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Delegations will find attached document D089494/02.

Encl.: D089494/02



EUROPEAN
COMMISSION

Brussels, XXX
D089494/02
[...] (2023) XXX draft

COMMISSION REGULATION (EU) .../...

of XXX

implementing Directive 2009/125/EC of the European Parliament and of the Council
with regard to ecodesign requirements for household tumble dryers, amending
Commission Regulation (EU) 2023/826, and repealing Commission Regulation (EU) No
932/2012

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble dryers, amending Commission Regulation (EU) 2023/826, and repealing Commission Regulation (EU) No 932/2012

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products¹ and in particular Article 15(1) thereof,

Whereas:

- (1) Pursuant to Article 15 of Directive 2009/125/EC the Commission is to set ecodesign requirements for energy-related products which account for significant volumes of sales and trade in the Union and which have a significant environmental impact and presenting significant potential for improvement through design in terms of their environmental impact, without entailing excessive costs.
- (2) The Ecodesign Working Plan 2016-2019² drawn up by the Commission in accordance with Article 16(1) of Directive 2009/125/EC, sets out the working priorities under the ecodesign and energy labelling framework for the years 2016 to 2019. The working plan identifies the energy-related product groups as priorities for preparatory studies and, if necessary, adoption of implementing measures. That includes household tumble dryers. Furthermore, household tumble dryers fall into the three main groups earmarked for review before the end of 2025 by the ecodesign and energy labelling working plan 2022-2024³.
- (3) Measures envisaged by the Ecodesign Working Plan 2022-2024 have the potential to deliver an estimated total annual final energy savings in excess of 170 TWh in 2030, which is equivalent to reducing greenhouse gas emissions by approximately 24 million

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¹ OJ L 285, 31.10.2009, p. 10.

² Communication from the Commission Ecodesign Working Plan 2016-2019 (COM(2016) 773 final of 30.11.2016).

³ Communication from the Commission Ecodesign and Energy Labelling Working Plan 2022-2024 2022/C 182/01 (OJ C 182, 4.5.2022, p. 1).

tonnes a year in 2030. For household tumble dryers, electricity savings of 0.6 TWh/year could potentially be achieved by 2030, and 1.7 TWh/year by 2040.

- (4) Commission Regulation (EU) No 932/2012⁴ established ecodesign requirements for household tumble dryers.
- (5) Article 7 of Regulation (EU) No 932/2012 requires the Commission to review that Regulation in the light of technological progress. The Commission carried out the review and analysed the technical, environmental and economic aspects of household tumble dryers as well as real-life user behaviour. The review was carried out in close cooperation with stakeholders and interested parties from the Union and third countries. The results of the review were made public and presented to the Consultation Forum established in accordance with Article 18 of Directive 2009/125/EC.
- (6) The environmental aspects of household tumble dryers, identified as significant for the purposes of this Regulation are the consumption of energy during the use phase, the generation of waste at the end of life, emissions to air in the production phase due to the extraction and processing of raw materials, and in the use phase due to the consumption of electricity.
- (7) In the Union, annual energy consumption by household tumble dryers subject to Regulation (EU) No 932/2012 was estimated at 10.5 TWh/year in 2020. In a business-as-usual scenario, that consumption is expected to decrease to 9 TWh/year in 2030. That decrease may occur more quickly if existing ecodesign requirements are updated to remove household tumble dryers with low energy efficiency performance from the market.
- (8) The EU action plan for the circular economy⁵ and the Ecodesign and Energy Labelling Working Plan 2022-2024 underline the importance of using the ecodesign framework in order to support the move towards more resource efficient and circular economy. It is estimated that the service life-time of household tumble dryers has decreased in recent years from 14 to around 12 years and the trend is likely to continue in the absence of incentives to properly maintain and repair household tumble dryers. Therefore this Regulation should lay down appropriate requirements contributing to circular economy objectives, in particular making the availability of spare parts mandatory and improving the quality of information on self-maintenance by the end-user.
- (9) The review referred to in recital (5) indicates that a large majority of tumble dryers on the market feature condensation efficiencies above 80%. The minimum threshold for the condensation efficiency should be raised from 70% to 80%.

