



EVALUATION OF THE ECODESIGN DIRECTIVE

ANEC/BEUC RESPONSES TO THE QUESTIONNAIRE

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Evaluation of the Ecodesign Directive

Online survey questionnaire – Stakeholders

DG Enterprise and Industry of the European Commission has requested the Centre for Strategy and Evaluation Services and our partners Oxford Research to carry out an independent evaluation of the Ecodesign Directive (2009/125/EC).

The evaluation is expected to assess the effectiveness and utility of the Directive, identify existing barriers and obstacles and provide recommendations to contribute to a review and, if appropriate, revision of the Directive. It will also examine the appropriateness of extending the scope of the Directive beyond energy related products.

The success of the evaluation is dependent upon the information and feedback that we receive from all actors involved, including the stakeholders representing industry, consumers and environmental groups.

Any information provided is confidential. The results presented to the European Commission will be aggregated and individual enterprises will not be identifiable. CSES aims to comply with the Data Protection Directive (95/46/EC), as implemented in the UK where we are based, under the Data Protection Act 1998. We also comply with EC Regulation No 45/2001 concerning the protection of individuals with regard to the processing of personal data by EU institutions.

However, for the purposes of the study we will need to make reference to the sources of data presented related to general – not firm specific - developments in the market. Please indicate in the relevant question whether the source should be treated as confidential wherever applicable.

Please send your responses to eco-design.evaluation@cses.co.uk by May 3.

Introduction

1. Please indicate the name of your organisation ANEC and BEUC
2. What type of organisation do you represent?

European industry association	<input type="checkbox"/>
National industry association	<input type="checkbox"/>
Environmental group	<input type="checkbox"/>
Consumers group	<input checked="" type="checkbox"/>
Member state authority/organisation	
Individual manufacturer/importer of product(s) already covered by an implementing measure	<input type="checkbox"/>
Individual manufacturer/importer of product(s) not currently covered by an implementing measure	<input type="checkbox"/>
Eco-design expert/consultant	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>

3. With which of the products already covered by implementing measures do you have experience of as a manufacturer/importer or as other types of stakeholder involved in the development of the respective implementing measure (state more than one if applicable)?

Standby and off-mode losses of EuPs	<input checked="" type="checkbox"/>
Simple set-top boxes	<input checked="" type="checkbox"/>

Domestic lighting (general lighting equipment)	<input checked="" type="checkbox"/>
Tertiary Lighting	<input type="checkbox"/>
Battery chargers and external power supplies,	<input type="checkbox"/>
Domestic refrigerators and freezers,	<input checked="" type="checkbox"/>
Electric motors 1–150 kW,	<input type="checkbox"/>
Televisions,	<input checked="" type="checkbox"/>
Circulators in buildings	<input type="checkbox"/>
Domestic dishwashers	<input checked="" type="checkbox"/>
Domestic washing machines	<input checked="" type="checkbox"/>
Other, please specify	<input type="checkbox"/>

4. Please indicate any other categories of energy-using products not currently covered by implementing measures you have experience of, as a manufacturer/importer or as a stakeholder

Ventilation fans	<input type="checkbox"/>
Water heaters	<input checked="" type="checkbox"/>
PCs and computer monitors	<input checked="" type="checkbox"/>
Electric pumps	<input type="checkbox"/>
Room air conditioning appliances	<input checked="" type="checkbox"/>
Boilers and combi-boilers	<input checked="" type="checkbox"/>
Complex set-top boxes	<input checked="" type="checkbox"/>
Imaging equipment	<input checked="" type="checkbox"/>
Medical imaging equipment	<input type="checkbox"/>
Commercial refrigerators and freezers	<input type="checkbox"/>
Laundry driers	<input checked="" type="checkbox"/>
Vacuum cleaners	<input checked="" type="checkbox"/>
Directional lighting	<input checked="" type="checkbox"/>
Refrigerating and freezing equipment	<input checked="" type="checkbox"/>
Distribution and power transformers	<input type="checkbox"/>
Sound and imaging equipment	<input checked="" type="checkbox"/>
Solid fuel small combustion installations	<input checked="" type="checkbox"/>
Machine tools	<input type="checkbox"/>
Local room heating products	<input checked="" type="checkbox"/>
Central heating products (other than CHP)	<input type="checkbox"/>
Domestic and commercial ovens	<input checked="" type="checkbox"/>
Domestic and commercial hobs and grills	<input checked="" type="checkbox"/>
Professional wet appliances and dryers	<input type="checkbox"/>
Non-tertiary coffee machines	<input checked="" type="checkbox"/>
Networked standby losses	<input checked="" type="checkbox"/>
Industrial ovens	<input type="checkbox"/>
Tertiary Air Conditioning	<input type="checkbox"/>
Other, please specify All consumer-relevant product groups	

