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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	5 March 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

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Delegations will find attached document C(2014) 1371 final.

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Brussels, 5.3.2014
C(2014) 1371 final

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

of 5.3.2014

amending Commission Delegated Regulations (EU) No 1059/2010, 1060/2010, 1061/2010, 1062/2010, 626/2011, 392/2012, 874/2012, 665/2013, 811/2013 and 812/2013 with regard to labelling of energy-related products on the Internet

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The purpose of this Delegated Regulation is to require for all energy-related products with an energy label that the label is also shown on the Internet when those products are offered for sale on the Internet. Moreover, it introduces the requirement that the fiche with further product information is also shown on the Internet.

The delegated acts adopted under Directive 2010/30/EU on energy labelling currently specify, in the case of distance selling, that the information on the label should be shown in a specific order. However, unlike the display of the energy label in shops, there is currently no requirement to show the label itself, nor is the fiche required to be shown in the case of distance selling. As a result, in distance selling end-users are not guided by the colour scale of the label. Moreover, they are not informed as to which energy labelling class is the best for the product group (this could be A+++, A++, A+ or A, depending on the label). Moreover, they do not have access to the additional information contained in the fiche, and this affects their ability to make informed purchasing decisions.

Distance selling of energy-related products through the Internet is on the increase and is starting to take up a significant share of sales. In Internet selling, technological progress makes it possible to display the label and the fiche without creating an additional administrative burden.

Therefore, this Delegated Regulation amends all Delegated Regulations supplementing Directive 2010/30/EU and requires that for selling through the Internet the label and fiche are displayed.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultation of interested parties

In the consultation that was launched with a view to revising Directive 2010/30/EU, stakeholders agreed on the proposal to ‘Reinforce the provision of labels on Internet sales’. This led to a change in the provisions on distance selling, including Internet selling, so that delegated acts could also indicate the way the label and the fiche should be displayed in distance selling rather than just the information relating to it. After the adoption of the revised Directive in 2010, the preparatory work was started within a technical advisory group. This group discussed technical options for the on-line display of the energy label.

On 18 April 2012 the Commission departments presented the results of the work of the technical advisory group to the Consultation Forum established under Directive 2009/125/EC (‘Ecodesign Directive’), which has a balanced composition¹ comprising all the stakeholders that are normally consulted on draft delegated acts under Directive 2010/30/EU. The Consultation Forum discussed the legal and technical options for the display of the energy label online. Generally speaking, the Consultation Forum took a positive view and was in favour of a technologically neutral, low- to no-cost solution that could be implemented as part of normal business cycles. On 10 July 2012 the Commission presented a working document

¹ http://ec.europa.eu/enterprise/policies/sustainable-business/ecodesign/consultation-forum/index_en.htm.

containing a detailed proposal. A revised working document was discussed at a Member State expert meeting on 10 July 2013.

All the relevant working documents were circulated to the Member States, the European Parliament and stakeholders. The working documents for the Consultation Forum were published in the Commission's CIRCA system along with the stakeholder comments which had been received in writing. In addition, the initiative was discussed bilaterally between Commission staff and various stakeholders. The draft regulation was notified to the World Trade Organisation on 10 June 2013 in accordance with the Agreement on Technical Trade Barriers.

Summary of responses and how they have been taken into account

In general, the Member States and stakeholders welcomed this initiative and several argued for it to be adopted swiftly.

Policy instrument for the requirements

Two Member States pointed out that the Commission did not have a mandate to adopt a horizontal delegated act on labelling on the Internet and can only adopt delegated acts addressing specific products. Supported by an industry stakeholder, these two Member States suggested that online labelling should be arranged through a review of Directive 2010/30/EU. However, this would detract from the mandate already provided by the legislators in the 2010 revision of the Directive. To counter the legal objections, this delegated act amends existing delegated energy labelling acts, rather than being a stand-alone delegated act on online energy labelling.

While one Member State preferred guidance rather than a delegated act, other stakeholders were not keen on this. It would still require legal action in terms of changes to some product-specific delegated acts, as some of them require information on the Internet to be displayed in an order that conflicts with the order represented on the label.

Requirements for suppliers

A number of Member States suggested that electronic labels and fiches should be made available to dealers only on their request so that small suppliers whose products might usually not be sold on the internet would not automatically have to make available electronic labels and fiches for each of their models. Several other Member States opposed such approach as it might make the work more burdensome for dealers. In this allocation of burden between suppliers and dealers the delegated act takes the approach in which any burden is largely on the suppliers, because for the ten product groups concerned by the delegated act there are relatively few manufacturers who make models in small production numbers.

