Raising standards for consumers

The Consumer Voice in Europe

Simplifying the EU Energy Label

Restoring the successful and well-understood closed A to G scheme

Core conditions for ensuring an EU Energy Labelling scheme that is simple and clear for consumers as well as effective in transforming markets towards the most energy efficient appliances

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Summary

According to article 14 of the Energy Labelling Directive (2010/30/EU), the European Commission needed to review the effectiveness of this Directive by the end of 2014 and report to the European Parliament and the Council. The preparatory phase of this review has been concluded and the European Commission is expected to publish a proposal for the revision of the EU Energy Labelling Directive during summer 2015.

Through this paper, we share knowledge and experiences on the implementation of the current A 'plus' to G Energy Label and the dissuasive impact that the 2010 revision has had on encouraging consumers to purchase more energy efficient appliances. We also set out the conditions under which the effectiveness of the instrument can be restored and expanded. More specifically we propose:

- ✓ Restoring the transparency and simplicity of the Energy Label by the re-introduction of the well-known closed A-G scale for all products. To ensure an easy transition, we support using a new graphic design, rebasing all existing labels simultaneously, and communicating these changes to consumers through a dedicated campaign;
- ✓ Allowing only classes that are occupied by available models to be displayed on the label when the label is introduced on the market;
- ✓ Allowing consumers to compare between all products of a certain product group, irrespective of the type of energy used e.g. consumers should be able to compare electric and gas ovens under a single label;
- ✓ Rescaling the label when the top class is occupied by a certain percentage of products;
- ✓ Creating a product registration database, with interfaces addressing consumer, regulatory and market surveillance needs;
- ✓ Re-considering the use of national language when this could enhance the understanding of the energy consumption indication and pictograms, and testing these elements before a new label is adopted;
- ✓ Halting the unintentional promotion of appliances of bigger size/capacity by the Energy Label in order to encourage use of appliances that consume less energy in absolute terms;
- ✓ Exploring the potential of indicating the expected lifetime of a product on the Energy Label;
- ✓ Ensuring a short transition period to the new scheme in order to facilitate the work of market surveillance authorities;
- ✓ Clarifying market surveillance rules.

A. Introduction - key dates in the evolution of the most recognisable EU labelling policy

In 1992, the EU adopted the Energy Labelling Directive for household appliances. It compelled retailers to display a label to consumers[1]. The label rated the energy efficiency of these appliances in a scale ranging from energy class A to energy class G. The message was reinforced through an easy colour coding, ranging from dark green for the most efficient class to red for the most inefficient class.

The clarity and straightforwardness of this scheme made it very popular among consumers. This resulted in a rapid market transformation as manufacturers were very keen to provide top-rated products to consumers. Simplicity, clarity and comparability of information that is meaningful to consumers are elements that rendered this labelling scheme one of the few truly effective consumer information tools, enjoying widespread acceptance and trust amongst consumers. In 2008, ANEC and BEUC commissioned a survey[2] - in collaboration with partners - that also confirmed that the A-G rating was the easiest to understand and remember. The label fulfilled its double aim to incentivise consumers to turn to more energy efficient appliances, and to stimulate innovation in the supply side with the goal of providing more energy efficient appliances to consumers. The EU Energy Label therefore developed into a successful "push and pull" market-based instrument. Today, it covers the product groups that comprise the main energy costs of the average European household (such as heating & cooling appliances, refrigerators, washing machines, dishwashers and TVs).

In 2003, the scaling system was expanded to include new energy efficiency categories on top of energy class A - such as A+ and A++ - for refrigerators and freezers[3]. Although this extension was intended as an interim solution until a comprehensive revision of the scheme would be achieved, in 2010, the EU opened the door to the introduction of A 'plus' classes to all product groups with the revised EU Energy Labelling Directive[4]. Since this loss of the simple 'buy A' message, the positive impact of the EU Energy Label on consumers' decisions and transformation of the market has been significantly weakened. Moreover, written text has been replaced by pictograms, in some cases compromising comprehension of crucial information surrounding the energy scale. The impacts of the 2010 revision on the understanding and effectiveness of the EU Energy Label are further analysed under section B of this paper.

In February 2015, the EU released its framework strategy for an Energy Union which outlines, as a primary objective, to give EU consumers secure, sustainable, competitive and affordable energy. The European Commission envisages an 'Energy Union with citizens at its core, where citizens take ownership of the energy transition, benefit from new technologies to reduce their bills, participate actively in the market, and where vulnerable consumers are protected'. In order to achieve this goal, the EU acknowledges that "we have to empower consumers through providing them with information, choice and through creating flexibility to manage demand as well as supply"[5]. The EU strategy points out that energy efficiency and moderation of demand is a key pillar in the EU's

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1 Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances

2 ANEC, BEUC, Consumer Focus (UK), the UK Energy Saving Trust and the UK Department for Environment, Food and Rural Affairs (DEFRA) asked Ipsos MORI to carry out empirical research concerning consumers' perception of the A-G Energy label.