Relevance

5. In your view, how does the Directive fulfil its role within the context of the Action Plan for sustainable consumption and production (SCP) and sustainable industrial policy (SIP) (COM(2008) 397) ? Please explain **The Ecodesign Directive is the most important pillar of the SCP**

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Action Plan. It was a major shortcoming of past strategies of sustainable consumption and production that the production and demand side were not been addressed with the same ambition. Its most important contribution is to remove products from the market which are unsustainable and to make the remaining products more sustainable. However, the Ecodesign Directive does currently not achieve its full potential as there are very long delays to adopt new measures. Despite the delays, the level of ambition has not been considerably raised for several product groups. Some of the measures do not provide for continuously raising the level of ambition over time. Finally, the implementing measures fall short of setting mandatory requirements for non-energy aspects such as resource efficiency.

6. Based on the experience so far, how does the Directive relate to and interface with other Community environmental (e.g. WEEE, RoHS, REACH, F-Gas Directive) and health and safety regulations (e.g. Low Voltage Directive, EMC Directive, Machinery Directive, Construction Products Directive) ? Are there any problematic areas? Please explain Frequently the Ecodesign implementing measures refer to other directives such as WEEE and RoHS without attempting at setting more ambitious efforts. This is unsatisfactory as the design of products should be made more sustainable based on a full life-cycle assessment. A major problem occurred with regard to Ecodesign working documents for boilers/water heaters and room air conditioning appliances on one hand and the requirements of the Energy Efficiency of Buildings Directive on the other hand: the first piece of legislation looks at products and the latter at systems. There will be a need to ensure synergy effects of both ErP and EPBD in the future. We are disappointed that no Ecodesign implementing measure has so far looked into the use of hazardous chemicals and set requirements. We also recommend carrying out further analysis on how the Construction Products Directive and Ecodesign can provide for synergy effects in the future.
7. In you view, how effectively does the Directive complement other relevant policy instruments (Energy Label, Eco-label and Green Public Procurement)? Are there any problems? Is it possible to streamline the product related policy instruments? Please explain The new SCP Action Plan should look carefully at the relationship between the EU Ecolabel, the Energy Label and Ecodesign. We had been advocating for a very coherent use of these instruments. We propose that whenever a new step of Ecodesign requirements enters into force, a new step of Energy Label requirements enter into force simultaneously. A precondition to make the system work would consist in going back to the old closed A-G Energy Label and updating updating the energy efficiency values regularly. Synergies and consistency among sustainability-related approaches, such as the EU Ecolabelling and energy labelling schemes and Ecodesign approach, should be the aim. However, this is currently not the case. A first step to improve the synergy could be to synchronize the next review of the Ecodesign and Energy Labelling directives, in order to ensure that both instruments reinforce each other. An example of synergy could be to use the Ecolabel criteria as the mandatory benchmarks for Ecodesign requirements e.g. 5 years after the entry into force of a product-specific implementing measure.

Efficiency and Implementation Procedures

8. How adequate do you consider the procedures set by the Directive for identifying products with significant impact and improvement potential to be?

	No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
Working plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Preparatory studies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Consultation forum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. Are there any parts of the procedure that you consider inadequate or problematic? What are the problems/issues (of the specific parts or in general)? Please explain **As we contribute to the Ecodesign process as part of a consortium, it is very important for us to have a clear schedule on which product group will be tackled when. In the past, we often received extensive working documents only 4 weeks ahead of a consultation forum meeting which makes it difficult to coordinate input with our project partners and with our members. The Working Plan should allow for identifying concrete product groups on which Ecodesign requirements will be drafted. Moreover, it should be possible to update the Ecodesign Working Plan throughout its validity if the need arises. For instance, the new ErP Directive would allow to draft requirements for water using products. However, as they have not been mentioned in the 2009-2011 work plan, no implementing measures for Ecodesign are currently under preparation. We also suggest that the Commission evaluates the quality of the preparatory study and develops some guidelines for future projects. In the past, the preparatory studies seemed not all to be of the same quality. We see a need to tackle complex product groups with more than one Consultation Forum. In the past, Consultation Fora for some product groups were too succinct and did not allow for a proper discussion of every stakeholder's view. See below (question 25) for our position on Voluntary Agreements (VAs).**