⁴ Commission Regulation (EU) No 932/2012 of 3 October 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble driers (OJ L 278, 12.10.2012, p. 1).

⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Closing the loop — An EU action plan for the circular economy (COM(2015)/614 final of 2.12.2015).

- (10) Multi-drum household tumble dryers feature the same basic characteristics as household tumble dryers and should therefore be included in the scope of this Regulation.
- (11) Built-in household tumble dryers are installed in cabinetry or encased by panels that, when tested for conformity, retain the heat produced inside the tumble dryer, leading to higher energy efficiencies and contributing to compliance with ecodesign requirements. The definition of built-in household tumble dryers should be improved in order to differentiate them from other household tumble dryers that are just placed under a panel but not encased by panels, and therefore cannot be tested as built-in household tumble dryers.
- (12) Household tumble dryers powered by batteries which can also be connected to the mains through an AC/DC converter purchased separately, are likely to be used in mobile settings, such as but not limited to motorhomes. They should therefore be excluded from the scope of this Regulation.
- (13) Specific thresholds for the low power modes of household tumble dryers should be laid down. The requirements of Commission Regulation (EU) 2023/826⁶ should not apply to products covered by the scope of this Regulation. Regulation (EU) No 2023/826 should therefore be amended accordingly.
- (14) The timeline for the new requirement on minimum power consumption in off-mode for household tumble dryers should be aligned with the timeline set out for power consumption in off-mode under Regulation (EU) 2023/826.
- (15) The relevant product parameters should be measured using reliable, accurate and reproducible methods. Those methods should take into account recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations listed in Annex I to Regulation (EU) No 1025/2012⁷ of the European Parliament and of the Council.
- (16) In accordance with Article 8(2) of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.
- (17) To facilitate compliance checks, manufacturers, importers or authorised representatives should provide information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC in so far as that information relates to the requirements laid down in this Regulation.

⁶ Commission Regulation (EU) 2023/826 of 17 April 2023 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment pursuant to Directive 2009/125/EC of the European Parliament and of the Council and repealing Commission Regulations (EC) No 1275/2008 and (EC) No 107/2009 (OJ L 103, 18.4.2023, p. 29).

⁷ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12).

- (18) Where parameters in the technical documentation specified by this Regulation are identical to the parameters in the product information sheet specified by Commission Delegated Regulation [OP - Please insert here references of the energy labelling regulation on household tumble dryers], manufacturers, importers or authorised representatives should enter the corresponding data into the product database in accordance with Regulation (EU) 2017/1369 of the European Parliament and of the Council⁸ and should no longer need to provide them to market surveillance authorities as part of the technical documentation.
- (19) In order to protect consumers, products that in test conditions automatically alter their performance in terms of the declared parameters should not be allowed on the market. In the same way, software updates to the product should not worsen performance in terms of the declared parameters.
- (20) The verification procedure for market surveillance purposes should provide for cases where tests performed on household tumble dryers do not produce results that are valid for comparison with the values declared by the manufacturer.
- (21) In accordance with Part 3, point (2), of Annex I to Directive 2009/125/EC, indicative benchmarks for best available technologies should be identified to make information on the life-cycle environmental performance of products subject to this Regulation widely available and easily accessible.
- (22) The possible leakage of refrigerant contained in heat pump tumble dryers may contribute to global warming. The household tumble dryer should display in a visible place the type of refrigerant used in order to facilitate appropriate handling of the refrigerant when the appliance is being repaired, recycled or scrapped.
- (23) Delegated Regulation (EU) 2023/807⁹ establishes a primary energy factor for electricity of 1,9 (conversion coefficient) to be applied when energy savings are calculated in primary energy terms based on final energy consumption. This primary energy factor should be applied when comparing the energy consumption for electric and gas-fired tumble dryers.
- (24) This Regulation should be reviewed to assess the appropriateness and effectiveness of its provisions in achieving its goals. The timing of the review should be sufficient to allow all provisions to be implemented and produce an effect on the market.
- (25) In order to facilitate the transition from Regulation (EU) No 932/2012 to this Regulation, use of the new term ‘eco’ should be allowed from the entry into force of this Regulation. Further, at the same time, manufacturers should be allowed to meet the requirements of this Regulation 4 months before its date of application.
- (26) In order to ensure that household tumble dryers are able to be effectively repaired, the price of spare parts should be reasonable and should not discourage repair. To create transparency and incentivise the setting of reasonable prices, the indicative pre-tax

⁸ 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).