3 Commission Directive 2003/66/EC of 3 July 2003 amending Directive 94/2/EC implementing Council Directive 92/75/EEC with regard to energy labelling of household electric refrigerators, freezers and their combinations

4 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

5 COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy /* COM/2015/080 final */

strategy to ensure sustainable development and to provide for energy security. As part of the fifteen concrete action points that are listed in the Energy Union package, the Commission announced the review of the Energy Labelling Directive in 2015, and review of all relevant energy efficiency legislation in 2016, in order to propose revisions where these are needed to underpin the 2030 energy saving target.

ANEC and BEUC subscribe fully to these objectives, and welcome that key sustainable consumption and production policies - such as Energy Labelling and Ecodesign - have been acknowledged in this strategy as 'the world's leading set of measures to become more efficient in our energy consumption'. We welcome that the EU Energy Labelling Directive has been proposed among the first of the revision measures, as we agree with the European Commission that the Energy Label needs a fundamental overhaul to ensure it will remain a successful and powerful instrument to transform markets towards more energy efficient appliances and to allow consumers to control their energy expenses.
We see the Energy Union as a unique opportunity to achieve an integrated approach of different instruments that allow citizens and consumers to have a high quality of life without putting either household budgets or the climate under strain. In this sense, the Energy Label reform needs to be aligned carefully with the EU Ecodesign instrument and be placed in a wider EU strategy for smart homes[6].

Moreover, the EU Energy Label reform could be linked to the EU's agenda on resource efficiency and circular economy. Products not only need to be designed to be energy and resource efficient at use, but their usage time should be expanded up to their ecological optimum provided this is cost effective for consumers. As consumers currently do not have information on the expected lifetime of products, the EU Energy Label reform provides an opportunity to explore the usefulness of providing information on the Energy Label that would allow consumers to anticipate how long an appliance will last.

In the context of its "Better Regulation" Agenda, the European Commission has also announced to design its policy tools better for better policy outcomes. Although being critical of several elements of this agenda, we believe that - with the reform of the EU Energy Label - the Commission has an opportunity to demonstrate that policymakers are committed to ensure that information to consumers will be simple and straightforward.

In this paper, we outline key conditions that will restore the simplicity, understanding and effectiveness of the EU Energy Labelling scheme. Central to this effort must be the return to the simple, successful and well-recognised closed A to G scale.

B. The urgency of reforming the EU Energy Label - Carrying over successes, learning from mistakes

The 2010 reform of the EU Energy Label brought good and bad changes for consumers.

On the positive side, the scope of the instrument was extended foreseeing that, not only products which consume energy, but also products that have an impact on energy consumption, can carry an EU Energy Label. Within the so-called *energy related product groups* fall - for instance - windows and shower heads[7].

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[6] We consider a "smart home" to be a comfortable energy efficient living space in which consumers can benefit from self-generation, smart and interoperable appliances which have been designed to last long as well as to control consumption through consumer friendly smart metering systems. All this provided that consumers opt in for this solution/system and this brings clear benefits to them. Also, smart homes urgently need to be linked to intelligent urban planning schemes which allow consumers to have short and convenient ways of sustainable transport.

[7] The water flow of showerheads differs between products and thereby the type of shower head influences the amount of water which has to be heated. As consumers are lacking information about the most efficient appliances, it is important from a consumer perspective to include such product groups into the scope of the legislation.

Another significant innovation was the introduction of the indication of the average energy consumption on the label. Other than allowing consumers to anticipate the running cost of an appliance, this indication is particularly important for an additional reason. In certain product categories, larger products can fall within the highest energy efficiency classes despite the fact that they consume more energy in absolute terms compared to smaller appliances which fall within lower classes of the energy efficiency scale but nonetheless consume less energy in absolute terms. The energy consumption indication can help consumers realise that, despite the lower energy classification, a smaller appliance would be preferable if its capacity/size better meets their needs.

However, in 2010, the framework legislation departed from the simple, closed A to G scale and allowed manufacturers to introduce further 'top' classes such as A+, A++ and A+++. Apart from representing unacceptable compromise to consumers, on certain occasions where the level of ambition of product specific measures was inappropriate this resulted in many appliances reaching energy class A as soon as the new label became obligatory. For example, according to findings of a market study[8] carried out by German consumer organisations, Verbraucherzentrale Bundesverband (vzbv) and Rhineland Palatinate Consumer Association (VZ RLP), no fewer than 35% of vacuum cleaners reached the top class (energy class A) only a few months after the entry into force of the requirements in September 2014. This has allowed little room to accommodate innovations and to ensure that the EU Energy Label remains a meaningful instrument in helping consumers get transparent information on the performance differentiation of appliances on the market. Additionally, the implementation of the current scheme has in some cases allowed very confusing situations for consumers. For instance, today, due to the Energy Labelling regulation for televisions[9], a consumer could find three different versions of this Energy Label on the market.

