

CONCERTED ACTION EEPLIANT3 NEWSLETTER THIRD EDITION

BRUSSELS, JULY 2023

Detecting non-compliant energy-consuming products in Europe.

What do the results tell us so far?

The EU-funded [EEPLIANT3 Concerted Action](#) is one of the many policy implementation tools in the EU's toolkit against climate change and environmental degradation. In this action, we work to verify and improve the energy performance and level of compliance, with the Ecodesign and Energy Labelling Regulations, of a variety of energy-related products. The product categories targeted by EEPLIANT3 include **air-conditioners, comfort fans, tumble dryers, water heaters, ventilation units, light sources, and local space heaters**, as well as a small number of **televisions, washing machines, and wine coolers**.

The interim results of our product investigations show the ability of the European market surveillance authorities (MSAs) to identify a significant number of products with a high probability of non-compliance. The overall degree of compliance with label and information standards for online shops is depressingly low.

Enforcement actions in connection to non-compliant products are ongoing. Measures are proportional to the level and severity of the observed non-conformities.

The final inspection, testing, and enforcement results are expected in late 2023.



This project is funded
by the European Union



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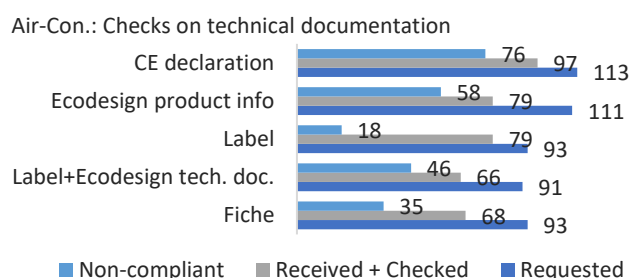
CAUTION!

The results of this action are based on samples of products collected from the markets in the participating countries. As in most market surveillance activities, the results represent, for the most part, the targeted efforts that authorities undertake to identify suspicious/non-compliant products. Because of that, **the results do not present a statistically valid picture of the entire market situation** for each inspected product category.

In EEPLIANT3 we carry out document and online checks (including checks on the [European Product Registry for Energy Labelling - EPREL](#)), alongside physical compliance testing on a number of energy-related products subject to Ecodesign and Energy Label requirements. These are the interim results for each type of product inspected so far:

Air-Conditioners (split/ducted) & Comfort Fans:

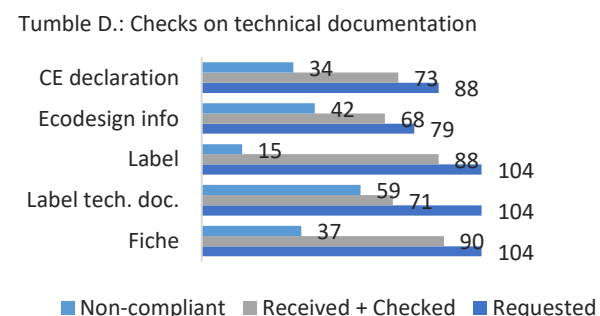
The participating MSAs sought to check the technical documentation of 113 different models. In 79 of 97 cases checked the Declaration of Conformity was found to have errors. 18 of the products checked had a wrong label—wrong design, contradictory data, or label for a similar model. 58 products had problems with their ecodesign mandatory information, and 35 with their fiche (product information sheet).



Additionally, near 70% of the 271 inspected web shops did not display labels or the fiche on product pages.

Laboratory tests on 20 split and 27 ducted air conditioners have been completed including the repetition of tests on three additional (“triple testing”) of 6 models which failed the first tests. No circumvention issues have been found. Enforcement actions are still ongoing.

Tumble Dryers: Document inspections were performed on 104 products (64 condensing-heat pumps, 26 condensing-with heat element, and 14 air-vented driers). These are now completed. Non-conformities were found in 34 and 42 cases with regard to the CE declaration and ecodesign information, respectively. Problems with the label were confirmed in 15 samples. Conversely, 37 of 104 products had an incorrect fiche.

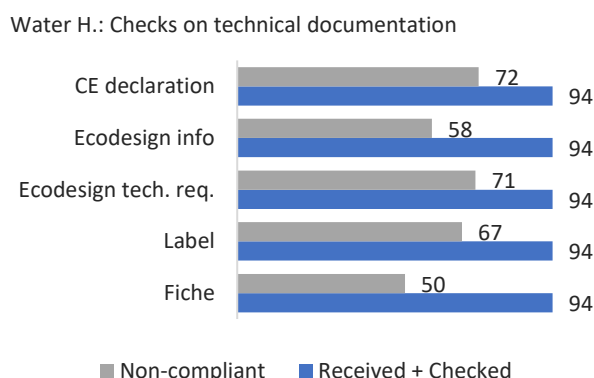


Checks were carried out also in 279 web shops. No label was found in 94 product pages.

