

December 2019

EEPLIANT 2: Newsletter no.4

Action on Market Surveillance of EU Energy Label and Minimum Efficiency Requirements

EEPLIANT2 is funded by the European Union (EU) under the Horizon 2020 Research and Innovation programme. This Action is a unique undertaking that addresses the challenge of building a common approach to the market surveillance of Energy Labelling and Ecodesign within sixteen EU Member States.

The great added value of EEPLIANT2 comes from, on one hand, the shared inspection procedures and joint sampling and testing programme, and, on the other hand, the harmonisation of the evaluation of results and enforcement actions taken by the seventeen market surveillance authorities (MSAs).

Three product sectors are targeted: *household refrigerating appliances, professional refrigerating cabinets* and *network standby* with the goal to ensure that non-compliant products are identified and withdrawn from the EU Single Market. The project is coordinated by PROSAFE, a non-profit NGO based in Brussels.

The EEPLIANT2 project will continue until February 2020 and its overall results are expected to be:

- Adoption of best practices on market surveillance;
- Greater compliance of products placed on the market for the benefit of the EU consumer;
- Increased awareness of legal requirements and market surveillance by industry and amongst users;
- Increased cost efficiency and EU added value of market surveillance activities, with a transformational character for the entire EU Single Market.

A follow-up EU-funded Concerted Action, EEPLIANT3, has been initiated in June 2019, with the largest number of partners involved and a very wide product area from air conditioners, ventilation units to tumble dryers, and from water heaters and local space heaters to lighting. The EEPLIANT3 also covers key cross-cutting areas aiming to improve the effectiveness and efficiency of the work of the MSAs across Europe. These are: development of IT tools, collaboration with customs, centres of excellence, training and exchange programmes, new challenges.

Get in contact and follow us on [Twitter](#) and [LinkedIn](#) to remain updated on all project activities!

EEPLIANT 2014 (EEPLIANT 1)	EEPLIANT 2	EEPLIANT 3
<ul style="list-style-type: none">• 13 participants• 12 EU Member States• March 2015 - June 2017	<ul style="list-style-type: none">• 17 participants• 14 EU Member States (+ Turkey)• Sep. 2017 - Feb. 2020	<ul style="list-style-type: none">• 29 participants• 20 EU Member States (+ Turkey)• June 2019 - May 2023

Organising on-line labelling market surveillance

Authorities and agencies competent to carry out online labelling inspections from **Austria, Bulgaria, Finland, France, Germany, Latvia, Lithuania, Luxembourg, Malta, and Sweden** have verified the proper display of energy labels and the product fiche of *household refrigerators* in about **ten e-shops** each – nearly 80 online shops have been already reviewed (e.g., list page, products' detail page, homepage and basket page). Shops failing to provide the required information have been notified by the respective authorities.

Document Inspection

The Action has designed a coordinated sampling plan to carry out the inspection of technical documentation. The guidelines and data assessment tools have proved to make inspections more effective, accurate and easier to assess compliance with the regulatory requirements.

76 of the 80 sets of documentation requested for *professional refrigeration* cabinets have been assessed from suppliers from Austria, Denmark, Malta, Germany, Portugal and Sweden (a few of them not being able to deliver

the documentation). Mixed results were found with many different ways in which information was missing or was presented incorrectly. Common failure points were identified to help develop a guidance for suppliers to comply better in future. A similar procedure is being applied also for *the household cold appliances*, with over 140 inspections finalised until November 2019. So far, mixed results could be observed across suppliers (products often chosen on a high-risk basis), with a lot of cases missing information and/or presenting formal non-compliance issues.