The possibility to introduce A 'plus' classes on the label hit both the understanding and effectiveness of the instrument. Already in 2009 - when the decision-making process for the revision of the EU Energy Label was ongoing - ANEC and BEUC advised the European Institutions that research from the University of St. Gallen[10] confirmed the A to G label remained more successful in transforming the market towards more energy efficient appliances compared with other options under discussion at the time.

In 2012, further research from the University of St. Gallen re-confirmed that the A to G scale had a stronger influence on consumers' final purchasing decisions, and readiness to invest more for the top classes of the A to G scale, than for the top classes of the 'A plus' to G scale. The research was based on a survey looking into 2244 choices by German consumers.[11] A follow-up study by the University of St. Gallen and University of Bielefeld showed that this occurs as consumers perceive the difference in energy consumption between the A+, A++ and A+++ classes as much smaller than the differences in energy consumption between the A, B and C classes and are therefore far less willing to pay for a higher efficiency class. Similar effects occur with hotel rating scales (e.g. 1***, 1**, 1* vs. 1, 2, 3)[12] [13].

Along the same lines, a study carried out in 2013 by CLASP supports that 'there is a very marked difference in the motivational effect of the A as the top efficiency class compared to the A+++. Consumers clearly perceive that A is already very good and are therefore less willing to make additional investments in order to attain what they perceive to be

8 Marktcheck zum Stand der Energieverbrauchskennzeichnung von Haushaltsgeräten

9 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

10 Consumer survey on the new format of the European Energy Label for televisions- Comparison of a 'A-G closed' versus a 'beyond A' scale format- August 2009- University of St. Gallen- Stefanie Heinzle and Rolf Wüstenhagen.

11 Dynamic Adjustment of Eco-Labeling Schemes and Consumer Choice „the Revision of the EU Energy Label as a Missed Opportunity? Stefanie Lena Heinzle and Rolf Wüstenhagen.

12 Not worth the extra cost? Diluting the differentiation ability of highly rated products by altering the meaning of rating scale levels. Journal of Consumer Behaviour, 12 (3), 223-231.

13 Business Strategy and the Environment 21(1), 60-70.

marginal improvements. By contrast, they perceive a substantial difference between an A and a B or other lettered classes and show considerable willingness to invest in moving from a lower class to an A'.[14]

According to article 14 of the Energy Labelling Directive (2010/30/EU), the Commission was to report about the effectiveness of the Directive to the European Parliament and to the Council before the end of 2014. Therefore, the Commission launched a study on the evaluation of the Energy Labelling Directive and specific aspects of the Ecodesign Directive (herein after referred to as *evaluation study*). In parallel, the Commission - echoing our view that the revision of the EU Energy Label should be based on consumer testing - commissioned a 'study on the impact of the energy label – and potential changes to it on consumer understanding and on purchase decisions'.[15]

The final report of the *evaluation study* acknowledges that 'consumer understanding should be the chief concern for future label revisions'[16]. The final report of the Commission study on the understanding of the Energy Label concludes that energy efficiency scales with letters (as opposed to numbers) are in general terms better understood by consumers, and that the A to G label remains superior in encouraging consumers to choose the most efficient products.

C. Core conditions for a new, understandable and effective EU Energy Label

C.1 A transparent and simple Energy Label based on a closed A-G scale

The EU must not use the revision to start from a "blank page".

In 1992, an Energy Labelling scheme was introduced which proved successful for the markets, as well as trustworthy and motivating for consumers.

ANEC/BEUC request: We encourage the European Commission to take into account the mounting evidence presented above and propose simplifying the EU Energy Label and restoring the closed A to G scheme.

C.2 Conditions for ensuring a smooth transition to the closed A to G format

We fully subscribe to the statement of the final technical report on the *evaluation study* that states that all Energy Labelling options entail a rebasing of the current efficiency classes. Therefore, we believe the focus of discussions should not be whether rescaling is necessary but rather how to ensure rescaling takes place in a way that is understandable to the consumer.

The Commission study on the impact of the Energy label on consumer understanding and purchase decisions showed poor understanding of the grey parts of numeric scales intended to represent the energy efficiency ratings of products that will be available on the market only in the future. This shows that balance needs to be struck between the elements that work for consumers and elements that facilitate transition.