Nested display (access through a mouse click, mouse roll-over or tactile screen expansion of an image)

Most Member States agreed that the image used for nested display should be an arrow in the colour of the energy class corresponding to the product. One Member State was of the view that the image should only be the energy efficiency class and should not be accompanied by an arrow; if an arrow would be used, it should be black. Another Member State suggested that dealers should be able to choose between a coloured and a black arrow. The delegated act

proposes to use an arrow in the colour of the energy efficiency class on the label as this would reinforce the message for consumers.

Application date

One Member State and one industry stakeholder argued that the provisions should not apply earlier than 12 months after the adoption of the Regulation. Consumer organisations argued that two weeks would be sufficient, although they could accept 6 months. The delegated act proposes a common commencement date approximately 6 months after publication. In addition, the new requirements will be obligatory only for new models so that suppliers can implement the Regulation as part of normal business cycles.

Collection and use of expertise

Input from scientific expertise

The Consumer 2020 study², which was carried out by the firm IMRWorld, provided the basis for identifying the problem. In addition, Rand *et al* conducted the ‘Bringing online into line’ impact assessment preparatory study³. A technical advisory group discussed technical options for the online display of the energy label.

Main organisations/experts consulted

The technical advisory group consisted of representatives of Borderlinx, IMRWorld, Zen Digital, ATG, Microsoft, Pixmania and Kelkoo.

In the course of two meetings of the Consultation Forum input from stakeholders, including manufacturers, installers, retailers and their associations, environmental NGOs, consumer organisations and experts, was taken into account.

Impact assessment

An impact assessment of the possible policy measures was carried out. The policy options concerned the type of intervention, that is the policy instrument to be used for changes or additions to the way consumers are currently provided with energy efficiency information on energy-related products online. As regards the content of the intervention after the work of the technical advisory group and the consultation, only one option remained besides the ‘business-as-usual’ case: that of displaying the energy class by an appropriately coloured arrow on which, after click through/mouse roll-over/touch screen expansion, the label would be displayed.

Since the impact assessment supporting the proposal for a revised Energy Labelling Directive had already addressed the issue in general, this impact assessment analysed specific sub-options only: the ‘business-as-usual’ case; requiring display of the energy label and fiche online through a delegated act; and proposing a requirement to display the energy label and fiche online through a revision of the Energy Labelling Directive. While the last option would detract from the mandate provided by the legislators in the 2010 revision of the Directive, it was nevertheless included in the impact analysis, because some Member States and one industry stakeholder had expressed a preference for this option.

² Available via: http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=6782.

³ http://ec.europa.eu/information_society/newsroom/cf/dae/itemdetail.cfm?item_id=7881.

None of the options was found to impose an excessive administrative burden on dealers.

The option requiring the display of the energy label and fiche online through a delegated act was found to have the most positive impacts in terms of:

- reducing energy consumption and CO2 emissions;
- promoting energy efficiency and hence contributing to security of supply;
- promoting consumers' energy efficiency awareness;
- increasing the energy efficient share of sales of appliances online.

Both options other than 'business-as-usual' were found to have positive impacts in terms of:

- improving the functioning of the Digital Single Market;
- facilitating the development of creative third-party business models.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Summary of the proposed action

The delegated acts adopted under Directive 2010/30/EU are to be amended so that they:

- require suppliers to make the label and the fiche for each model available electronically to dealers;
- require the label and fiche to be displayed when products are sold through the Internet;
- allow the label and fiche to be shown through nested display, that is to be accessed through mouse click, mouse roll-over or tactile screen expansion of an image;
- specify requirements for nested display.

Legal basis

The Delegated Regulation implements Directive 2010/30/EU, in particular its Articles 7 and 10.

Subsidiarity principle

This Regulation implements Directive 2010/30/EU pursuant to its Articles 7 and 10.

Proportionality principle

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

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

Choice of instrument

Proposed instrument: Delegated Regulation.

Budgetary implication

The proposal has no implications for the EU budget.

ADDITIONAL INFORMATION**Review/revision/sunset clause**

The draft amends other Regulations each of which has a revision clause.