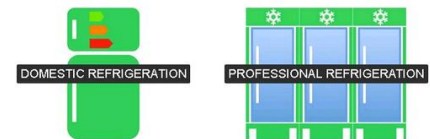
For the *network standby*, MSAs from Austria, Bulgaria, Germany, Ireland, Latvia, Slovenia and Sweden are currently reviewing the relevant documentation requirements for 50 models in total. The product categories are:

- | | | |
|-------------------------|-----------------------------|--|
| ■ Complex set top boxes | ■ Blu-Ray Players/Recorders | ■ Home Theatre Systems/Speaker Systems |
| ■ Routers/Modems | ■ Fitness equipment | |
| ■ Coffee machines | ■ Robotic vacuum cleaners | |
| ■ Projectors | ■ Laptops/Notebooks | |
| ■ Game consoles | | |



Coordinated compliance testing programme

32 *professional* and 64 *household refrigeration units* have been tested against the EU harmonised standards and regulations. The selection of tested products reflects risk evidence, the market share of different product types (freezing/chilling, vertical/horizontal, heavy duty/normal duty, sizes and prices etc.). Enforcement activities are ongoing or already completed with the national MSAs notifying the suppliers of the results obtained. Anonymised summary results of the testing are being discussed with industry associations during December 2019 with a view to the industry associations informing and educating members to improve future compliance.



Some additional tests are being carried out for *professional refrigeration* to compare results of the new international ISO methodology with those from the European EN test methodology. This will inform decisions on future updates of the European regulations.

The testing programme for *network standby* has been initiated and is based on procedures developed by the participating MSAs. The testing is expected to be carried out on around 50 models and is conducted, as for all product categories, in an accredited test laboratory selected following an EU-wide public tender, in accordance with the requirements of the implementing regulations¹.

Household & Professional Refrigeration

- 15 Member States involved;
- 80 online shops inspected for labels;
- 215 sets of documents checked;
- 32 Professional appliances and 64 units of Household appliances tested;
- 12 products reviewed for circumvention or comparison of international measurement standards

Networked Standby

- 7 Member States involved;
- 10 product categories reviewed;
- 50 models assessed on the technical documentation;
- 50 models to be tested.

Circumvention

Laboratories have been working closely with the MSAs to screen for possible odd behaviour of products under tests and to monitor possible existence of “cheat-ware” controls or other means to achieve non-representative results. In addition, MSAs looked to identify “loopholes” in the test standards and

¹ These are for both networked standby, 801/2013 and standby and off-mode 1275/2008 and, where applicable, for the external power supplies 278/2009.

regulations that could be exploited to circumvent requirements. The new energy labelling regulations provide much more clarity on specific prohibitions regarding circumvention and make it easier for MSAs to pursue and prosecute any cases found. Six domestic refrigerators were tested specifically for circumvention, no issues were found. For professional refrigeration, a test to screen for circumvention has been developed and used on three cabinets to date, with one more to be tested in December 2019. So far, no issues were found either.

For **products with network connectivity** the focus was on the probability that the product performance could be modified remotely by manufacturers after installation, and thus alter the energy efficiency of the product. Investigations were also aiming to identify how the “inappropriate for the intended use” clause may be used to circumvent the requirements of the Network Standby Regulation. The MSAs are also investigating other issues with the Network Standby Regulation that impact on the ability to conduct market surveillance activities on products in scope.

Good practices and Data storage - toolkits

EEPLIANT2 established "toolkits" for the three product areas covered compiling applicable legislation, guidance documents, checklists and other tools that would be valuable for MSAs that would want to start inspection activities. The toolkits will be part of the project heritage and are available for MSAs in the EEPLIANT website Knowledge Base² with different examples of good practice documents and an updated best practice guideline.

Another ambition was to develop a single-entry data collection process that automatically handles all transfers of inspection data between the different IT systems being used by MSAs to facilitate their effective cooperation. Work is ongoing towards establishing an IT-supported system for the EEPLIANT2 data based on the experiences gained under the former Actions EEPLIANT2014³ and [MSTyr15](#)⁴.

Towards achieving impacts

MSAs are assessing the identified cases of non-compliance and discussing concrete options for as harmonised as possible approach for enforcement. All results will be added to the project database and sent to all MSAs across the EU *via ICSMS*⁵, so that models found to be non-compliant will be widely known to all Member States. Furthermore, by the end of the project period, the MSAs are expected to organise a national event to ensure that the project activities and results are communicated to all key stakeholders from manufacturers, suppliers, dealers, professional associations, consumers and other authorities.

National event Portugal

On June 26, 2019, the Portuguese partner, ASAE⁶, organised a national seminar, informing market actors about the energy efficiency and market surveillance requirements resulting from the EU energy label and ecodesign legislation.



