliable, accurate and reproducible measurement procedures, which take into account the recognised state-of-the-art calculation and measurement methods.

#### *Article 6*

#### ***Verification procedure for market surveillance purposes***

When performing the market surveillance checks for compliance with requirements set out in this Regulation, the Member States' authorities shall apply the verification procedure described in Annex VIII.

#### *Article 7*

#### ***Review***

The Commission shall review this Regulation in the light of technological progress no later than 1 January 2021.

#### *Article 8*

#### ***Repeal***

Commission Directive 2002/40/EC shall be repealed from 1 January 2015.

*Article 9*

***Transitional provisions***

1. Domestic ovens which comply with the provisions of this Regulation and which are placed on the market or offered for sale, hire or hire-purchase before 1 January 2015 shall be regarded as complying with the requirements of Directive 2002/40/EC.
2. From 1 January to 1 April 2015, dealers may apply Article 4(1)(b) to specific ovens that fall under that provision.
3. From 1 January to 1 April 2015, dealers may apply Article 4(2)(b) to specific range hoods that fall under that provision.

*Article 10*

***Entry into force and application***

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. It shall apply from 1 January 2015. However, Article 3(1)(a)(iv) and (v), Article 3(1)(b)(iv) and (v), Article 4(1)(b), (c) and (d), and Article 4(2)(b), (c) and (d) shall apply from 1 April 2015.

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

Done at Brussels, 1.10.2013

*For the Commission*  
*The President*  
*José Manuel BARROSO*