Testing activities are finalised for this product group. 30 tumble dryer models were sampled to be tested in an accredited laboratory: 12 failed tests in relation to one or more parameters (e.g., energy consumption, off-/on-mode power consumption, condensation efficiency, residual moisture content). No defeat (circumvention) devices were found.

Water Heaters: Water heaters are appliances used to heat and, in some cases, also store water until it is used. EEPLIANT3 sampled and verified the compliance of 54 electric (covering both small and large load profiles), 23 heat pump water heaters, and 20 hot water storage tanks.

The initial assessment of their technical documentation found 87 of 94 models non-compliant, with errors relating to the CE declaration, the ecodesign information and technical requirements¹, the label, and the product fiche.



After contacting the responsible economic operators, 42 of the 87 non-compliant products were brought back into conformity voluntarily.

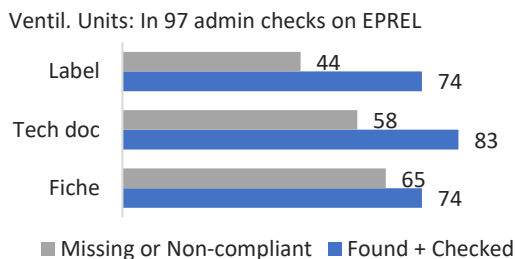
MSAs also inspected ten (10) web shops to check compliance with online label requirements. Although work is ongoing, preliminary results suggest a high non-compliance rate.

Laboratory tests have been completed on 23 models (out of 26). The preliminary results indicate that over half of the tested samples, so far, failed tests in relation to at least one test parameter including the energy efficiency class, daily electricity consumption, and/or load profile. Triple testing on a small number of models is almost completed. The final results will become available this Autumn.

Ventilation Units: 173 products were first screened online, of which 97 were selected for checks on their documentation. These checks

¹ According to the Ecodesign Information Requirements of Annex II, III and IV of Regulation 814/2009.

revealed that information was either missing or was wrong in the majority of the cases. Specifically, a total of 44 products had either missing labels (42 of the cases) or incorrect labels (2), while 58 and 65 products had issues with their technical documentation and product fiche respectively.



91 additional products were checked in 50 web shops. 80 of these 91 models were found non-compliant (88%) because of missing or wrong label or information.

Likewise, checks on 64 websites of manufacturers also revealed significant levels of non-compliance. Specifically, 61 of 143 inspected products had small or major errors in their ecodesign information (43% non-compliance), whilst online disassembly instructions were not available in 82 cases. Examples of minor errors include missing URLs or use of other calculation methods or measurement standards but with correct conclusions. Conversely, a typical major error concerns the presence of too favourable declared values, also on the energy label, compared to the values in the technical documentation.

31 products have been sent for laboratory testing. The final results are expected in Autumn.

Light Sources & Local Space Heaters: These are the last two, chronologically, product groups targeted by the action. Products in focus include directional and non-directional light sources, light sources with and without a socket, as well as gas, biomass fuelled and electrical (portable, fixed >250W and radiant) heaters.

Documentary and online label inspections have started in the second half of 2022 for both products. Laboratory tests are ongoing.

Small-scale testing of Washing Machines, Wine Coolers, and Televisions: To maximise impact, EEPLIANT3's Work Package (WP) 6 on *New and Arising Issues* developed an additional mini verification test programme involving a relatively small number of products which are considered to present specific challenges to ecodesign and energy labelling market surveillance. Six washing machines, five wine coolers, and ten television models are currently being tested as part of this campaign.

Empowering market surveillance on ecodesign and energy labelling rules: five study visits, one webinar and a specialised e-Library

Study visits and exchanges of MSA personnel are recognised as key enablers for harmonising and enhancing EU market surveillance, and a unique opportunity for peer-to-peer knowledge sharing. Despite the challenges of the pandemic, EEPLIANT3 managed to design and execute an ambitious cross-disciplinary exchange programme in three participating countries.

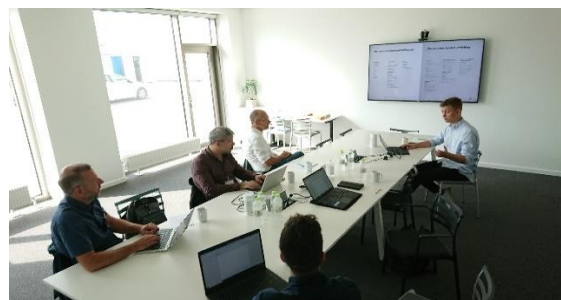


Figure 1 - From top to bottom: EEPLIANT3 study visits in Esbjerg (2 photos), Milan, and Riga

Between May and October 2022, 25 project participants took part in five specialised study visits, two in Italy and one in Latvia, Sweden and Denmark.