10. Have you experienced any problems relating to participation in the various phases of the process of developing one or more implementing measures? Do you have the necessary resources available for effective participation? Please explain **Access to consultations and stakeholder meetings has been open and transparent in the past and we hope that this approach will be continued in the future. Timing has proved problematic at times. It has happened that working documents for different product groups were released and several Consultation Fora were convened on very close dates. It is problematic because stakeholders usually have only three weeks to comment on Commission's working documents once the latter are issued. As the expertise pool of the NGO community is sometimes restricted to a few experts, it is not always possible to gather sufficient feedback for each specific product group from these experts if they have to work on two or more different files at a time. Consumer NGOs receive about 300.000€ funding over a three-year period from the European Commission's DG ENER. The funding takes place within the framework of a "service contract for technical assistance" to represent consumers' interest in the Ecodesign policy and its supporting standardization process for 25 product groups. The funding is much appreciated and essential, albeit too limited to ensure proper representation of consumers' interest in the process.**

11. How adequate do you consider the criteria set in Article 15.2 of the Directive (volume of sales/trade, environmental impacts, improvement potential, etc.) for identifying products with significant impact and improvement potential.

No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. If you consider that any of the criteria are inadequate, please explain below. Please indicate what, if any, changes you consider as possible/necessary? We propose that the need for ecodesign measures should be assessed on the basis of improvement potential for the environment and not on rigid sales figures. Consequently, we ask that the threshold of 200.000

items sold per year under which no ecodesign requirements can be set be lifted. The assessment of whether or not ecodesign requirements should be developed should instead be based on an environmental impact threshold which is calculated by multiplying the sales figures with the lifespan of the product with its environmental impact (or its improvement potential) per year. Moreover, we suggest that results of tests carried out by consumer organizations and published in their publications should be considered when the Commission looks at potential product groups to include in the scope of the Directive.

13. How adequate do you consider the criteria set by the Directive (Article 15 and Annexes I and II) for identifying and covering significant environmental parameters and considering the whole life cycle of products?

No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Based on your experience, are there any issues/problems related to the use of the criteria set by the Directive (Article 15 and Annexes I and II) for identifying and covering significant environmental parameters and considering the whole life cycle of products? Please explain. It is still too rare to see implementing measures address aspects beyond energy efficiency. Moreover, the criteria do not address the whole life cycle of products such as resource efficiency, energy used during the production phase, transport, recycling and waste disposal. Lacking regulation of aspects beyond energy has partly been justified by lack of data and lack of methodology or by doubling regulation. This situation is very unsatisfactory and urgently needs to be changed.

15. How adequate do you consider the methodology (MEEuP/MEErP) developed for the identification and inclusion of significant environmental parameters considering the whole life cycle of products?

No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. Are there any issues/problems relating to the MEEuP/MEErP methodology? What are they? Which products do they concern? Please explain. One very significant shortcoming of the methodology, we believe, is that not enough attention is given to such tasks of the Preparatory Studies as Task 3 on consumer behaviour. Task 3 (consumer behaviour) is often overlooked, even for product groups where consumer behaviour has a very significant impact on the energy consumption of the product considered (e.g. hobs and grills). The Preparatory Studies present the Commission with a good opportunity to carry out research on consumer behaviour in specific areas, a field of research critical to Ecodesign and promoted in the Commission's recent Energy Efficiency Plan.

17. Based on your experience, how adequate are the requirements set by the implementing measures?

	No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
Standby and off-mode losses of EuPs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Simple set-top boxes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic lighting (general lighting equipment)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tertiary Lighting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Battery chargers and external power supplies,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic refrigerators and freezers,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electric motors 1-150 kW,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Televisions,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic dishwashers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic washing machines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. What, if any, are the issues/problems related to the requirements set? Which products do they concern? How appropriate is the tiered approach of strengthening the minimum requirements adopted for some products and periodically reviewing the measures? Please explain