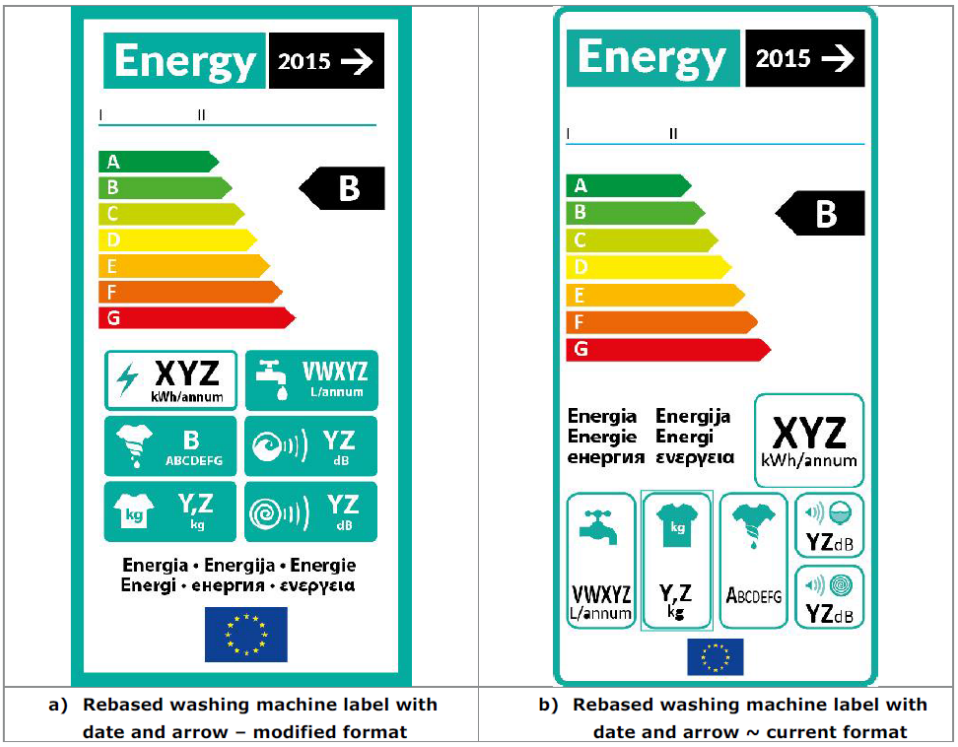
[14] ENERGY LABELLING- The New European Energy Label: Assessing Consumer Comprehension and Effectiveness as a Market Transformation Tool, Paul Waide and Rowan Watson, Navigant in Partnership with CLASP.

[15] https://ec.europa.eu/energy/sites/ener/files/documents/Impact%20of%20energy%20labels%20on%20consumer%20behaviour.pdf

[16] Final technical report Evaluation of the Energy Labelling Directive and specific aspects of the Ecodesign Directive

To lessen the potential confusion that could briefly arise from moving from the current A 'plus' scheme back to a simplified A to G scheme, we propose the following strategy:

✓ Redesigning the graphic elements of the Energy Label in order to indicate a newer version. The *evaluation study* presented some solutions that we <u>indicatively</u> present here:



a) Rebased washing machine label with date and arrow – modified format

b) Rebased washing machine label with date and arrow ~ current format

<u>Image 1</u> Rebased A to G label designs with date and arrow indicators to show the scale has changed from the year of the date onwards as presented in the *evaluation study*

Image 1 illustrates alternative graphic effects that have been used for the border and the symbols to make the label look "new". These examples include a date followed by an arrow on the top right of the label. This indication aims at conveying the message that the label applies from the year referenced onwards.

✓ Although we understand the practical reasons that led to a language-neutral Energy Label during the previous revision, we believe bringing national languages back could make the transition to the new label format more distinct and convey clear consumer information about the reappearance of the closed A-G scale. For example, with regard to the validity period, the label could mention that it is 'a revised/new Energy Label valid from 20XX on'. We propose some practical solutions for overcoming the linguistic pluralism of the common market under section C.4, together with other benefits the use of linguistic elements can bring.

✓ As the EU Energy Label is based on a framework Directive that is further specified in product specific legislation through delegated acts, the revision of this Directive does not necessarily mean a new generation of labels would start being displayed in the market immediately after its revision. A number of product specific Energy Labelling measures would need to be revised in order for the new labelling layout to apply to them. However, the revision dates of the different product specific measures vary widely.This could intensify the problems that could arise from an overlap of labelling layouts in the market. In order to avoid confusion regarding which of the different labelling layouts is valid, we suggest a provision that introduces the new format in all Energy Labelling measures.

- ✓ The European Commission should launch a communications campaign informing and preparing consumers about the changes in the system.
- ✓ A short transition to the new scheme should be set in order to facilitate market surveillance.

ANEC/BEUC request: We encourage the Commission to ensure a smooth transition to the new closed A-G scheme by:

- the use of new graphic design;
- the re-introduction of national languages to support the transition to the new scheme;
- the coordinated and simultaneous adjustment of existing labelling measures to the new format;
- a short transition period to the new scheme;
- communicating the changes to consumers through a dedicated campaign.