European Economic Area

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

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

of 5.3.2014

amending Commission Delegated Regulations (EU) No 1059/2010, 1060/2010, 1061/2010, 1062/2010, 626/2011, 392/2012, 874/2012, 665/2013, 811/2013 and 812/2013 with regard to labelling of energy-related products on the Internet

(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 products⁴, and in particular Articles 7 and 10 thereof,

Whereas:

- (1) Directive 2010/30/EU requires the Commission to lay down details relating to the labelling of energy-related products by means of delegated acts which contain measures that ensure that potential end-users are provided with the information specified on the label and in the product fiche in case of distance selling, including mail order, by catalogue, telemarketing or through the Internet.
- (2) Currently, it is specified that in the case of distance selling the information on the label is to be presented in a specific order. However, there is currently no requirement to display the label itself or the product fiche. Therefore, the ability of end-users to make better informed decisions about their purchases is affected in the case of distance selling because they are neither guided by the colour scale of the label, nor are they informed as to which energy labelling class is the best for the product group or provided with the additional information which is contained in the fiche.
- (3) Distance selling through the Internet is increasingly becoming a significant share of the sales of energy-related products. When selling through the Internet, it is possible to display the label and the fiche without involving an additional administrative burden. Therefore, dealers should display the label and fiche when selling through the Internet.
- (4) For the label and fiche to be displayed on the Internet, suppliers should for each model of an energy-related product provide dealers with an electronic version of the label and the fiche, e.g. through making them available on a website where they can be downloaded by dealers.

⁴ OJ L 153, 18.6.2010, p. 1.

- (5) In order to implement the requirements of this Regulation as part of normal business cycles, suppliers should be obliged to make the label and fiche available electronically only for new models, including upgrades of existing models, which in practical terms means those with a new model identifier. For existing models supply of an electronic label and fiche should be on a voluntary basis.
- (6) Since displaying the label and the fiche next to the product may require more screen space, it should be allowed to have them displayed using a nested display.
- (7) Commission Delegated Regulations (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers⁵, 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances⁶, 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines⁷, 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions⁸, 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners⁹, 392/2012 of 1 March 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers¹⁰, 874/2012 of 12 July 2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of electrical lamps and luminaires¹¹, 665/2013 of 3 May 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of vacuum cleaners¹², 811/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of space heaters, combination heaters, packages of space heater, temperature control and solar device and packages of combination heater, temperature control and solar device¹³, and No 812/2013 of 18 February 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device¹⁴ should therefore be amended accordingly,

⁵ OJ L 314, 30.11.2010, p. 1.

⁶ OJ L 314, 30.11.2010, p. 17.

⁷ OJ L 314, 30.11.2010, p. 47.

⁸ OJ L 314, 30.11.2010, p. 64.

⁹ OJ L 178, 6.7.2011, p. 1.

¹⁰ OJ L 123, 9.5.2012, p. 1.

¹¹ OJ L 258, 26.9.2012, p. 1.

¹² OJ L 192, 13.7.2013, p. 1.

¹³ OJ L 239, 6.9.2013, p. 1.

¹⁴ OJ L 239, 6.9.2013, p. 83.

HAS ADOPTED THIS REGULATION:

Article 1
Amendments to Regulation (EU) No 1059/2010

Regulation (EU) No 1059/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) The following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household dishwasher model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household dishwasher models;’;

(b) The following point (g) is added:

‘(g) an electronic product fiche as set out in Annex II is made available to dealers for each household dishwasher model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household dishwasher models.’.

(2) In Article 4, point (b) is replaced by the following:

‘household dishwashers offered for sale, hire or hire- purchase where the end-user cannot be expected to see the household dishwasher displayed, are marketed with the information provided by suppliers in accordance with Annex IV. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;’.

(3) A new Annex VIII is added in accordance with Annex I to this Regulation.

Article 2
Amendments to Regulation (EU) No 1060/2010

Regulation (EU) No 1060/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) The following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in Annex II is made available to dealers for each household refrigerating appliance model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household refrigerating appliance models;’;

(b) The following point (g) is added:

‘(g) an electronic product fiche as set out in Annex III is made available to dealers for each household refrigerating appliance model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household refrigerating appliance models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) household refrigerating appliances offered for sale, hire or hire purchase where the end-user cannot be expected to see the product displayed, are marketed with the information to be provided by the suppliers in accordance with Annex V. Where the offer for is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex X shall apply instead;’.

(3) A new Annex X is added in accordance with Annex II to this Regulation.

