



# ANEC/BEUC COMMENTS ON THE STUDY ON THE AMENDED WORKING PLAN (2012-2014) FOR ECODESIGN

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ANEC-PT-2011-ErP-018  
BEUC X/2011/103 – 13/10/11**

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## Summary

The following paper provides comments on the "Study on Amended Ecodesign Working Plan under the Ecodesign Directive" carried out by consultants VHK in 2011 and funded by the European Commission.

In the paper, we regret that the amount of time allocated to the consultants did not enable the latter to provide meaningful and comprehensive scientific evidence on the improvement potential of several products. We ask that a full final ranking of the products be published and that more in-depth studies for current low-priority products be provided. We also regret that the assessment of costs related to potential eco-design measures is hardly substantiated.

Our most urging comments, however, regard the consideration of other environmental impacts (than energy use) of the products screened. In several instances, we found that these other environmental impacts had not been thoroughly investigated. Important environmental impacts of several products such as detergents are not mentioned. We also criticize the way in which other parameters such as the existence of other legislation applicable to given product groups has influenced the ranking of products in the study. We highlight cases of inconsistencies.

General comments are followed by comments on individual consumer-relevant product groups and suggestions to alter or maintain their proposed ranking in the final Working Plan.

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## Background

In accordance with Article 16(1) of the Ecodesign Directive<sup>1</sup>, the European Commission adopted on 21 October 2008 a Working Plan setting out, for the years 2009-2011, an indicative list of energy-using products which were considered in priority for the adoption of implementing measures<sup>2</sup>. The Commission was supported by a study for preparing the Working Plan<sup>3</sup>.

In 2011, a second study<sup>4</sup> was conducted by consultants VHK to prepare the adoption of an amended Ecodesign Working Plan for 2012-2014. The study does not preclude the setting of ecodesign requirements on the product groups listed; it only indicates which product groups should be considered as good candidates for such requirements or voluntary agreements.

ANEC and BEUC attended two stakeholder meetings organized in the course of 2011 to discuss the progress of the study. We sent preliminary comments to the consultants in September 2011. The following are ANEC and BEUC final comments on the study.

### 1. Choice of products for further consideration

We welcome the approach taken by the consultants to group products on the basis of a sectoral (industrial or domestic/commercial) divide and consider it a sensible approach. As mentioned in our comments on the study for

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<sup>1</sup> 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 products (recast)

<sup>2</sup> See the full text of the 2009-2011 Working Plan: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0660:FIN:en:PDF>

<sup>3</sup> EPTA Ltd, Greece; PE International, Germany; NTUA, Greece: Study for preparing the first Working Plan of the Ecodesign Directive, Report for tender No: ENTR/06/026, Revised Final Report: 06 December 2007

<sup>4</sup> "Study on Amended Ecodesign Working Plan under the Ecodesign Directive", VHK 2011. See documents on <http://www.ecodesign-wp2.eu/>

the update of the Methodology for Ecodesign of Energy-related Products<sup>5</sup>, such an approach helps clarify and fluidize the ensuing discussions on individual product groups.

*“For the grouping of products it was decided that a major subdivision into “applications for primary/secondary sector” and “applications for tertiary/domestic” provides much clarity as regards the context of use. Products for the primary/secondary sector are products that are mostly products used to create other products. Products for the tertiary/domestic sector are mainly products that are not involved in industrial processes. Of course certain products may be used in all sectors, but as a whole the division makes sense.”<sup>6</sup>*

It is likely that product groups such as outdoor heaters (found in patios) and saunas, which were briefly considered in the Ecodesign Preparatory Study for lot 20 (local room heaters) will not be considered in the rest of the Preparatory Study for lot 20, as indicated in the first stakeholder meeting on the topic in Spring 2011. We thus welcome that the study on the 2<sup>nd</sup> Working Plan considered sauna equipment and we recommend that it also considers outdoor “patio” heaters.

## 2. Assessment of improvement potential

In Task 3 (Preliminary Analysis) of their study, the consultants assess the improvement potential of 34 product groups and a ranking is formed<sup>7</sup>. In task 4 (Elaborated Analysis), the ranking is slightly modified taking into account considerations such as other environmental impacts, existing legislation and complementary policy instruments. The final ranking is presented<sup>8</sup> in Task 4, but only for the first 20 product groups.