C.3 Conditions for ensuring resilience of the label in future re-scaling

Currently, certain product specific Energy Labels display energy efficiency classes where products are no longer available due to being banned by the Ecodesign Directive. This misleads consumers who could buy an A 'plus' appliance thinking that they are choosing one of the most efficient products when they would actually be buying one of the least efficient classes. Therefore, at the introduction of a product specific energy label, only classes occupied by products that are legally allowed to be placed on in the market should be displayed. According to a recent survey[17] conducted by forsa amongst 1000 people on behalf of German consumer organisation Verbraucherzentrale Bundesverband (vzbv), 77% of consumers thought they were buying a "highly energy saving washing machine" when buying A+ while only 12% really understood they were choosing the least energy efficient class on the market.

Image 2 Understanding of 'active' energy classes by consumers as presented by Vebraucherzentrale Bundesverband

[17] http://www.vzbv.de/pressemitteilung/energielabel-muss-verstaendlicher-werden.

In order to retain the ability of the label to promote innovation, products should be distributed amongst all classes displayed in the label. However, the top class should be reserved only for a few products at the moment the label enters into force. A rescaling should take place as soon as a certain percentage of the appliances on the market reach the 'A' class. The *evaluation study* proposes the following rule for rescaling the label:

- *recast the efficiency scale whenever the top efficiency class is populated by more than 25% of the models on the market.*

In order to be able to implement this rule and carry out the review in a timely manner, and before the vast majority of products is at the top class, a mandatory registry of products should be put in place to aid market monitoring. Such a product registry could have three different interfaces according to target group:

a) an interface available to the European Commission and stakeholders with the aim of facilitating the revision process;

b) an interface available to consumers, allowing them to compare products;

c) an interface for market surveillance authorities.

Australia, Brazil, Canada, China, India, South Korea, the USA and Vietnam already have some form of product registration system in place. The experiences of these jurisdictions can offer valuable lessons for the implementation of such a system in Europe.

In order to ensure transparency and allow comparability for consumers, we believe that a single label should be there for all products under a certain product group, regardless of the energy form they use. Until now, this has not always been the case. For example, in the case of Energy Labelling requirements[18] for ovens, electric and gas ovens are not compared under the same label.

ANEC/BEUC request: The new Energy Labelling Directive should ensure that the label remains a tool to provide consumer information, and is not developed into a marketing tool, by allowing only classes that are occupied by available models to be displayed on the label when this is introduced to the market.

When the top class starts being overpopulated by products available on the market, a revision of the scale should be triggered.

To be able to implement this rule, a product registration database should be set up.

In order to facilitate comparability, consumer products falling under the same product group should be covered by the same label regardless of the form of energy used.

C.4 Indication of energy consumption and use of pictograms – Conditions for boosting their low understanding

As mentioned earlier, one of the great improvements that the last revision brought to consumers is the indication of energy consumption on the label. As we have set out in our paper, *Lessons learned from past mistakes-The need for a transparent and simple Energy Label based on a closed A-G scale*[19] (based on experiences of consumer organisations dealing with consumer advice), we have identified two potential factors that could compromise the understanding of this important piece of information and the comparability of different products.

[18] COMMISSION DELEGATED REGULATION (EU) No 65/2014
[19] http://www.anec.eu/attachments/ANEC-PT-2013-ErP-009.pdf

The first is related to the understanding of the wording accompanying the numerical value. For certain product groups, energy consumption is expressed in 'kilowatt hours per annum'. The choice of the Latin expression alleviates the burden of expressing 'yearly' in all the languages of the single market. However, in a survey[20] of 1006 German consumers, more than 70% did not understand correctly (or did not understand at all) the meaning of "per annum" on the energy label.

The other factor is the extent to which consumers can associate their usage habits to a value expressing energy consumption for a whole year, rather than a value expressing energy consumption per usage i.e. per cycle.

Therefore, we see a need to enhance this indication as recent consumer surveys show that it is not always visible and understandable to consumers. Image 3 illustrates the results of a survey[21] by German consumer organisation, Vebraucherzentrale Bundesverband, of 1000 consumers that took place in February 2015. Consumers were asked what they take into account when they buy a household appliance. 57% of them answered that they look at the energy efficiency class; 33% look at the energy consumption, and 5% pay no attention. The rest answered "don't know".