Article 3
Amendments to Regulation (EU) No 1061/2010

Regulation (EU) No 1061/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) The following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household washing machine model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household washing machine models;’;

(b) The following point (g) is added:

‘(g) an electronic product fiche as set out in Annex II is made available to dealers for each household washing machine model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household washing machine models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) household washing machines offered for sale, hire or hire-purchase where the end-user cannot be expected to see the product displayed are marketed with the information to be provided by suppliers in accordance with Annex IV. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;’.

(3) A new Annex VIII is added in accordance with Annex III to this Regulation.

Article 4
Amendments to Regulation (EU) No 1062/2010

Regulation (EU) No 1062/2010 is amended as follows:

(1) Article 3 is amended as follows:

(a) In paragraph 1, the following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in Annex V is made available to dealers for each television model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other television models;’;

(b) In paragraph 1, the following point (g) is added:

‘(g) an electronic product fiche as set out in Annex III is made available to dealers for each television model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other television models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) televisions offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the television displayed, are marketed with the information to be provided by the suppliers in accordance with Annex VI. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(1)(f) and 3(1)(g) the provisions in Annex IX shall apply instead;’.

(3) A new Annex IX is added in accordance with Annex IV to this Regulation.

Article 5
Amendments to Regulation (EU) No 626/2011

Regulation (EU) No 626/2011 is amended as follows:

(1) Article 3 is amended as follows:

(a) In paragraph 1, the following point (h) is added:

‘(h) an electronic label in the format and containing the information set out in Annex III is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new model identifier, respecting energy efficiency classes set out in Annex II. It may also be made available to dealers for other air conditioner models;’;

(b) In paragraph 1, the following point (i) is added:

‘(i) an electronic product fiche as set out in Annex IV is made available to dealers for each air conditioner model placed on the market from 1 January 2015 with a new

model identifier. It may also be made available to dealers for other air conditioner models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) air conditioners offered for sale, hire or hire purchase where the end-user cannot be expected to see the product displayed, are marketed with the information provided by suppliers in accordance with Annexes IV and VI. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(1)(h) and 3(1)(i) the provisions of Annex IX shall apply instead;’.

(3) A new Annex IX is added in accordance with Annex V to this Regulation.

Article 6
Amendments to Regulation (EU) No 392/2012

Regulation (EU) No 392/2012 is amended as follows:

(1) Article 3 is amended as follows:

(a) The following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in Annex I is made available to dealers for each household tumble drier model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household tumble drier models;’;

(b) The following point (g) is added:

‘(g) an electronic product fiche as set out in Annex II is made available to dealers for each household tumble drier model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other household tumble drier models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) household tumble driers offered for sale, hire or hire-purchase 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 Annex IV to this Regulation. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(f) and 3(g) the provisions of Annex VIII shall apply instead;’.

(3) A new Annex VIII is added in accordance with Annex VI to this Regulation.

Article 7
Amendments to Regulation (EU) No 874/2012

Regulation (EU) No 874/2012 is amended as follows:

- (1) Article 3 is amended as follows:
- (a) In paragraph 1, the following point (f) is added:
- ‘(f) an electronic label in the format and containing the information set out in point 1 of Annex I is made available to dealers for each lamp model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other lamp models.’;
- (b) In paragraph 2, the following point (e) is added:
- ‘(e) an electronic label in the format and containing information set out in point 2 of Annex I is made available to dealers for each luminaire model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other luminaire models.’.
- (2) Article 4 is amended as follows:
- (a) In paragraph 1, point (a) is replaced by the following:
- ‘(a) each model offered for sale, hire or hire-purchase where the final owner cannot be expected to see the product displayed is marketed with the information to be provided by suppliers in accordance with Annex IV. Where the offer is made through the Internet and an electronic label has been made available in accordance with Article 3(1)(f) the provisions in Annex VIII shall apply instead;’;
- (b) In paragraph 2, the following point (d) is added:
- ‘(d) each model offered for sale, hire or hire-purchase through the Internet and for which an electronic label has been made available in accordance with Article 3(2)(e) is accompanied by the label in accordance with Annex VIII.’.
- (3) A new Annex VIII is added in accordance with Annex VII to this Regulation.

Article 8
Amendments to Regulation (EU) No 665/2013

Regulation (EU) No 665/2013 is amended as follows:

- (1) Article 3 is amended as follows:
- (a) In paragraph 1, the following point (f) is added:
- ‘(f) an electronic label in the format and containing the information set out in Annex II is made available to dealers for each vacuum cleaner model placed on the market from 1 January 2015 with a new model identifier. It may also be made available to dealers for other vacuum cleaner models;’;
- (b) In paragraph 1, the following point (g) is added:
- ‘(g) an electronic product fiche as set out in Annex III is made available to dealers for each vacuum cleaner model placed on the market from 1 January 2015 with a

new model identifier. It may also be made available to dealers for other vacuum cleaner models.’.