As there were only 1,5 man-days to assess each product group and create the initial ranking, the consultants themselves admit that the assessment of the energy saving potential and especially of the cost of realizing this potential is very rough. The methodology for assessing the savings potential (e.g. how have use patterns and

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<sup>5</sup> See ANEC/BEUC comments: <http://docshare.beuc.org/Common/GetFile.asp?ID=41965&mfd=off&LogonName=Guesten>

<sup>6</sup> Tasks 1, 2 and 3 report, page 61

<sup>7</sup> see table 9, pages 74-76; and Figure 12, page 76 or the Tasks 1,2 and 3 report

<sup>8</sup> See table 64, page 185 of the Task 4 report

consumer behaviour been taken into account?) varies from product to product. We assume that a budget of 1,5 man-days does not usually allow for a sound assessment of the impact of use patterns.

In this context, we ask that a full final ranking be published and that more in-depth studies for current low-priority products be provided. The emphasis should be put on indirect energy-related products, considering that it is especially challenging to establish a sound methodology for assessing potential savings.

### 3. Assessment of costs

With regard to costs, it has been assumed by the consultants that costs of improving energy efficiency rise proportionally to the energy efficiency achieved, a figure that has not been established for the future nor for other product groups than white goods. Moreover, it is not clear how future energy price developments are considered by the consultants, if at all considered. The consultants themselves warn that in-depth studies might be necessary to establish the costs.

While we agree with the consultants' comment<sup>9</sup> that more efficient products might at times cost more than previously-available products<sup>10</sup>, we cannot agree with the presupposition that an improvement in the energy efficiency of a product necessarily leads to an increase in price. The price of a product may perfectly decrease, especially once the market has embraced a new technology/approach to the product's efficiency or when other hard and/or soft measures have been taken by various actors at national or European level (e.g. tax or fiscal incentives, GPP requirements etc).

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<sup>9</sup> Draft report tasks 1,2,3 pages 77-81

<sup>10</sup> See the study carried out by the French consumer organisation UFC-Que Choisir between 1 March and 28 March 2010: UFC representatives visited 1464 shops in France and collected price information for 3501 combined fridges-freezers and 3894 tumble dryers. On average, fridges rated A++ cost 55% more than A-rated models at purchase. A-rated dryers cost 50% more than B-rated models and 130% more than C-rated models at purchase. What is critical is that after 10 years of use, taking into account initial purchase cost and energy savings, an A++-rated fridge still costs 122 Euros more than an A-rated model, while an A-rated dryer still costs 242 Euros more than a C-rated model (at constant electricity price)

Even in the case of price increase, we do not consider that increases in price necessarily stem directly from the inclusion of more efficient components, but that reverse marketing (creating artificial niche, exclusive markets by bumping prices more than necessary to reflect the costs) can also play a role, among other factors. This is why we ask the consultants to either delete the currently superficial analysis on cost assessment or to provide more in-depth analysis.

#### 4. Incomplete consideration of other environmental aspects and existing legislation

As already mentioned, the object of Task 4 (Elaborated Analysis) of the study is to modify the ranking of products taking into account considerations such as other environmental impacts, existing legislation, and complementary instruments. However, it is not always clear how those aspects actually impact on the ranking.

*Other environmental impacts* are often treated in a restrictive way. The discussion (e.g. on water consumption or emissions) is in general focused on – or even restricted to – the use phase with no adequate justification provided (e.g. what is the status of eutrophication caused by detergents?). For waste issues, we stress that it is not sufficient to state that the problem “*has not been considered in previous studies*” to justify that it is not a problem.

*Suitability for complementary measures* (e.g. eco-labelling, procurement) is discussed by the consultants. Depending on the product group, it is concluded that this parameter has a positive, negative or neutral impact on the ranking of the product groups. However, the reasoning behind this parameter is not clear. It is not explained why, for example, the suitability for ecolabelling should have a positive or negative impact on the priority a group has with respect to ecodesign.

*Existing third country legislation* is in all but one (or two, the document is not consistent here) cases considered “neutral” for the ranking. It is not clear why in the specific case of servers (and maybe taps and showerheads) it should be relevant (and why it is considered at all, if it is neutral in almost all other cases).

*Absence of community environmental legislation (and voluntary initiatives)*: this parameter could provide a good justification for giving higher priority to given product groups, but it is not explored in-depth in the study, leading to a “neutral” score given to all product groups.