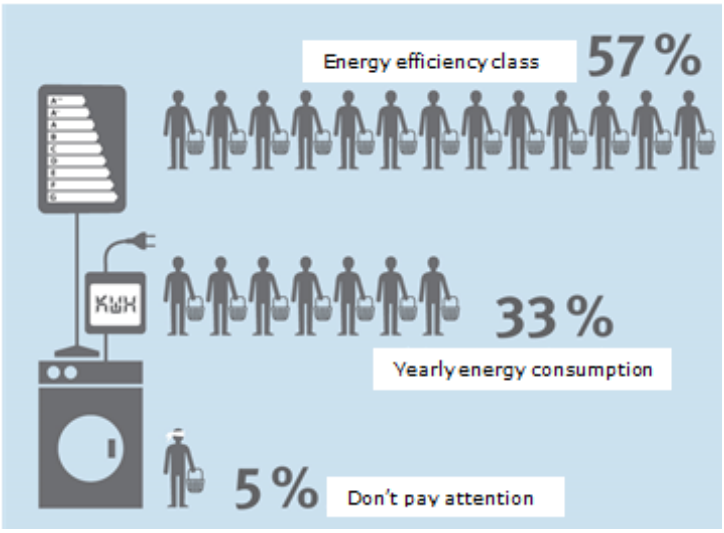


Image 3 Elements of the label consumers take into account when purchasing a household appliance as presented by Vebraucherzentrale Bundesverband

Another effect of the linguistic neutrality of the label is that other performance parameters need to be conveyed only through pictograms.

Rhineland Palatinate Consumer Association (VZ-RLP) commissioned a survey[22] on the understanding of the Energy Label that includes responses of more than 1000 individuals from all over Germany. The study looked, not only into the understanding of the energy efficiency scale in general, but also into the understanding of different pictograms and features of product specific Energy Labels (such those for fridges and freezers, washing machines, televisions, air conditioners and vacuum cleaners).

[20] Energieverbrauchskennzeichnung von elektrischen Geräten –Ergebnisse des zweiten Marktchecks im Dezember 2012 und einer Verbraucherbefragung, Elke Dünnhoff, Katrin Negatsch, Carmen Strüh-06.05.2013.

[21] http://www.vzbv.de/pressemitteilung/energielabel-muss-verstaendlicher-werden

[22] Comprehensibility of the EU Energy Label – Results of two focus groups and a representative consumer survey- Verbraucherzentrale Rheinland-Pfalz e.V.- Mainz, 15.10.2014

As is clear from the results summarised in Table 1, consumers do not always understand the meaning of pictograms:

	Size	Noise	Pictograms with scales	Power	Other pictograms
Fridges and freezers	78% / 79% (cooling / freezing)	84%			
Washing machine	84%	64% / 59% (washing / spin-drying)	Spin-drying efficiency class: 23%		
Television	in cm: 87% (in inches: 60%)	-		Power: 47%	Real "off" switch: 46%
Air conditioner	-	76%		Cooling Power: 35%	EER + symbol for cooling: 21% Energy efficiency ratio "EER": 1%
Vacuum cleaner	-	79%	Dust re-emission class: 21% Carpet cleaning performance class: 20% Hard floor cleaning performance class: 23%		

Table 1 Percentage of respondents who understood the pictograms of different Energy Labels as presented in the survey commissioned by Rhineland Palatinate Consumer Association (VZ-RLP)

An understandable energy consumption indication and comprehensible pictograms are essential to the effectiveness of the Energy Label. The former allows consumers to anticipate running costs, while the latter provides crucial information with regard to the characteristics and performance of the appliance. Together, they allow consumers to choose products that meet their needs. We therefore support rethinking the introduction of national language on the label, where it is necessary to enhance the understanding of the energy consumption indication and pictograms.

Most importantly, we support testing these elements with consumers prior to adoption of a product specific Energy Label.

In order to resolve the practical constraints arising from the linguistic plurality of the single market, we propose two solutions:

a) Retailers are shouldered with the responsibility of printing the label from a centralised digital facility. This solution can facilitate both the need to print labels with text and the need for regular rescaling. In this respect, a product registration database, with an interface accessible to consumers, is essential to transparency. However, manufacturers should be responsible for providing the information on the label in the database.

b) Considering the distribution of labels in all EU languages by manufacturers

ANEC/BEUC request: We support testing complex pictograms and – where applicable - the indication of the energy consumption per year or per cycle before the adoption of a new Energy Label in order to identify what works for consumers.

We invite the Commission to re-consider the use of national language when this could enhance the understanding of the energy consumption indication and the pictograms.

C.5 Reversing the effect of labelling measures in promoting appliances of bigger size/capacity

Under the present Energy Labelling Directive, a higher energy class does not always lead to bigger energy savings and lower costs to consumers. Although Eurostat data[23] do not show an increase in the size of the average household in the EU-28, the size of appliances seems to be increasing considerably. Graphs 1-2 and Tables 2-3 in annex to this paper illustrate the rate of energy classes among different size ranges for washing machines and fridges respectively. They are based on the fourth[24] of a series of market checks conducted by Rhineland Palatinate Consumer Association (VZ RLP). One can easily observe that the higher energy classes are occupied by a large proportion of bigger appliances. An increase in the size of appliances has been observed in recent years. One of the reasons is the fact that it is easier for large appliances to receive a higher rating (e.g. refrigerators), or because the calculation formula for the energy efficiency classes takes size into account (such as screen size of TVs). This incidental promotion of larger appliances, despite these being too big for certain households, is a shortcoming which entails significant financial implications for consumers and consequences for the environment. The revision of the Energy Labelling Directive must address this worrying trend. It must be kept in mind that addressing this tendency does not mean that consumer choice is going to be limited. On the contrary, addressing this issue will ensure there will be choice for both smaller and larger households, and consumers will be enabled to make an informed choice. Besides, the Energy Labelling measures do not ban products from the market.