It is very important that a tiered approach and regular revisions are kept, to ensure continuous improvement and dynamism. However, as the implementation has been much slower than expected for most product groups, it raises some questions about how adequate the level of ambition is at the time when the measure takes effect as technology has developed in the meantime. In addition, some preparatory studies have been completed for several years (e.g. on imaging equipment). However, no VA or implementing measure has materialized. Therefore, new data will be needed to ensure that the measure will make a difference compared to a business as usual scenario. Moreover, the requirements are too limited as they do not cover the full life-cycle and as they do not address all relevant environmental aspects beyond energy consumption. Another aspect not properly covered in implementing measures is the durability of products: durability is really a key point for any kind of products, but even if this point is mentioned in the Ecodesign Directive, it is not addressed in any specific implementing measure. The importance of lifetime is easily demonstrated e.g. in the preparatory study on Vacuum Cleaners which examined the market and concluded that the average lifetime of domestic vacuum cleaners is about 8 years. According to the European Commission's own data on waste production due to annual renewal of appliances in domestic use, improving the lifetime of vacuum cleaners by 9 months would singlehandedly reduce their impact by 10% of waste due to their dismantling (about 80,335 + 7,18 kton/year). These are significant results. Lifetime means: durability (resistance to shock and to stress), resistance in normal use; Reparability: possibility to repair depends on how the product is assembled, but also on the availability of spare parts on the market for a certain period after selling, from the fact that a network of repairing offices exists, that the cost of spare parts and of repairing is competitive with the cost of a new product; that the time needed for repairing is not too long. In other words, reparability depends on ecodesign and on after-sale

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guarantees. Several of our members have carried out surveys on their members' habits, who replied that very often they have changed their mobile phones because it was not possible to find and replace an old and exhausted battery, or because a new battery cost moreless the same as purchasing a new mobile phone altogether. Lifetime also depends on easy technological updates: general technological updates are quite frequent for hi-tech products and oblige consumers to change the full appliance, even if the upgrade could be performed by changing just a little part of a product: an adequate ecodesign rule could facilitate this. Moreover very often then consumers are obliged to change also a lot of linked apparatus that are not able anymore to work with the new technology (i.e. computer and printers compatibility). Durability also depends on competition practice, which can strongly influence the lifetime of product, as our members evidenced through a survey of their members: e.g. mobile phones are usually changed after one year because the telephonic provider offers clients a new phone with every new contract. Another aspect that should covered by the Ecodesign directive and its implementing measures where relevant is the accessories sold with the product.

Role of standards

19. Based on your experience, to what extent have technical standards contributed to the successful implementation of the Directive to date? Please explain ANEC represents consumer interest in the EU standardisation process. Based on our experience, harmonization of technical standards facilitates harmonized delivery of ecodesigned products on the market. However, harmonization on a global scale is not always achieved, by lack of coordination between the European Standardization Organisations and international bodies such as the IEC. Regarding the standardisation process itself, it too often offers industry another way of altering the aim of political decisions made earlier by the EU institutions and the Member States during the democratically-sanctionned ecodesign political process (Consultation Forum and Regulatory Committee).
20. Are there specific problems related to the development and use of technical standards? Are there any gaps in the development of standards in relation to any of the products covered? Please explain Please contact ANEC (0032 2 743 24 70) for information on standards for specific product groups.
21. How does the experience from the Eco-design Directive compare with that of other New Approach directives in relation to the use of standards? The question covers two dimensions. The first is to what extent has reference to standards in supporting the implementing measures achieved the desired efficiencies. Is the use of standards achieving the market transformation in the way that was foreseen? Are the savings tangible and real? Or would it have been more efficient and more effective to use a legislative instrument in total? The second is the comparison with the (other) New Approach Directives. Similar questions can be asked. Unfortunately, we do not have evidence to show that standards are themselves influential in removing barriers to trade. Compliance with the standards is voluntary and manufacturers may use other means to meet the mandatory requirements of the Directives. Moreover, we know that actual compliance with standards (and indeed the Directives themselves) is piecemeal and will remain so as long as market surveillance and enforcement remains relatively disconnected and toothless. Hence a sceptic could question to what extent the free movement of products within the EEA is based on an illusion. All we know is that standards are quicker to develop than detailed legislation (a main reason behind the introduction of the New Approach in 1985). We believe that standards offer a faster alternative to legislation but (as with standards in support of the New Approach Directives) they are developed in a private sector environment in which the public interest is not automatically guaranteed. Hence the fundamental need for the Institutions to provide financial