(2) In Article 4, point (b) is replaced by the following:

‘(b) vacuum cleaners offered for sale, hire or hire-purchase 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 Annex V to this Regulation. Where the offer is made through the Internet and an electronic label and an electronic product fiche have been made available in accordance with Article 3(1)(f) and 3(1)(g) the provisions in Annex VIII shall apply instead;’.

(3) A new Annex VIII is added in accordance with Annex VIII to this Regulation.

Article 9
Amendments to Regulation (EU) No 811/2013

Regulation (EU) No 811/2013 is amended as follows:

(1) Article 3 is amended as follows:

(a) In paragraph 1, the following point (f) is added in the first subparagraph:

‘(f) an electronic label in the format and containing the information set out in point 1.1 of Annex III is made available to dealers for each space heater model conforming to the seasonal space heating energy efficiency classes set out in point 1 of Annex II;’;

(b) In paragraph 1, the following point (g) is added in the first subparagraph:

‘(g) an electronic product fiche as set out in point 1 of Annex IV is made available to dealers for each space heater model, whereby for heat pump space heaters models, the electronic product fiche is made available to dealers at least for the heat generator.’;

(c) In paragraph 1, the following subparagraph is added:

‘From 26 September 2019 an electronic label in the format and containing the information set out in point 1.2 of Annex III shall be made available to dealers for each space heater model conforming to the seasonal space heating energy efficiency classes set out in point 1 of Annex II.’;

(d) In paragraph 2, the following point (f) is added in the first subparagraph:

‘(f) an electronic label in the format and containing the information set out in point 2.1 of Annex III is made available to dealers for each combination heater model conforming to the seasonal space heating energy efficiency classes and water heating energy efficiency classes set out in points 1 and 2 of Annex II;’;

(e) In paragraph 2, the following point (g) is added in the first subparagraph:

‘(g) an electronic product fiche as set out in point 2 of Annex IV is made available to dealers for each combination heater model, whereby for heat pump combination heaters models, the electronic product fiche is made available to dealers at least for the heat generator.’;

(f) In paragraph 2, the following subparagraph is added:

‘From 26 September 2019 an electronic label in the format and containing the information set out in point 2.2 of Annex III shall be made available to dealers for each combination heater model conforming to the seasonal space heating energy efficiency classes and water heating energy efficiency classes set out in points 1 and 2 of Annex II.’;

(g) In paragraph 3, the following point (c) is added:

‘(c) an electronic product fiche, as set out in point 3 of Annex IV, is made available to dealers for each temperature control model.’.

(h) In paragraph 4, the following point (c) is added:

‘(c) a electronic product fiche, as set out in point 4 of Annex IV, is made available to dealers for each solar device model.’.

(i) In paragraph 5, the following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in point 3 of Annex III is made available to dealers for each model comprising a package of space heater, temperature control and solar device conforming to the seasonal space heating energy efficiency classes set out in point 1 of Annex II.’;

(j) In paragraph 5, the following point (g) is added:

‘(g) an electronic product fiche as set out in point 5 of Annex IV is made available to dealers for each model comprising a package of space heater, temperature control and solar device.’.

(k) In paragraph 6, the following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in point 4 of Annex III is made available to dealers for each model comprising a package of combination heater, temperature control and solar device conforming to the seasonal space heating energy efficiency classes and water heating energy efficiency classes set out in points 1 and 2 of Annex II.’.

(l) In paragraph 6, the following point (g) is added:

‘(g) an electronic product fiche as set out in point 6 of Annex IV is made available to dealers for each model comprising a package of combination heater, temperature control and solar device.’.