ANEC/BEUC request: The revised Energy Labelling Directive should include guidelines for the development of Energy Labelling delegated acts, with the aim of avoiding the development of Energy Labelling measures that favour the marketing of appliances of a larger capacity/size.

Such guidelines should be implemented when developing the Energy Efficiency Index of different product groups. An option to be considered would be introducing energy consumption limits to the energy classes of a label.

D. Explore the potential of providing consumers with information on the expected lifetime of products through the Energy Label

When buying new products, consumers are not informed about the life expectancy of the product, if used and maintained properly. Without such information, consumers are not enabled to reward manufacturers who produce long-lasting and/or repairable goods. As there is an urgent need for the EU to become more resource efficient and to produce less waste, we believe the current re-thinking of the EU Energy Label provides an opportunity to investigate the possibility of providing consumers with lifetime expectancy information about these products through the EU Energy label.

ANEC/BEUC request: We invite the Commission to use the opportunity provided by this revision to explore the potential of providing consumers with information on the life expectancy of products through the EU Energy Label.

[23] Average household size- Eurostat data last updated on 15-06-2015

[24] Misleading advertising in energy labelling. 2nd phase, July 2014 – June 2016. VZ-RLP

E. More clarity and support for market surveillance authorities

When the EU published its draft regulation on market surveillance in February 2013, ANEC and BEUC advocated for Energy Labelling and Ecodesign legislation to be included in the scope[25] as we see an urgent need for coordinated compliance checks of consumer products, not only with regard to safety and health issues, but also with regard to their environmental design requirements. Given that the draft product safety and market surveillance package is currently blocked in Council, we are concerned that this will delay a more effective market surveillance of the implementation of Energy Label requirements. Even though a coherent, single European market surveillance instrument as proposed in 2013 is our preferred option, we call on the Commission to already modernise and better consolidate the requirements on market surveillance in the Energy Label draft legislation. The requirements of the current framework legislation are not clear enough to allow for a coherent enforcement across the EU.

With regard to the Energy Label, it will be important to check not only the correct application of the Label, but also whether the label is in conformity with the consumption values and other indications (such as the size and the noise emitted by the appliance).

Further to the ANEC research study of 2007, which showed the need to strengthen market surveillance to overcome significant shortcomings in the implementation of the EU Energy Label scheme[26], several European projects carried out in recent years - such as Marketwatch IEE[27] - have highlighted the need to enhance market surveillance of Ecodesign and Energy labelling measures in order for them to deliver their goals fully.

The need for effective market surveillance becomes more urgent with the increasing numbers of consumers shopping online.

The creation of a product registry, with interfase addressing market surveillance authorities, can facilitate the exchange of experiences and reduce duplication of work. The product registry should include an overview of equivalent models that are marketed under different names in different member states.

ANEC/BEUC request: We call on the Commission to use the opportunity provided by the revision to clarify issues that affect market surveillance of Energy Labelling measures.

We also support the creation of a product registration database with a separate interface for market surveillance purposes.

[25] ANEC and BEUC position paper on European Commission proposal for a Regulation on market surveillance of products- Key issues from a consumer perspective regarding the Product Safety and Market Surveillance Package- June 2013

[26] ANEC study "A review of the range of Member State activity related to compliance with the EU Energy Label regulations", May 2007: http://www.anec.eu/attachments/ANEC-R&T-2006-ENV-008%20(final).pdf

[27] Such as MarketWatch IEE project where several consumer and environmental organisations created a consortium in support of market surveillance activities related to Ecodesign and Energy labelling with the ultimate goal to increase the level of compliance in the EU.

