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From:	European Commission
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To:	General Secretariat of the Council
No. Cion doc.:	D/105469/03
Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Commission Regulation (EU) 2023/826 to clarify definitions and some aspects of the measurement conditions and amending Commission Regulation (EU) 2023/2533 in relation to the methodology for calculating the average final moisture content, the identification and availability of spare parts and of repair information among other aspects

Delegations will find attached document D/105469/03.

Encl.: D/105469/03



EUROPEAN
COMMISSION

Brussels, XXX
D105469/03
[...] (2025) XXX draft

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

of XXX

amending Commission Regulation (EU) 2023/826 to clarify definitions and some aspects of the measurement conditions and amending Commission Regulation (EU) 2023/2533 in relation to the methodology for calculating the average final moisture content, the identification and availability of spare parts and of repair information among other aspects

(Text with EEA relevance)

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

of **XXX**

amending Commission Regulation (EU) 2023/826 to clarify definitions and some aspects of the measurement conditions and amending Commission Regulation (EU) 2023/2533 in relation to the methodology for calculating the average final moisture content, the identification and availability of spare parts and of repair information among other aspects

(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 thereof,

Whereas:

- (1) The definition of ‘motor-operated building element’ in Annex I to Commission Regulation (EU) 2023/826² should be changed in order to provide legal clarity and alignment with the products listed in Annex II point 6 as motor-operated building elements.
- (2) A definition of the term ‘control unit’ should be added in Annex I to Commission Regulation (EU) 2023/826, to provide legal certainty as regards motor-operated building elements covered by that Regulation.
- (3) Annex II, point 1, to Commission Regulation (EU) 2023/826 contains a list of appliances designed, tested and marketed for household use to which the relevant ecodesign requirements apply. In order to ensure legal certainty the type of grinders to which the reference is made should be specified therein.
- (4) Annex IV to Regulation (EU) 2023/826 setting the measurement methods and calculations should be amended so that the measurement conditions included under its point d) apply to all types of household coffee machines covered by that Regulation, and not only to those that are considered networked equipment.

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¹ [OJ L 285, 31.10.2009, p.10](#), ELI: <http://data.europa.eu/eli/dir/2009/125/oj>.

² Commission Regulation (EU) 2023/826 of 17 April 2023 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electric and electronical 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, ELI: <http://data.europa.eu/eli/reg/2023/826/oj>).).

- (5) The scope of the procedure described in Annex IV, point (c), to Regulation (EU) 2023/826 regarding measurement methods and calculations should be clarified.
- (6) It is necessary to prevent practices illegally altering products' performance in order to reach a more favourable result. Article 40 paragraphs 1 to 4 of Regulation (EU) 2024/1781 of the European Parliament and of the Council³ which ensures prevention of circumvention is tackled in a comprehensive manner, applies to products covered by Regulation (EU) 2023/2533⁴. Therefore Article 6 of Regulation 2023/2533 becomes unnecessary and should be deleted.
- (7) In order to ensure legal certainty, a definition of 'average final moisture content' should be added in Annex I to Regulation (EU) 2023/2533, and the definitions related to low power modes should be aligned with those in Commission Regulation (EU) 2023/826.
- (8) Annex II, point 5(1)(a), to Regulation (EU) 2023/2533 sets out a list of spare parts which, as a minimum, should be made available for professional repairers. That list is also the basis for the selection of the priority parts that have been included in the calculation of the repairability index laid down in Commission Delegated Regulation (EU) 2023/2534⁵. The list should be amended in order to ensure alignment between the spare parts regulated under Regulation (EU) 2023/2533 and the priority parts regulated under Commission Delegated Regulation (EU) 2023/2534. This includes the modification of the name that designates some spare parts and the addition of a new spare part that is relevant for the calculation of the repairability index.
- (9) Annex II, point 5(1)(b), to Regulation (EU) 2023/2533 should be amended so that repair information related to spare parts whose availability is limited to professional repairers is not available to the general public via a free access website.
- (10) Annex II, point 5(1)(e), to Regulation (EU) 2023/2533, requires spare parts to be replaceable with commonly available tools. The term 'commonly available tools' is ambiguous and does not give a precise idea of the tools concerned. In addition, the formula for the calculation of the repairability index laid down in Commission Delegated Regulation (EU) 2023/2534 includes a score criterion related to the type of tools used for the disassembly of a specific priority part, the score depending on whether the tools are basic tools, tools supplied with the spare parts or commercially available tools. For the sake of consistency between both regulations, the term

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³ Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC (OJ L, 2024/1781, 28.6.2024, ELI: <http://data.europa.eu/eli/reg/2024/1781/oj>).

⁴ Commission Regulation (EU) 2023/2533 of 17 November 2023 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 (OJ L, 2023/2533, 22.11.2023, ELI: <http://data.europa.eu/eli/reg/2023/2533/oj>).

⁵ Commission Delegated Regulation (EU) 2023/2534 of 13 July 2023 supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of household tumble dryers and repealing Commission Delegated Regulation (EU) No 392/2012 (OJ L, 2023/2534, 22.11.2023, ELI: http://data.europa.eu/eli/reg_del/2023/2534/oj).

‘commonly available tools’ in Regulation (EU) 2023/2533 should be replaced and aligned with the terminology used in Regulation (EU) 2023/2534 where relevant. Consequently, definitions for ‘commercially available tools’, ‘basic tools’ and ‘proprietary tools’ should be introduced.

- (11) Annex II, point 6(2), to Regulation 2023/2533 should be amended in order to clarify the values that should be provided by manufacturers, importers or authorised representatives for the different parameters for the eco programme and for other programmes, when they are available.
- (12) Annex III, point 1(f), to Regulation (EU) 2023/2533 imposes an obligation on manufacturers and importers to declare the average final moisture content for the eco programme. Declaring in the technical documentation a final moisture content of the load of 0%, which is the value requested in that Regulation, could entail drying up the laundry above its natural water content, resulting in undesired effects such as excessive use of energy and possible damage to the textiles. It is therefore necessary to delete the average final moisture content from the information requirements in Annex II and from the calculation and measurement methods in Annex III. Instead, the measurement and calculation methods included in the harmonised standards, which provide for appropriate tolerances, should be used to calculate this parameter.
- (13) The content of Table 1 in Annex IV should be split in two different tables in order to ensure clarity.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Directive 2009/125/EC.
- (15) Regulations (EU) 2023/826 and (EU) 2023/2533 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2023/826

Annexes I, II and IV to Regulation (EU) 2023/826 are amended as set out in the Annex to this Regulation.

Article 2

Amendments to Regulation (EU) 2023/2533

Regulation (EU) 2023/2533 is amended as follows:

- 1. Article 6 is deleted.
- 2. Article 13 on Entry into force and application is replaced by the following:

‘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.’.
- 3. Annexes I, II, III and IV are amended as set out in the Annex to this Regulation.

Article 3
Entry into force and application

This Regulation shall enter into force on the fourth 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,

For the Commission
The President
Ursula VON DER LEYEN