Each exchange programme was built around a specific theme/priority. Delegates had the opportunity to discuss in-depth national inspection and enforcement practices, share good practices, and see demonstrations of localised case management systems and digital tools. Visits to a test laboratory in Italy and a Latvian Custom Point were part of the respective programmes, while in Esbjerg participants had the chance to witness and reflect upon the inspection of an electrical goods retailer.

The organisation of a one-day online workshop on document inspections is yet another success story. In January 2022, 174 MSA officials from 29 countries, including Ukraine, Turkey, Bosnia and Herzegovina, Albania, Norway, Switzerland, and Montenegro, were trained by EEPLIANT3 experts on how to improve the effectiveness of documentary checks for ecodesign and energy labelling. The recording of the webinar is available at the [EEPLIANT3 \(www.eepliant.eu\)](http://www.eepliant.eu) and [PROSAFE \(www.prosafe.org\)](http://www.prosafe.org) websites—note that access to our digital ‘Knowledge Base’ is restricted to registered users.

Giving free access to training materials and other relevant tools can support the work of market surveillance inspectors and improve efficiency. This is the objective of the EEPLIANT3 e-library hosted at the project’s wiki space—access is currently restricted to EEPLIANT3 participants.

The structure of the library mirrors the content of the European Commission’s [‘Blue Guide’](#). Currently, over 250 documents and inspection tools relating to ecodesign and energy labelling have been uploaded and are available for use.

International collaboration

While we continue building capacity within European MSAs along with the Ecodesign and Energy Labelling ADCO groups, we also seek to support jurisdictions outside the EU in improving the effectiveness of their ecodesign and energy labelling policies. That was the objective of EEPLIANT3’s synergy with two EU co-financed international actions, the [STARTER project](#) in Ukraine and the Algerian [«Taka Nadifa»](#) project.

Thanks to our collaboration with the STARTER project, 71 Ukrainian MSA officials participated in the EEPLIANT3 webinar on document inspections. The training materials and the transcript of all sessions were translated by STARTER and shared with the Ukrainian colleagues. More tailor-made

activities were in the pipeline. Sadly, these were cancelled due to the ongoing war.

In late 2022, EEPLIANT3 and the «Taka Nadifa» project discussed collaborating in the organisation of a study visit in Brussels. The visit of Taka Nadifa’s delegation took place on 24 January 2023 at FPSH. The programme covered project-specific topics, such as the applied sampling and inspection strategies and our interim results, as well as broader ecodesign and energy labelling market surveillance issues of interest.



Figure 2 - The ‘Taka Nadifa’ study visit

Going green: Helping policy-makers design the future

One of the objectives of EEPLIANT3 is to use evidence from its activities to inform the EU’s policy design on ecodesign and energy labelling legislation. Already EEPLIANT3 generated some notable product-specific and general recommendations and standardisation input from both its product-specific and cross-cutting activities—for example, on establishing centres of excellence for product testing, or the collaboration with Customs.

In this context, EEPLIANT3 was invited to the Ecodesign and Energy Labelling Consultation Forum on market surveillance, organised by the European Commission in December 2022. The project shared insights from its fieldwork, discussed the observed non-compliance levels across all targeted products, and expanded on the measured impact

of market surveillance, including the joint actions, in this field.

Moreover, as part of our communication and dissemination strategy and only in the past two years, EEPLIANT3 has featured in four large international events: **BEHAVE2020-2021**, **eceee Summer Study 2021**, **EEDAL'22**, and the **MEETMED II** conference on energy transition, all attended by a mixed audience of researchers, practitioners, business representatives, NGOs, and policy makers.

Policing alone won't do the trick: How EEPLIANT3 supports the industry

Reducing non-compliance levels with ecodesign and energy labelling requirements is not solely a matter of more market controls and better enforcement. Educating and raising awareness among the economic operators is key to any existing or future strategy to promote compliance.

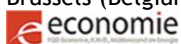
Since its inception in June 2019, EEPLIANT3 works with the corresponding industries to capture and mitigate problems and challenges and co-create a level-playing field in business. The early non-compliance results were reviewed together with industry representatives in the 3rd Advisory Board meeting of EEPLIANT3 hosted by PROSAFE in May 2022. Participants mused on issues and observations from the field and on the interventions required to improve the market's compliance levels.



Figure 3 - The 3rd Advisory Board (hybrid) meeting in May 2022, hosted by PROSAFE

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“The European Commission has put forward the REPowerEU plan to accelerate the transformation of Europe’s energy system and mitigate the impact of high energy prices especially on vulnerable consumers. Energy efficiency and energy saving are at the heart of this strategy and EEPLIANT3 has a significant role to play in this respect.”

Mr Ronald Piers de Raveschoot, DG ENER, at the 3rd EEPLIANT3 Advisory Board meeting on 24 May 2022

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