Moreover, the study is not entirely consistent regarding the absence of community environmental legislation: for detergents, the score is “neutral” in the text but “negative” in the summary table on the ground that voluntary initiatives exist (a “negative” grade meaning that there are less reasons to tackle the product group under Ecodesign). We argue that the existence of a voluntary agreement is not sufficient to create such an exception (certainly voluntary initiatives do also exist for other products, and their quality has to be assessed). The relevance of this criterion is therefore not clear.

We ask that the consultants clarify the reasoning behind parameters 1, 2, 3 and 4, including the status of detergents under parameter 4. We also ask for further in-depth study on all the “other environmental issues” for current low-priority products if those products are relevant for consumers, if data was not provided to back the consultants’ assumptions and if the product group was not sufficiently considered in one of the respects described above (unjustified focus on the use phase only, casual treatment of issues such as waste, emissions, hazardous substances, rare raw materials).

## 5. Assessment of current low-priority groups<sup>11</sup>

In the following tables, we look at individual products currently listed as low-priority products in the study. We identify consumer-relevant issues and make recommendations regarding the status of the product group within the work plan.

Product group	Current rank	Relevance for consumers	Important energy consumption / improvement potential (if only in some countries)	Lacks data	energy-related	insufficient consideration (with respect to...)	ANEC/BEUC Comments on consumer-relevant issues	ANEC/BEUC recommendations for the work plan
Non-domestic hot beverage equipment	17	0 (indirectly, as beverages are sold / served to consumers)	+	0 (some sales data)	-		Consumer issues with regard to performance, hygiene, quality, chemical content need to be taken into account	Should be kept in the work plan
Base station subsystems	18	0 (indirectly, as they provide mobile phone services)	+		-		Consumer issues with respect to transmission speed, EMF... need to be taken into account	Should be kept in the work plan
Home audio products	19	+	0 (significant for the individual product but not necessarily in total)	-	-		Energy consumption for the individual product may not be very high, but the number of products in a household adds	Should be kept in the work plan

<sup>11</sup> Products ranked lower than 15 or in the “further consideration” list.



Product group	Current rank	Relevance for consumers	Important energy consumption / improvement potential (if only in some countries)	Lacks data	energy-related	insufficient consideration (with respect to...)	ANEC/BEUC Comments on consumer-relevant issues	ANEC/BEUC recommendations for the work plan
							up (and situation may get worse in future). Improvement possible without excessive cost.	
Medical equipment	24	0 (indirectly because it is used for patient treatment)		+ (very heterogeneous group, only anecdotal data on sales and stock, no energy consumption data, little knowledge about usage patterns)	0 (partly EuP, partly ErP)		Might have important health impacts, in particular in relation with the chemical content + waste issue (sorting, treatment, recycling) should be a key priority	We demand further in-depth study (because of possible health effects)
Clothes ironing products	26	+	0 (relevant percentage per appliance, but not much in total)	+			Market for vapor ironing products growing – water consumption + health issues (humidity, indoor air quality aspects)	Should be kept in the work plan
Small fans	27	+ (often part of consumer products, such as PCs, refrigerators, hairdryers etc.)	-	+ (lack of stock and energy consumption data as they are often incorporated in other products)	-			We demand further in-depth study
Lawn and riding mowers	28	+ (includes household and commercial)	? (energy consumption 69 kWh / yr for lawn)	+ (no data on improvement potential)	-			We demand further in-depth study

Product group	Current rank	Relevance for consumers	Important energy consumption / improvement potential (if only in some countries)	Lacks data	energy-related	insufficient consideration (with respect to...)	ANEC/BEUC Comments on consumer-relevant issues	ANEC/BEUC recommendations for the work plan
		appliances, but most are household)	mowers, 444 for riding mowers; improvement potential unknown)					
Handheld power tools	29	+	-	+ (no data on improvement potential for chainsaws)	-	+ (in-depth study only for two types)	Safety (risk of injuries) and health (chemicals) issues for consumers	We demand further in-depth study
Kitchen appliances	31	+	-	+ (no data on usage patterns)	-		Small appliances such as juicers, blenders, toasters...	
Hot tubs / spas / whirlpools	32	+ (regional distribution might be of interest)	(+) Not many units, but energy consumption per unit is extremely high (US: 1200-3000 kWh/yr);	+ (no sales and stock data or energy consumption for the EU)	-		It is assumed that 1% of EU population own one, but no justification is given for this estimate.	We demand further in-depth study
Toilets	33	+	-	0 (maybe on use patterns)	-	+ (very little information; toilet use of 5 times / day / person seems underestimated considering children, the elderly...; consideration of water savings seems undervalued as compared to energy savings)	Water use a major issue	We demand reevaluation with consideration of water use