Webinars and booklet for professional refrigeration stakeholders

EEPLIANT2 raised awareness on the specific duties of stakeholders by organising together with EFCEM⁷ a webinar on 12 July 2019 for its members, helping suppliers to understand their obligations on energy label and ecodesign for professional refrigerators. A second free webinar took place on 5 September 2019. The webinar

² <http://www.eepliant.eu/index.php/knowledge-base/category/toolbox>

³ <http://eepliant.eu/index.php/new-about-eepliant/about-eepliant-1>

⁴ The Market Surveillance Action for Tyres 2015: <http://www.mstyr15.eu/index.php/en/>

⁵ The internet-supported information and communication system for the pan-European market surveillance: https://ec.europa.eu/growth/single-market/goods/building-blocks/icsms_en.

⁶ Directorate of the Food and Economic Security Authority: <https://www.asae.gov.pt/>

⁷ The European Federation of Catering Equipment Manufacturers: <http://www.efcem.info/>

slides and the recordings have been made available to the industry both via the EEPLIANT2⁸ and the industry association websites.

Furthermore, the team has prepared a free **booklet** targeting the professional refrigeration manufacturers and suppliers, informing them about the key duties resulting from the respective EU legislation. The booklet is available for download [here](#).



EUSEW 2019 event Brussels

EEPLIANT2 Action, together with other two Horizon 2020 market surveillance focused projects, ANTICSS and INTAS, have organised a session at the EU Sustainable Energy Week 2019 policy conference entitled ‘Market surveillance: more capacity and clarity - more impact’⁹.

HOST 2019 Milan

Targeting the manufacturers and suppliers of professional refrigeration products, EEPLIANT2 representatives have delivered a presentation at the HOST 2019 Forum in Milan, which specialises on food and related equipment sectors. They also had the opportunity to talk directly with many manufacturers and suppliers at the HOST exhibition, distributing the EEPLIANT2 brochures about how to comply and discussing compliance requirements and issues.




3 product activities

1. Household refrigerating appliances
2. Professional refrigerating cabinets
3. Network standby

16 EU Member States & TURKEY

4 FEB 2020 BRUSSELS

Coordinated by PROSAFE

ACTION ON MARKET SURVEILLANCE OF EU ENERGY LABEL AND MINIMUM EFFICIENCY REQUIREMENTS

EEPLIANT2 is an action funded by the European Union (EU) under the Horizon 2020 Research and Innovation Programme.

The primary objective of the action is to ensure that non-compliant products are identified and withdrawn from the EU Single Market.

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FINAL EVENT

The EEPLIANT2 final conference will take place on 4 February 2020 in Brussels followed the next day by a brainstorming workshop to reflect on the results obtained and what more can be done in the future to achieve the energy savings goals of the H2020 and H2030.

Check our EEPLIANT2 promo video on PROSAFE’s YouTube channel by clicking [here](#).¹⁰

Follow us to not miss updates!

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Background information: This information is issued by **PROSAFE** and the MSAs representing 17 EU Member States in the EEPLIANT2 Action. PROSAFE brings together market surveillance officers from all over Europe.

Disclaimer:

This newsletter arises from the Action EEPLIANT2, which receives funding from the European Union’s Horizon 2020 research and innovation programme under grant agreement number 752591. The content of this newsletter represents the views of the author and it is his sole responsibility; it can in no way be taken to reflect the views of the *Executive Agency for Small and Medium Enterprises (EASME)* or any other body of the European Union. EASME does not accept responsibility for any use that may be made of the information it contains.

⁸ The webinar presentations and recordings can be found here: <http://www.eepliant.eu/index.php/knowledgebase/category/webinar2-2019-09-05>

⁹ Event details: <http://eepliant.eu/index.php/news/34-news/news-items/96-the-eepliant-projects-will-be-featured-in-this-year-s-edition-of-eu-sustainable-energy-week-policy-conference>

¹⁰ The video promoting the final conference can be seen on the PROSAFE YouTube channel: <https://www.youtube.com/watch?v=u1jghWuTsak>