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Delegations will find attached document D085101/01.

Encl.: D085101/01



Brussels, **XXX**
D085101/01
[...] (2022) **XXX** draft

COMMISSION DECISION

of **XXX**

amending Decisions (EU) 2017/175 and (EU) 2018/680 as regards the energy efficiency requirements for EU Ecolabel tourist accommodation and EU Ecolabel indoor cleaning services for certain energy-related products

(Text with EEA relevance)

COMMISSION DECISION

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amending Decisions (EU) 2017/175 and (EU) 2018/680 as regards the energy efficiency requirements for EU Ecolabel tourist accommodation and EU Ecolabel indoor cleaning services for certain energy-related products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 66/2010 of the European Parliament and of the Council of 25 November 2009 on the EU Ecolabel¹, and in particular Article 8(2) thereof,

After consulting the European Union Ecolabelling Board,

Whereas:

- (1) Regulation (EC) No 66/2010 provides that the EU Ecolabel may be awarded to products with a reduced environmental impact during their entire life cycle. Specific EU Ecolabel criteria are to be established for each product group.
- (2) By Commission Decision (EU) 2017/175² EU Ecolabel criteria and related assessment and verifications requirements were established for the product group “tourist accommodation”.
- (3) By Commission Decision (EU) 2018/680³ EU Ecolabel criteria and related assessment and verifications requirements were established for the product group “indoor cleaning services”.
- (4) Both Decisions (EU) 2017/175 and (EU) 2018/680 include energy efficiency requirements for specific energy-related products, referring to legislation that need to be updated.
- (5) The Commission has introduced A to G rescaled energy efficiency labels for certain energy-related products (‘rescaled products’) as per the working plan referred to in Article 15 of Regulation (EU) 2017/1369 of the European Parliament and of the

¹ OJ L 27, 30.1.2010, p. 1.

² Commission Decision (EU) 2017/175 of 25 January 2017 on establishing EU Ecolabel criteria for tourist accommodation (OJ L 28, 2.2.2017, p. 9).

³ Commission Decision (EU) 2018/680 of 2 May 2018 establishing EU Ecolabel criteria for indoor cleaning services (OJ L 114, 4.5.2018, p. 22).

Council⁴. Those rescaled products are referred to in criteria 8, 31 (a), 31 (c), 31 (d), 31 (e) and 31 (h) of Decision (EU) 2017/175, and in criterion O10 (a) of Decision (EU) 2018/680 and are, respectively, light sources, refrigerating appliances, household dishwashers, household washing machines and electronic displays. Given that Commission Delegated Regulations (EU) 2019/2015⁵, (EU) 2019/2016⁶, (EU) 2019/2017⁷, (EU) 2019/2014⁸ and (EU) 2019/2013⁹ have repealed Commission Delegated Regulations (EU) No 874/2012¹⁰, (EU) No 1060/2010¹¹, (EU) No 1059/2010¹², (EU) No 1061/2010¹³ and (EU) No 1062/2010¹⁴, those criteria therefore need to be updated with references to energy requirements set out in Delegated Regulations (EU) 2019/2015, (EU) 2019/2016, (EU) 2019/2017, (EU) 2019/2014 and (EU) 2019/2013. In addition to the references, those criteria need to be updated in order to reflect rescaled top classes of energy efficiency so that the EU Ecolabel criteria continue to correspond to the best 10-20% of the products available on the Union market in terms of environmental performance, in accordance with Annex I, Part A, point 2, of Regulation (EC) No 66/2010.

- (6) References to the energy requirements set out in Delegated Regulations (EU) No 874/2012, (EU) No 1060/2010, (EU) No 1059/2010, (EU) No 1061/2010 and (EU) No 1062/2010 should be maintained in Decisions (EU) 2017/175 and (EU) 2018/680 to allow products purchased prior to the entry into force of the new energy labelling rules to be considered still compliant with the EU Ecolabel criteria.
- (7) Criterion 31 (e) set out in Decision (EU) 2017/175 includes references to the EU Energy Star programme for office equipment and to EU-USA Energy Star agreements^{15,16} expired on 20 February 2018. In order to guarantee a high environmental

⁴ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).