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and political support for organisations that can ensure the public interest. In that respect, the ErP Directive is much better than other New Approach Directives, as (so far) no delegation of political powers to European Standardisation Organisations has taken place and standardisation is limited to test methods. ANEC considers the ErP Directive as a model for law making in the field of products and services for this very reason. This strong progress should not be abandoned. Moreover, we repeat our concern that CE Marking based on Supplier's Declaration of Conformity cannot be considered as a measure of compliance, just as with the New Approach Directives. There is need for market surveillance and enforcement to be strengthened across Europe in order to detect non-compliant products and to punish offenders. Without such strengthening, even the most rigorously developed laws and standards will not achieve the desired outcomes.

22. In your view would it be possible and adequate to rely on the use of harmonised standards on the basis of generic requirements instead of developing specific requirements for each product category? Such a move would not be acceptable for consumer organisations. The decision to set requirements and the determination of the levels of the said requirements are essentially political decisions. The European standardisation process does not offer enough democratic guarantees in its current format to be trusted with the setting of requirements. Other aspects such as measurement methods, however, can be dealt with in the standardisation process.

Voluntary agreements

23. Has your organisation been involved in the development of voluntary agreements concerning any of the following products?

Complex set-top boxes	<input checked="" type="checkbox"/>
Imaging equipment	<input checked="" type="checkbox"/>
Machine tools	<input type="checkbox"/>
Medical imaging equipment	<input type="checkbox"/>
Other, please specify	<input type="checkbox"/>

24. How adequate do you consider the use of voluntary agreements?

No opinion/Do not know	Completely inadequate	Rather inadequate	Neither adequate nor inadequate	Adequate	Very Adequate
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

25. What, if any, has been your experience with the development of voluntary agreements so far? What, if any, have been the issues/problems in relation to specific products? What are the success factors? The Ecodesign Directive gives priority to Voluntary Agreements (VAS) under certain conditions. We argue that environmental VAs have displayed a history of failures across sectors (as shown in an OECD study of 2003). We thus call on the European Commission to delete the reference to VAs in the future revised directive. Should VAs still be an option in the revised Ecodesign directive in the future, we are of the opinion that certain rules should be set up by the Commission on the conditions that all VAs will have to fulfil. Instead of automatically granting VAs a priority over regulation, an assessment of their relevance should be carried out whenever industry asks for a VA. Rules to be established by the Commission should also address the minimum requirement of involving stakeholders into the drafting, updating and monitoring of VAs. The current text of the ErP Directive does not guarantee good practices in terms of stakeholder involvement into VAs. You can find more on our position on Voluntary Agreements

in the following two position papers: "Voluntary Agreements can only deliver if subject to minimum requirements – the case of vas in the ecodesign implementation process" (<http://www.eupconsumer.eu/download/ANEC-Position%20Paper-voluntary%20agreementsl.pdf>) and "Commission guidelines for voluntary agreements under the ecodesign directive 2009/125/ec – the need for a coherent framework" (<http://www.eupconsumer.eu/download/Ecodesign%20Directive%202009%20-125-%20EC%20%20.pdf>).

Costs of the implementation of the Directive

26. What are the main types of administrative costs? Please provide any data available on costs and/or indicate the full time equivalent of employees dedicated : A project officer works 4 days a week on Ecodesign for both ANEC and BEUC (2 days at ANEC; 2 days at BEUC). The project officer covers both the political process and the standardization process. Moreover, our member organizations are regularly consulted and provide feedback e.g. on results from consumer testing.

27. How do the administrative costs related to compliance with implementing measures of the Eco-Design Directive compare to the costs arising from other environmental legislation you have experience with?

No opinion/Do not know	Very limited	Limited	Average	High	Very high
<input checked="" type="checkbox"/>	<input type="checkbox"/>				

Impact on innovation

28. Based on your experience, how important has been the implementation of the Directive and the respective implementing measures as an incentive for the development of innovation activities in firms?

No opinion/Do not know	Unimportant	Little importance	Moderately important	Important	Very important
<input checked="" type="checkbox"/>	<input type="checkbox"/>				

29. Please provide any additional information on the role (positive or negative) of the Ecodesign Directive or specific implementing measures in the development of innovation in firms: We found it striking that after some implementing measures took effect, e.g. the measure on domestic lighting, the shops were suddenly full of new products which were not available to consumers before. It is difficult for us to assess if the Ecodesign measures pushed market innovations or if manufacturers had held back innovations until they had clarity about the scope and the ambition level of ecodesign requirements.