⁹ Commission Delegated Regulation (EU) 2023/807 of 15 December 2022 on revising the primary energy factor for electricity in application of Directive 2012/27/EU of the European Parliament and of the Council (OJ L 101, 14.4.2023, p. 16).

price for spare parts provided pursuant to this Regulation should be accessible on a free access website.

(27) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up by Article 19 of Directive 2009/125/EC.

(28) Regulation (EU) No 932/2012 should be repealed with effect from 30 June 2025.

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation lays down ecodesign requirements for the placing on the market or the putting into service of electric mains-operated and gas-fired household tumble dryers. It also applies to built-in household tumble dryers, multi-drum household tumble dryers and electric mains-operated household tumble dryers that can also be powered by batteries.
2. This Regulation shall not apply to:
 - (a) household washer-dryers and household spin-extractors;
 - (b) tumble dryers within the scope of Directive 2006/42/EC of the European Parliament and of the Council¹⁰;
 - (c) battery-operated household tumble-dryers that can be connected to the mains through an AC/DC converter purchased separately.
3. The requirements in Sections 2 and 3, and Section 6, points (1)(a) and (1)(b) of Annex II shall not apply to household tumble dryers with a rated capacity for the eco programme of 3 kg or less.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) ‘household tumble dryer’ means an appliance in which textiles are dried by tumbling in a rotating drum through which heated air is passed and which is declared by the manufacturer in the declaration of conformity as complying with Directive

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¹⁰ Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24).

2014/35/EU of the European Parliament and of the Council¹¹ or with Directive 2014/53/EU of the European Parliament and of the Council¹²;

- (2) 'mains' means the electricity supply from the grid of 230 (± 10 %) volts of alternating current at 50 Hz;
- (3) 'gas-fired tumble dryer' means a household tumble dryer which uses gas to heat the inside air;
- (4) 'built-in household tumble dryer' means a household tumble dryer that is designed, tested and marketed exclusively to comply with all the following characteristics:
 - (a) to be installed in cabinetry or encased (top and/or bottom, and sides) by panels;
 - (b) to be securely fastened to the sides, top or floor of the cabinetry or panels;
 - (c) to be equipped with an integral factory-finished face or to be fitted with a custom front panel;
- (5) 'household washer-dryer' means an appliance as defined in Article 2(4), point (4), of Commission Regulation (EU) 2019/2023¹³;
- (6) 'household spin-extractor' means an appliance in which water is removed from the textiles by centrifugal action in a rotating drum and drained through an automatic pump or by gravity and which is designed to be used principally for non-professional purposes and is also commercially known as 'spin-dryer';
- (7) 'multi-drum household tumble dryer' means a household tumble dryer equipped with more than one drum, whether in separate casings or in the same casing;
- (8) 'equivalent model' means a model which has the same technical characteristics relevant for the technical information to be provided, but which is placed on the market or put into service by the same manufacturer, importer or authorised representative as another model with a different model identifier;
- (9) 'programme' means a series of operations that are pre-defined and which are declared by the manufacturer, importer or authorised representative as suitable for drying certain types of textile;
- (10) 'model identifier' means the code, usually alphanumeric, which distinguishes a specific product model from other models with the same trade mark or the same manufacturer's, importer's or authorised representative's name;

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¹¹ Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357).

¹² Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014, p. 62).

¹³ Commission Regulation (EU) 2019/2023 of 1 October 2019 laying down ecodesign requirements for household washing machines and household washer-dryers pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1015/2010 (OJ L 315, 5.12.2019, p. 285).