Annex

Graph 1- distribution of washing machines according to capacity and energy class

verbraucherzentrale Rheinland-Pfalz

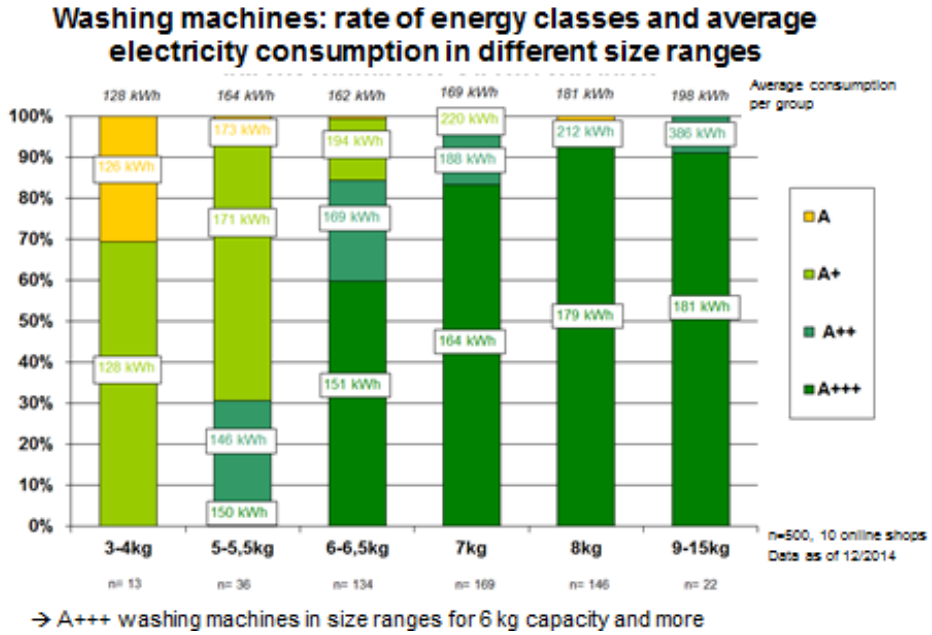


Table 2- development of washing machines according to capacity and energy consumption

verbraucherzentrale Rheinland-Pfalz

Washing machines: development of laundry capacity and electricity consumption

	Dec. 2012	Dec. 2013	Dec. 2014	Development
Rate best efficiency class (A+++)	47%	65%	73%	+ 26%
Average laundry capacity	6,7 kg	6,9 kg	7 kg	+ 4%
Average electricity consumption	179 kWh	173 kWh	171 kWh	- 4%

n = 500

Graph 2- distribution of fridges according to capacity and energy class

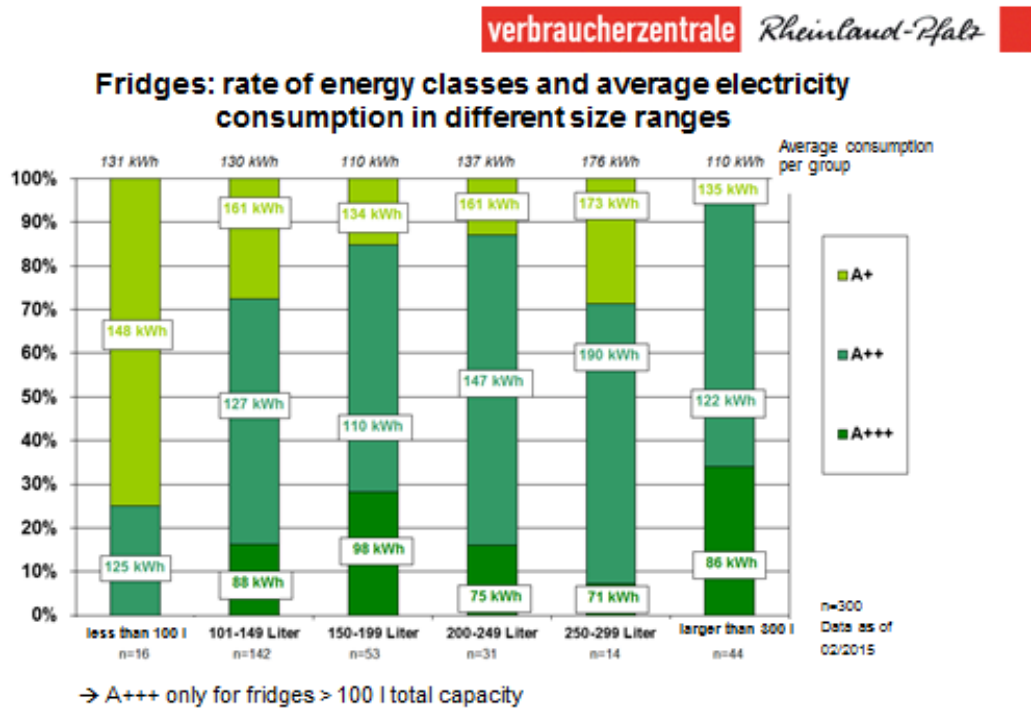


Table 3- development of washing machines according to capacity and energy consumption

Fridge-freezers: development of total capacity and electricity consumption

	Dec. 2012	April 2014	Feb. 2015	Development
Rate best efficiency class (A+++)	21%	22%	30%	+ 9%
Average total capacity	310 l	304 l	339 l	+ 9%
Average electricity consumption	236 kWh	232 kWh	237 kWh	+/- 0%

n = 300