30. What, if any, has been the role of the advanced benchmarks provided in the implementing measures in the development of innovation in firms? We find it unsatisfactory that benchmarks seem to have no impact on the market as they are purely indicative (and do not cover all environmental aspects). We believe that benchmarks should become the motor of an Ecodesign Directive that encourages a « race to the top » of the best performing technologies. The current Ecodesign Directive requires the setting of benchmarks in each product specific implementing measure. However, we question the relevance of this provision as the function of these benchmarks is unclear: it is neither mandatory for manufacturers to reach the benchmark level

after a given time period nor an obligation for the Commission to take account of the benchmarks when revising product-specific Ecodesign Regulations. In our view, not only should benchmarks address all relevant environmental aspects but they should also be made mandatory for all products within a category after a given time period i.e. they should become the new minimum requirements for these products after a certain period of time (e.g. five years).

Impact on third countries

31. Based on your experience, has the Directive had any impact so far on the industry and the markets of energy-using products in third countries? What has this been? Has it contributed towards a global harmonisation of products? Please provide any supporting evidence: With the EU being a major importer of appliances as well as an exporter for some product groups, Ecodesign must have had a very significant impact on the markets of energy-using products. However, it must be noted that other regional economies (USA, Japan, Korea, Australia) have also developed Ecodesign-style schemes, prior to the EU one.
32. Are you familiar with other similar energy policies in third countries outside the EU? If so, what do you consider as their relative strengths and weaknesses? How do their results compare with the Eco-design Directive? European consumers organizations have followed Ecodesign-related developments in the USA through our partners under the Trans-Atlantic Consumer Dialogue (TACD). The picture that emerges from developments in the US is that of very comprehensive schemes (energy standards, energy star for the labelling part) with wide coverage and clear forward-planning, but limited overall ambition.

Market surveillance

33. Based on your experience, how effective is market surveillance by Member States authorities across the EU?

No opinion/Do not know	Very ineffective	Ineffective	Neither effective nor ineffective	Effective	Very effective
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

34. Based on your experience, is the application of the Directive uniform across the EU?

YES	NO
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please explain providing specific examples if available It is our understanding that poor market surveillance in certain Member States does not guarantee uniform implementation of the Ecodesign Directive throughout the EU.

35. What, if any, are the problems related to the surveillance of the market? What are their effects on the operation of the Internal Market? Please explain It is urgently needed that a framework for Member States' market surveillance cooperation in the area of Ecodesign be put in place. EU Member States need to coordinate their strategies, priorities and carry out more product tests. They also need to sue non-complying companies and publicize their findings on non-compliant products/ companies.
36. Based on your experience are there any products on the market that do not comply with the requirements of the Directive and the implementing measures? If so, to what extent? Which counterfeit electric appliances said to account for 3% of total counterfeit products (source:

UNIFAB 2010), it is likely that not all electric appliances put on the market fulfill ecodesign requirements. Moreover, two Intelligent-Energy Europe (IEE) funded projects, ATLETE (on ecodesign requirements and energy classification of fridges) and SELINA (on the standby regulation), have shown that a significant number of appliances were indeed not complying with specific Ecodesign implementing measures.

37. Based on your experience, what is the level of information available to support the interpretation of and compliance with implementing measures?

No opinion/Do not know	Very limited	Limited	Average	High	Very high
<input checked="" type="checkbox"/>	<input type="checkbox"/>				

Effectiveness

38. Do you have any evidence/data/studies concerning the developments in the markets of one or more of those Energy Using products for which implementing measures have already been adopted? Please provide information including the evolution of the volumes of sales, prices of products, availability and variety of products. Please provide any such information in the box below or send any supportive document to Eco-design.evaluation@cses.co.uk BEUC members have carried out tests suggesting that the top class (A+++) of the Energy Label for Air Conditioners would already be populated even before the label enters into force.

Note: Please present information classifying products according to the different energy-efficiency or other environmental impact categories/classes as set in the relevant implementing measures.