- (11) 'declared values' means the values provided by the manufacturer, importer or authorised representative for the stated, calculated or measured technical parameters in accordance with Article 4, for the verification of compliance by the Member State authorities;
- (12) 'product database' means a database as defined in Article 2, point (25) of Regulation (EU) 2017/1369;
- (13) 'rated capacity' means the maximum mass in kilograms, stated by the manufacturer, importer or authorised representative, at 0,5 kg intervals, of dry textiles of a particular type, which can be treated in one drying cycle of a household tumble dryer on the selected programme, when loaded in accordance with the manufacturer's instructions;
- (14) 'eco programme' means a programme which is able to dry cotton laundry from an initial moisture content of the load of 60% down to a final moisture content of the load of 0%;
- (15) 'initial moisture content' means the amount of moisture contained in the load at the beginning of the drying cycle;
- (16) 'final moisture content' means the amount of moisture contained in the load at the end of the drying cycle;
- (17) 'drying cycle' means a complete drying process, as defined by the required programme, consisting of a series of different operations including heating and tumbling.

For the purposes of Annexes II to V, additional definitions set out in Annex I apply.

Article 3

Ecodesign requirements

- 1. Household tumble dryers shall meet the ecodesign requirements set out in Annex II.
- 2. Compliance with ecodesign requirements shall be measured and calculated in accordance with the methods set out in Annex III.

Article 4

Conformity assessment

- 1. The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall follow the internal design control system set out in Annex IV to that Directive or the management system set out in Annex V to that Directive.
- 2. For the purposes of the conformity assessment referred to in Article 8 of Directive 2009/125/EC, the technical documentation file shall contain the declared values of parameters listed in Sections 2, 3 and 4 of Annex II to this Regulation and the details and results of the calculations carried out in accordance with Annex III to this Regulation.

3. Where the information included in the technical documentation for a particular model has been obtained by either of the following means, the technical documentation shall include the details of the calculation, the assessment undertaken by the manufacturer to verify the accuracy of the calculation and, where appropriate, the declaration of identity between the models of different manufacturers:
 - (a) from a model that has the same technical characteristics relevant for the technical information to be provided but is produced by a different manufacturer, or
 - (b) by calculation on the basis of design or extrapolation from another model of the same or a different manufacturer, or both.
4. The technical documentation shall include a list of all equivalent models, including the model identifiers.
5. The technical documentation shall include the information in the order and as set out in Annex VI to Regulation (EU) 20XX/XXX [OP - Please insert here references of the energy labelling regulation on household tumble dryers]. For market surveillance purposes, manufacturers, importers or authorised representatives may, without prejudice to point 2(g) of Annex IV to Directive 2009/125/EC, refer to the technical documentation uploaded to the product database which contains the same information as laid down in Regulation (EU) 20XX/XXX [OP - Please insert here references of the energy labelling regulation on household tumble dryers].

Article 5

Verification procedure for market surveillance purposes

Member States shall apply the verification procedure set out in Annex IV to this Regulation when performing the market surveillance checks referred to in Article 3(2) of Directive 2009/125/EC.

Article 6

Circumvention

1. Manufacturers, importers or authorised representatives shall not place on the market or put into service products designed to alter their behaviour or properties when being tested, to achieve a more favourable result for any declared value of the parameters regulated in this Regulation. That includes, but is not limited to, products designed to detect they are being tested by recognising the test conditions or test cycle and to automatically alter their behaviour or properties in response, and products pre-set to alter their behaviour or properties at the time of testing.
2. Manufacturers, importers or authorised representatives shall not prescribe specific test instructions which alter the behaviour or the properties of products to achieve a more favourable result for any of the declared value of the parameters regulated in this Regulation. That includes, but is not limited to, prescribing a manual alteration of a product in preparation for the test which alters the product's behaviour or properties compared with when it is in normal use and operated by the end-user.

3. Manufacturers, importers or authorised representatives shall not place on the market or put into service products designed to alter their behaviour or properties within a short period of being put into service in a way that worsens any declared value for the parameters regulated in this Regulation.