⁵ Commission Delegated Regulation (EU) 2019/2015 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of light sources and repealing Commission Delegated Regulation (EU) No 874/2012 (OJ L 315, 5.12.2019, p. 68).

⁶ Commission Delegated Regulation (EU) 2019/2016 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of refrigerating appliances and repealing Commission Delegated Regulation (EU) No 1060/2010 (OJ L 315, 5.12.2019, p. 102).

⁷ Commission Delegated Regulation (EU) 2019/2017 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household dishwashers and repealing Commission Delegated Regulation (EU) No 1059/2010 (OJ L 315, 5.12.2019, p. 134).

⁸ Commission Delegated Regulation (EU) 2019/2014 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household washing machines and household washer-dryers and repealing Commission Delegated Regulation (EU) No 1061/2010 and Commission Directive 96/60/EC (OJ L 315, 5.12.2019, p. 29).

⁹ Commission Delegated Regulation (EU) 2019/2013 of 11 March 2019 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010 (OJ L 315, 5.12.2019, p.1).

¹⁰ Commission Delegated Regulation (EU) No 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 luminaires (OJ L 258, 26.9.2012, p. 1).

¹¹ Commission Delegated Regulation (EU) No 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 appliances (OJ L 314, 30.11.2010, p. 17).

¹² Commission Delegated Regulation (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 dishwashers (OJ L 314, 30.11.2010, p. 1).

¹³ Commission Delegated Regulation (EU) No 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 machines (OJ L 314, 30.11.2010, p. 47).

¹⁴ Commission Delegated Regulation (EU) No 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 televisions (OJ L 314, 30.11.2010, p. 64).

¹⁵ Commission Decision (EU) 2015/1402 of 15 July 2015 determining the European Union position with regard to a decision of the

performance of the EU Ecolabel criteria, in the absence of relevant energy labels or Regulations defining energy classes for office equipment, except for “electronic displays” for which rescaled classes of energy efficiency are available⁹, the amended requirement should require that newly bought office equipment qualifies according to an EN ISO 14024 type I ecolabel¹⁷.

- (8) Criterion 31(g) set out in Decision (EU) 2017/175 and criterion O5 set out in Decision (EU) 2018/680 award points to EU Ecolabel applicants for the use of energy-efficient vacuum cleaners and include a reference to Commission Delegated Regulation (EU) No 665/2013¹⁸ and related energy efficiency classes. The General Court, by decision in case T-544/13 RENV, had annulled that Delegated Regulation¹⁹. In order to ensure that points can continue to be awarded to EU Ecolabel applicants for the use of energy-efficient vacuum cleaners, references to that the annulled Delegated Regulation (EU) No 665/2013 should be replaced by references to Commission Delegated Regulation (EU) No 666/2013²⁰, and the references to energy efficiency classes should be replaced by references to annual energy consumption thresholds.
- (9) Decisions (EU) 2017/175 and (EU) 2018/680 should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 16 of Regulation (EC) No 66/2010,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision (EU) 2017/175 is amended in accordance with Annex I to this Decision.

Article 2

The Annex to Decision (EU) 2018/680 is amended in accordance with Annex II to this Decision.

Article 3

This Decision is addressed to the Member States.

management entities under 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 on the revision of specifications for computers included in Annex C to the Agreement (OJ L 217, 18.8.2015, p. 9).

¹⁶ Commission Decision 2014/202/EU of 20 March 2014 determining the European Union position for a decision of the Management entities under 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 on adding specifications for computer servers and uninterruptible power supplies to Annex C to the Agreement and on the revision of specifications for displays and imaging equipment included in Annex C to the Agreement (OJ L 114, 16.4.2014, p. 68).

¹⁷ ISO 14024:2018. Environmental labels and declarations – Type I environmental labelling – Principles and procedures.

¹⁸ Commission Delegated Regulation (EU) No 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 cleaners (OJ L 192, 13.7.2013, p. 1)

¹⁹ Judgment of the General Court, Dyson Ltd v European Commission, Case T- 544/13 RENV, ECLI:EU:T:2018:761.

²⁰ Commission Regulation (EU) No 666/2013 of 8 July 2013 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for vacuum cleaners (OJ L 192, 13.7.2013, p. 24).

Done at Brussels,

*For the Commission
Virginijus Sinkevičius
Member of the Commission*