(2) Article 4 is amended as follows:

(a) In paragraph 1, point (b) is replaced by the following:

‘(b) space heaters offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the space heater displayed, are marketed with the information provided by the suppliers in accordance with point 1 of Annex VI, except where the offer is made through the Internet, in which case the provisions in Annex IX shall apply;’;

(b) In paragraph 2, point (b) is replaced by the following:

‘(b) combination heaters offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the combination heater displayed, are marketed with the information provided by the suppliers in accordance with point 2 of Annex VI, except where the offer is made through the Internet, in which case the provisions in Annex IX shall apply;’;

(c) In paragraph 3, point (b) is replaced by the following:

‘(b) packages of space heater, temperature control and solar device offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the package of space heater, temperature control and solar device displayed, are marketed with the information provided in accordance with point 3 of Annex VI, except where the offer is made through the Internet, in which case the provisions in Annex IX shall apply;’;

(d) In paragraph 4, point (b) is replaced by the following:

‘(b) packages of combination heater, temperature control and solar device offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the package of combination heater, temperature control and solar device displayed, are marketed with the information provided in accordance with point 4 of Annex VI, except where the offer is made through the Internet, in which case the provisions in Annex IX shall apply;’.

(3) Annex VI is amended in accordance with Annex IX to this Regulation.

(4) A new Annex IX is added in accordance with Annex IX to this Regulation.

Article 10
Amendments to Regulation (EU) No 812/2013

Regulation (EU) No 812/2013 is amended as follows:

(1) Article 3 is amended as follows:

(a) In paragraph 1, the following point (f) is added in the first subparagraph:

‘(f) an electronic label in the format and containing the information set out in point 1.1 of Annex III is made available to dealers for each water heater model conforming to the water heating energy efficiency classes set out in point 1 of Annex II;’;

(b) In paragraph 1, the following point (g) is added in the first subparagraph:

‘(g) an electronic product fiche as set out in point 1 of Annex IV is made available to dealers for each water heater model, whereby for heat pump water heaters models,

the electronic product fiche is made available to dealers at least for the heat generator.’;

(c) In paragraph 1, the following subparagraph is added:

‘From 26 September 2017 an electronic label in the format and containing the information set out in point 1.2 of Annex III shall be made available to dealers for each water heater model conforming to the water heating energy efficiency classes set out in point 1 of Annex II.’;

(d) In paragraph 2, the following point (f) is added in the first subparagraph:

‘(f) an electronic label in the format and containing the information set out in point 2.1 of Annex III is made available to dealers for each hot water storage tank model in accordance with the energy efficiency classes set out in point 2 of Annex II.’;

(e) In paragraph 2, the following point (g) is added in the first subparagraph:

‘(g) an electronic product fiche as set out in point 2 of Annex IV is made available to dealers for each hot water storage tank model.’;

(f) In paragraph 2, the following subparagraph is added:

‘From 26 September 2017 an electronic label in the format and containing the information set out in point 2.2 of Annex III shall be made available to dealers for each hot water storage tank model, in accordance with the energy efficiency classes set out in point 2 of Annex II.’;

(g) In paragraph 3, the following point (c) is added:

‘(c) an electronic product fiche, as set out in point 3 of Annex IV, is made available to dealers for each solar device model.’;

(h) In paragraph 4, the following point (f) is added:

‘(f) an electronic label in the format and containing the information set out in point 3 of Annex III is made available to dealers for each model comprising a package of water heater and solar device, in accordance with the water heating energy efficiency classes set out in point 1 of Annex II.’;

(i) In paragraph 4, the following point (g) is added:

‘(g) an electronic product fiche as set out in point 4 of Annex IV is made available to dealers for each model comprising a package of water heater and solar device.’.

(2) Article 4 is amended as follows:

(a) In paragraph 1, point (b) is replaced by the following:

‘(b) water heaters offered for sale, hire or hire-purchase, where the end-user cannot be expected to see the water heater displayed, are marketed with the information provided by the suppliers in accordance with point 1 of Annex VI, except where the

offer is made through the Internet, in which case the provisions in Annex X shall apply;’;

(b) In paragraph 2, point (b) is replaced by the following:

‘(b) hot water storage tanks offered for sale, hire or hire-purchase, where the end user cannot be expected to see the hot water storage tank displayed, are marketed with the information provided by the suppliers in accordance with point 2 of Annex VI; except where the offer is made through the Internet in which case the provisions in Annex X shall apply;’;

(c) In paragraph 3, point (b) is replaced by the following:

‘(b) packages of water heater and solar device offered for sale, hire or hire purchase, where the end-user cannot be expected to see the package of water heater and solar device displayed, are marketed with the information provided in accordance with point 3 of Annex VI, except where the offer is made through the Internet, in which case the provisions in Annex X shall apply;’.

(3) Annex VI is amended in accordance with Annex X to this Regulation.

(4) A new Annex X is added in accordance with Annex X to this Regulation.

Article 11

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 5.3.2014

For the Commission
The President
José Manuel BARROSO