39. Do you have any evidence/data/studies available concerning the developments in the level of total energy consumption, resources uses or other environmental impacts (e.g. emissions, hazardous substances) related to one or more of those Energy Using products for which implementing measures have already been adopted? Please provide any such information below or send any supportive document to Eco-design.evaluation@cses.co.uk

40. Based on your experience, how have the implementing measures affected the choice of products on the market?

	Led to an increased range of better performing products	Led to a reduced range of better performing products	Led to a reduction of the functionalities of available products	Led to the increase in the prices of products	Did not substantially affect the range of products in the market
Standby and off-mode losses of EuPs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Simple set-top boxes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic lighting (general lighting equipment)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tertiary Lighting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Battery chargers and external power supplies,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic refrigerators and freezers,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Electric motors 1-150 kW,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Televisions,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic dishwashers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic washing machines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

41. Do you have any evidence of the effect of the Directive on the costs of production, prices and profit margins for firms? Please provide any information below or send any supportive documents to Eco-design.evaluation@cses.co.uk

42. Based on your experience, have there been any particular effects of the Directive on SMEs? What are they?

43. Based on your experience, have there been any particular effects of the Directive on importers of products from non-EU countries? What are they?

44. In your view, what have been the overall effects of the Directive and the relevant implementing measures on the competitiveness of the European industry until now?

	Do not know	Not possible to tell at this point	No effect	Very negative	Negative	Neutral	Positive	Very positive
Standby and off-mode losses of EuPs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Simple set-top boxes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic lighting (general lighting equipment)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tertiary Lighting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Battery chargers and external power supplies,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic refrigerators and freezers,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

motors 1-150 kW,								
Televisions,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Domestic dishwashers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Domestic washing machines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					

Utility of the Directive

45. Based on the experience to this point, what do you think is the contribution of the Eco-design Directive in the following key objectives of the EU policy?

	Not applicable	Do not know	Unimportant	Little importance	Moderately important	Important	Very important
Achieve greenhouse gas emissions reduction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Achieve a high level of protection of environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
competitiveness of EU industry	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Creation of a harmonized market and avoid fragmentation of the market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Increase the security of energy supply and reduce import dependency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

46. In your view, could the results achieved – or expected to be achieved – by the Eco-design have been realised with EU legislation through national regulation, voluntary agreements or other existing EU or national regulatory instruments and policy tools? Please explain. A framework which addresses sustainable product policy with mandatory requirements which are applicable to all products on the market seem to be most appropriate. It is important to point out that the Ecodesign measures need to be combined with other instruments at EU and national level such as environmental schemes of excellence (EU Ecolabel, Blue Angel, Nordic Swan) and Green Public Procurement.

47. Are there any other issues you would like to raise concerning the implementation of the Directive to this point? Please state

Extension of the Directive

48. Do you consider it appropriate to extend the Directive to cover non-energy related products and modes of transport?

	Non-energy related products	Modes of transport
YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>
No opinion/Do not know	<input type="checkbox"/>	<input checked="" type="checkbox"/>

49. What are in your view the reasons for extending/not extending the Directive? In our view, the Ecodesign Directive should be extended to all consumer products which have a considerable environmental impact, whether or not related to energy. For instance water-using products present a great improvement potential, just like other consumer products which are already subject to a European Ecolabel (e.g. detergents, building materials like floor coverings, paper, mattresses). The scope of the future Ecodesign Directive should also include consumer products like furniture, toys and textiles which not only have an improvement potential but are also often looked for and demanded by consumers themselves.

50. Are there any non-energy related product categories that you would propose should be covered or excluded from the Directive? What is the reason? Do you have supporting data/information? What type of eco-design requirements could be applied to the products you listed? Please provide any such information below or send any supportive documents to Eco-design.evaluation@cses.co.uk Priority should first be put on completing the work on products currently in the pipeline, some of them having been in the said pipeline for a very long time already. Beyond energy-using products, water-using products for instance present a great improvement potential, just like other consumer products which are already subject to a European Ecolabel (e.g. detergents, building materials like floor coverings, paper, mattresses). Indeed, a good argument for extending the ErP Directive to all products and all environmental aspects is that it would mirror the Ecolabel Regulation at a lower level (baseline) and would thus offer opportunities for synergies in the development of rules for both levels. ANEC and BEUC not only ask for an extension to non-energy products but also to other aspects such as resource efficiency, durability, noise and chemicals (as the latter are generally poorly covered in EU product legislation at present).

Closing section

51. Would you like to be contacted by CSES for additional discussions in relation to the answers provided in the survey? If so, please provide the appropriate contact details.

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