Article 7

Software updates

1. Software or firmware updates shall not worsen any declared value for the parameters of a household tumble dryer when measured using the testing method applicable at the time of it being placed on the market or put into service.
2. No change of any declared value for the parameters of a household tumble dryer when measured using the testing method applicable at the time of it being placed on the market or put into service shall occur as a result of rejecting the update.

Article 8

Indicative benchmarks

The benchmarks for best-performing household tumble dryers available on the market at the time of entry into force of this Regulation are set out in Annex V.

Article 9

Review

The Commission shall review this Regulation in the light of technological progress and shall present the results of that review, including, if appropriate, a draft revision proposal, to the Consultation Forum by *[OP – please insert date - 6 years after its entry into force]*.

The review shall in particular assess:

- (a) the improvement potential with regard to energy and environmental performance of household tumble dryers;
- (b) developments in consumer behaviour and the feasibility of a mandatory feedback mechanism on the loading of the appliance, the energy consumption and the duration of the selected programme;
- (c) the effectiveness of existing requirements on resource efficiency;
- (d) the appropriateness of setting additional resource efficiency requirements for products in accordance with the objectives of the circular economy, including the availability of additional spare parts and information on critical raw materials and other environmentally relevant materials;
- (e) the appropriateness of setting ecodesign requirements on cabinet dryers;
- (f) the appropriateness of setting requirements for reducing the spreading of microplastics.

Article 10
Amendment to Regulation (EU) 2023/826

1. In point 1 of Annex II to Regulation (EU) 2023/826:
 - (a) the entry ‘tumble dryers and other clothes dryers’ is replaced by ‘clothes dryers but excluding household tumble dryers covered by Commission Regulation [OP - Please insert here reference to this Implementing Regulation]’;
 - (b) the entry ‘Other appliances for cooking and other processing of food, preparing beverages, cleaning, and maintenance of clothes, but excluding household dishwashers covered by Commission Regulation (EU) 2019/2022, household washing machines and household washer-dryers covered by Commission Regulation (EU) 2019/2023’ is replaced by the following:

‘Other appliances for cooking and other processing of food, preparing beverages, cleaning, and maintenance of clothes, but excluding household dishwashers covered by Commission Regulation (EU) 2019/2022, household washing machines and household washer-dryers covered by Commission Regulation (EU) 2019/2023 and household tumble dryers covered by Commission Regulation [OP - Please insert here reference to this Implementing Regulation]’.

2. In point 1(b) of Annex III to Regulation (EU) 2023/826:

the paragraph ‘The power consumption of equipment in any condition providing only information or status display, or providing only a combination of reactivation function and information or status display, or providing only a reactivation function and an indication of enabled reactivation function and information or status display shall not exceed 0,80 W, except for household tumble driers covered by Commission Regulation (EU) No 932/2012 for which this value shall be 1,00 W’ is replaced by the following:

‘The power consumption of equipment in any condition providing only information or status display, or providing only a combination of reactivation function and information or status display, or providing only a reactivation function and an indication of enabled reactivation function and information or status display shall not exceed 0,80 W’.

Article 11
Repeal

Regulation (EU) No 932/2012 is repealed.

Article 12
Transitional measures

1. Until 30 June 2025, by way of derogation from the requirement in point 1.1 of Annex I to Regulation (EU) No 932/2012, the indication of the standard cotton programme shall not need to be displayed on the programme selection device or display of household tumble dryers where both the following conditions are met:

- (a) the standard cotton programme is clearly identifiable in the booklet of instructions referred to in point 1.2 of Annex I to Regulation (EU) No 932/2012 and in the technical documentation referred to in Article 4(2) of that Regulation;
 - (b) the eco programme is clearly displayed on the household tumble dryers's programme selection device or display, in accordance with Section 1, point (b) of Annex II.
2. Where no unit belonging to the same model or equivalent models was placed on the market before 1 March 2025, the units of models placed on the market between 1 March 2025 and 30 June 2025 which comply with the provisions of this Regulation shall be considered to be in compliance with the requirements of Regulation (EU) No 932/2012.

Article 13

Entry into force and application

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

It shall apply from 1 July 2025. However, Article 6 shall apply from *[OP – please insert the day of entry into force of this Regulation]*.

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

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN