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[...] (2017) **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 washing machines and household
washer-dryers**

**repealing
Regulation (EU) No 1015/2010 with regard to ecodesign requirements for household
washing machines**

**and,
amending
Regulation (EC) No 1275/2008**

(Text with EEA relevance)

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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 washing machines and household washer-dryers

**repealing
Regulation (EU) No 1015/2010 with regard to ecodesign requirements for household washing machines**

**and,
amending
Regulation (EC) No 1275/2008**

(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,

[After consulting the Ecodesign Consultation Forum referred to in Article 18 of Directive 2009/125/EC,]

Whereas,

- (1) Under Directive 2009/125/EC ecodesign requirements should be set by the Commission for energy-related products representing significant volumes of sales and trade, having significant environmental impact and presenting significant potential for improvement in terms of their environmental impact without entailing excessive costs.
- (2) Article 16(2)(a) of Directive 2009/125/EC provides that the Commission, in accordance with the procedure referred to in Article 19(3) and the criteria set out in Article 15(2), and after consulting the Consultation Forum, shall, as appropriate, introduce implementing measures for domestic appliances.
- (3) This regulation covers products designed for washing, and for combined washing and drying of household laundry. The ecodesign requirements for household washing machines were laid down in Regulation 1015/2010/EU implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household washing machines².

¹ OJ L 285, 31.10.2009, p. 10

² OJ L 293, 11.11.2010, p. 21

- (4) Regulation 1015/2010/EU was to be reviewed no later than 4 years after its entry into force.
- (5) Regulation 1015/2010/EU recommended that combined washer-dryers be addressed in an implementing measure of Directive 2009/125/EC.
- (6) The Commission has reviewed Regulation 1015/2010/EU in the light of technological progress and in view of possible scope extension to cover washer-dryers. The review study analysed technical, environmental and economic aspects of household washing machines and household washer-dryers as well as the real-life user behaviour. The study was developed in consultation with stakeholders and interested parties from the European Union and third countries. The results of the study have been made publicly available and presented to the Consultation Forum established by Article 18 of Directive 2009/125/EC.
- (7) The study concluded that there was a need for the introduction of a revised set of ecodesign requirements for household washing machines, also applicable to the washing function of washer-dryers and an additional revised set of eco-design requirements for washer-dryers. Consequently, the defined product scope of the Regulation should comprise household washing machines and household washer-dryers.
- (8) Non-household washing machines and non-household washer-dryers have distinct characteristics and uses, and should therefore not be included in the scope of this Regulation.
- (9) The annual electricity and water consumption of household washing machines and household washer-dryers subject to this Regulation was estimated to have been 39.2 TWh and 1681 million m³, respectively, in the Union in 2015. Unless specific measures are taken, annual electricity of household washing machines and household washer-dryers is estimated to decrease to 31.24 TWh and the water consumption to increase to 2200 million m³ in 2030.
- (10) The review study has shown that the electricity and water consumption of the products subject to this Regulation can be further cost-effectively reduced by implementing ecodesign measures focusing on the most energy-efficient programmes offered by manufacturers and subsequently increased selection of these programmes by consumers.
- (11) Considering the EU action plan on Circular Economy³ and given the importance of resource efficiency, the Regulation should also address the repair and end-of-life aspects of household washing machines and household washer-dryers. These requirements should apply in addition to EU legislation applicable to these products, their materials and components, in particular the requirements of Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS), Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE), and Regulation 517/2014/EU of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases.
- (12) Improvements of household washing machines and household washer-dryers are achievable by applying existing non-proprietary, cost-effective technologies, in line with the provisions of the Directive 2009/125/EC.

³ Commission Communication „Closing the loop - An EU action plan for the Circular Economy“, COM(2015) 614 final, 2.12.2015

- (13) The ecodesign requirements should be introduced gradually to provide sufficient time to manufacturers to redesign products that are subject to this Regulation. The timing should be such as to avoid negative impacts on the functionalities of equipment already on the market, and to take into account cost impacts for end-users and manufacturers, in particular small and medium-sized enterprises, while ensuring timely achievement of the objectives of this Regulation.
- (14) Measurements of the relevant product parameters should be performed using reliable, accurate and reproducible measurement methods, which take into account the recognised state-of-the-art measurement methods including, where available, harmonised standards adopted by the European standardisation organisations, as listed in Annex I to Regulation (EU) 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation⁴.
- (15) In conformity with Article 8 of Directive 2009/125/EC, this Regulation should specify the applicable conformity assessment procedures.
- (16) To facilitate compliance checks, manufacturers should provide information in the technical documentation referred to in Annexes IV and V to Directive 2009/125/EC in so far as this information relates to the requirements laid down in this Regulation.
- (17) In addition to the legally binding requirements laid down in this Regulation, indicative benchmarks for best available technologies should be identified. This will help to ensure the wide availability and easy accessibility of information on the environmental performance of products subject to this Regulation, in particular for small and medium-sized enterprises, which will further facilitate the integration of best design technologies and the development of more energy-, water- and material efficient products.
- (18) [The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 19(1) of Directive 2009/125/EC,]

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation establishes ecodesign requirements for the placing on the market of electric mains-operated household washing machines and household washer-dryers, and electric mains-operated washing machines and household washer-dryers that can also be powered by batteries, including built-in household washing machines and washer-dryers.
2. This Regulation shall not apply to non-household washing machines and non-household washer-dryers.

Article 2

Definitions

In addition to the definitions laid down in Article 2 of Directive 2009/125/EC, the following definitions shall apply for the purpose of this Regulation:

⁴ OJ L 316, 14.11.2012, p. 12

- (1) 'household washing machine' means an automatic washing machine which cleans and rinses household laundry by using water, chemical, mechanical, thermal and electric means; which also has a spin extraction function and which is designed for domestic use, complying with the Low Voltage Directive 2014/35/EU as stated by the manufacturer in the Declaration of Conformity (DoC);
- (2) 'household washer-dryer' means a household washing machine which, in addition to the functions of an automatic washing machine, in the same drum includes both a spin extraction function and a means for drying the textiles by heating and tumbling, and which is designed for domestic use, complying with the Low Voltage Directive 2014/35/EU as stated by the manufacturer in the Declaration of Conformity (DoC);
- (3) 'built-in household washing machine or built-in household washer-dryer' means a household washing machine or household washer-dryer intended to be installed in a cabinet, a prepared recess in a wall or a similar location, requiring furniture finishing;
- (4) 'non-household washing machine' means a washing machine used in an environment other than in an individual household or not complying with any other aspect of the definition of a household washing machine;
- (5) 'non-household washer-dryer' means a washer-dryer used in an environment other than in an individual household or not complying with any other aspect of the definition of a household washer-dryer;
- (6) 'multi-drum washing machine' means a washing machine equipped with more than one drum, whether in separate units or in the same casing;
- (7) 'automatic washing machine' means a washing machine where the load is fully treated by the machine without the need for user intervention at any point during the programme;
- (8) 'programme' means a series of operations that are pre-defined and which are declared by the manufacturer as suitable for washing, drying or continuously washing and drying certain types of textile;
- (9) 'washing cycle' means a complete washing process as defined by the selected programme, consisting of a series of different operations including washing, rinsing, and spinning;
- (10) 'drying cycle' means a complete drying process as defined by the required programme, consisting of a series of different operations including heating and spinning. If the textile load is split up into partial loads, the drying cycle comprises drying of all partial loads;
- (11) 'complete operation cycle' means a washing and drying process, consisting of a washing and a drying cycle;
- (12) 'continuous operation cycle' means a complete operation cycle without interruption of the process or additional action by an operator;
- (13) 'interrupted operation cycle' means a complete operation cycle where intermediate action by an operator is necessary during the cycle, and the washing cycle and drying cycle operate with different loads;
- (14) 'programme time' means the time that elapses from the initiation of the programme until the completion of the programme excluding any end-user programmed delay;

- (15) 'rated capacity' means the maximum mass in kilograms stated by the manufacturer at 0.5 kg intervals of dry textiles of a particular type, which can be treated in one complete cycle of a household washing machine or a household washer-dryer respectively on the selected programme, when loaded in accordance with the manufacturer's instructions;
- (16) 'rated washing capacity' means the maximum mass in kilograms stated by the manufacturer at 0.5 kg intervals of dry textiles of a particular type, which can be washed in one complete cycle of a household washing machine on the selected programme, when loaded in accordance with the manufacturer's instructions;
- (17) 'rated drying capacity' means the maximum mass in kilograms stated by the manufacturer at 0.5 kg intervals of dry textiles of a particular type, which can be dried in one complete drying cycle of a household washer-dryer on the selected programme, when loaded in accordance with the manufacturer's instructions;
- (18) 'rated washing-drying capacity' means the maximum mass in kilograms stated by the manufacturer at 0.5 kg intervals of dry textiles of a particular type, which can be washed and dried in one continuous operation cycle of a household washer-dryer on the selected programme, when loaded in accordance with the manufacturer's instructions;
- (19) 'partial load' means part of the full rated capacity of a household washing machine or washer-dryer for a given programme, such as one half, one third or one quarter;
- (20) 'half load' means a textile load of a household washing machine or washer-dryer for a given cycle which is half of the rated capacity;
- (21) 'quarter load' means a textile load of a household washing machine or washer-dryer for a given cycle which is a quarter of the rated capacity;
- (22) 'remaining moisture content' means the amount of moisture contained in the load at the end of a cycle, either the end of the washing cycle for a washing machine, or the end of the drying cycle for a washer-dryer;
- (23) 'delay start mode' means a condition where the household washing machine or the household washer dryer automatically starts the washing cycle or drying cycle at a later time;
- (24) 'standby mode' is defined as in Regulation (EC) No 1275/2008;
- (25) 'networked standby mode' is defined as in Regulation (EU) No 801/2013;
- (26) 'off-mode' means a condition where the machine is switched off using appliance controls or switches accessible to and intended for operation by the user during normal use to attain the lowest power consumption that may persist for an indefinite time while the machine is connected to a mains power source and used in accordance with the manufacturer's instructions; where there are no controls or switches accessible to the user, 'off-mode' means the condition reached after the machine reverts to a steady-state power consumption on its own;
- (27) 'left-on mode' means the lowest power consumption mode that may persist for an indefinite time after completion of the programme and unloading of the machine without any further intervention of the user;
- (28) 'equivalent washing machine' means a model of household washing machine, placed on the market with the same rated capacity, technical and performance characteristics as regards generic and specific eco-design requirements as another model of a

- household washing machine placed on the market under a different commercial code number by the same manufacturer;
- (29) ‘equivalent washer-dryer’ means a model of machine, placed on the market with the same rated capacity, technical and performance characteristics as regards generic and specific eco-design requirements as another model of a household washer-dryer placed on the market under a different commercial code number by the same manufacturer;
 - (30) $P_o(W)$ is the power consumption in off mode, expressed in Watt and rounded to two decimals places;
 - (31) $P_l(W)$ is the power consumption in left-on mode, expressed in Watt and rounded to two decimals places;
 - (32) $P_n(W)$ is the power consumption in any mode before the initiation of the washing programme or the drying programme, expressed in Watt and rounded to two decimals place;
 - (33) $P_b(W)$ is the power consumption in networked standby mode, expressed in Watt and rounded to two decimals places;
 - (34) ‘spare part’ means a separate part that can replace a part with the same or similar function in an appliance. The part is considered necessary for use if the appliance cannot function as intended without that part. The functionality of the appliance is restored or is upgraded when the part is replaced by a spare part;
 - (35) ‘independent operator’ means an undertaking other than authorised retailer and repairer which is directly or indirectly involved in the repair and maintenance of household washing machines and washer-dryers, in particular repairers, manufacturers or distributors of repair equipment, tools or spare parts, publishers of technical information, operators offering training for installers.

Article 3

Ecodesign requirements

1. The generic ecodesign requirements for household washing machines are set out in point 1 of Annex I. The generic ecodesign requirements applicable to household washing machines shall also be applicable to the washing process of household washer-dryers. The generic ecodesign requirements for household washer-dryers are set out in point 2 of Annex I.
2. Additional generic requirements on the repair and end-of-life aspects of household washing machines and household washer-dryers are set out in point 3 of Annex I.
3. The specific ecodesign requirements for household washing machines are set out in point 4 of Annex I. The specific ecodesign requirements applicable to household washing machines shall also be applicable to the washing process of household washer-dryers. The specific ecodesign requirements for household washer-dryers are set out in point 5 of Annex I.
4. Compliance of household washing machines and household washer-dryers with the applicable ecodesign requirements shall be measured in accordance with the methods set out in Annex II.

Article 4

Conformity assessment

1. The conformity assessment procedure referred to in Article 8 of Directive 2009/125/EC shall be the internal design control system set out in Annex IV to that Directive or the management system for assessing conformity set out in Annex V to that Directive.
2. For the purposes of conformity assessment pursuant to Article 8 of Directive 2009/125/EC, the technical documentation file shall contain a copy of the calculation set out in Annex II to this Regulation.

Where the information included in the technical documentation for a particular household washing machine or household washer-dryer model has been obtained by calculation on the basis of design, or extrapolation from other equivalent washing machines or washer-dryers, or both, the technical documentation shall include details of such calculations or extrapolations, or both, and of tests undertaken by manufacturers to verify the accuracy of the calculations undertaken. In such cases, the technical documentation shall also include a list of all other equivalent household washing machine or household washer-dryer models where the information included in the technical documentation was obtained on the same basis.

Article 5

Circumvention

The manufacturer or importer shall not place on the market products that have been designed so that a model's performance is automatically altered in test conditions with the objective of reaching a more favourable level for any of the parameters declared by the manufacturer in the technical documentation or included in any of the documentation provided with the product.

Where applicable, the power consumption of the product shall not increase after a software or firmware update when measured with the same test standard originally used for the declaration of conformity, except with explicit consent of the end-user.

Article 6

Verification procedure for market surveillance purposes

Market surveillance shall be carried out in accordance with the rules specified in Directive 2009/125/EC.

Assessment of household washing machines and household washer-dryers for compliance with the applicable ecodesign requirements set out in Annex I to this Regulation shall be carried out in accordance with the verification procedure set out in Annex III to this Regulation

Article 6

Benchmarks

The indicative benchmarks for best-performing household washing machines and household washer-dryers available on the market are set out in Annex IV.

Article 7

Revision

The Commission shall review this Regulation in the light of technological progress and present the result of this review to the Ecodesign Consultation Forum no later than five years after its entry into force.

The review shall in particular assess if the improvement potential with regard to energy and environmental performance of household washing machines and household washer-dryers has been fully exploited in view of technical progress. Furthermore, the review shall assess if further or new requirements on material efficiency, including reparability, durability, upgradability and recyclability, or the identification of certain materials or substances of household washing machines and household washer-dryers can be established.

Article 8

Repeal

Regulation 1015/2010 is repealed as of the day of entry into force of this Regulation, except for Articles 3 and 5 thereof and Annexes I to III thereto that shall apply until this Regulation starts to apply.

Article 9

Amendment to Regulation (EC) No 1275/2008

Annex I, point 1 to Regulation (EC) No 1275/2008 is replaced by the text set out in Annex VI to this Regulation.

Article 10

Entry into force and application

1. This Regulation shall enter into force on the 20th day following its publication in the Official Journal of the European Union.
2. The ecodesign requirements listed in points 1, 2, 3, 4 paragraphs (1), (2) and (4) and point 5 paragraphs (1) and (3) of Annex I shall apply from [1 December 2020].
3. The specific ecodesign requirements listed in point 5 (2) of Annex I shall apply from [1 December 2022].
4. The specific ecodesign requirements listed in point 4 (3) of Annex I shall apply from [1 December 2024].

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

Done at Brussels,

For the Commission
Jean-Claude JUNCKER
The President

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