Product group	Current rank	Relevance for consumers	Important energy consumption / improvement potential (if only in some countries)	Lacks data	energy-related	insufficient consideration (with respect to...)	ANEC/BEUC Comments on consumer-relevant issues	ANEC/BEUC recommendations for the work plan
Saunas	34	0 (Nordic countries)	0 (not in total because of small number of units, but important per-unit savings possible)	+ (missing market data, only anecdotal stock and energy consumption data)	-			We demand more in-depth study
Humidifiers	under cons.	?	?	+	-	very rudimentary treatment, only bullet point lists and tables without proper interpretation or conclusions		We demand proper treatment in prep study
Swimming pool equipment	under cons.	0 (France and Spain, with 1,4 Mio. and 1,1 Mio. respectively)	? (unclear; lack of data. Countries with most swimming pools usually do not heat them, therefore no energy consumption for heaters. Per-unit consumption may be extremely high in Northern countries)	+ (on energy consumption of heaters, on sales and stock (estimates based on number of pools))	partly EuP (pumps, filters, heaters), partly ErP (covers)			We demand further investigation to determine country-specific improvement potential and relevance
Personal care	under cons.	+	? (Very heterogeneous product group; combining products with high and low consumption such as waterbeds and electric)	+ (only a few illustrative products covered, partly lack of stock and sales data, partly lack of energy consumption data, lack of data)	- (only EuP have been chosen)			We demand more in-depth treatment, narrowed down to potentially relevant product groups.

Product group	Current rank	Relevance for consumers	Important energy consumption / improvement potential (if only in some countries)	Lacks data	energy-related	insufficient consideration (with respect to...)	ANEC/BEUC Comments on consumer-relevant issues	ANEC/BEUC recommendations for the work plan
			toothbrushes)	on possible improvement)				
Power cables	under cons.	+	?	+	+	very rudimentary treatment (only 3 bullet points)		We demand a more detailed study
Fractional horsepower motors	under cons.	? (included in many electrical products)	+ (low duty cycles, but high sales, very low efficiency and high per-unit improvement potential)	?	-		Results of an assessment by the European Copper Institute awaited (end May)	We ask for clarification regarding consumer relevance
Low voltage switchgear and control gear	under cons.	+ (used in el. appliances to protect users from shock)	? (very low per-unit energy use)	+	0 (both)	Very rudimentary treatment (only 3 bullet points)	Potential safety issues	We demand proper treatment in study
Air filters	under cons.	?	?	+	0 (both)	very rudimentary treatment		We ask for clarification re consumer relevance

## 6. Analysis of consumer-relevant products in the Top 15

The basic relevance of dealing with those products is not cast into doubt; considerable savings potential is assumed. Therefore the following table contains only additional considerations.

Product group	Initial rank	corrected rank	Lacks data	energy-related	insufficient consideration (with respect to...)	Comments	Conclusion
Taps and showerheads	2	1	-	+		Consumer issues might arise with respect to performance	No action needed (at the current stage; various issues in the actual study phase)
Thermal insulation products	1	3	-	+		"Product vs. Systems" issues may arise, similar to current Ecodesign lots 1 and 2. Many difficulties in calculating actual savings potential. Hazardous substances, re-use and waste could be issues.	
Windows	5	5	+ (sales data, glazing types)	+		Possibility to broaden the scope to include "fenestration products" (similar products such as doors, skylights...) as well as "glazing only" applications (when a frame is already present in an existing building). "Product vs. Systems" issues may arise, similar to current lot 1 and 2. Re-use and waste could be issues.	Broadening the scope makes sense
Heating controls	6	6	+ (stock data)	0 (both)		"Product vs. Systems" issues may arise, similar to current lots 1 and 2.	
Positive displacement / reciprocating pumps	7	7	+ (as product scope is not yet fully defined and depends on Lot 29/30 scope)	-		This covers mainly pumps used for other substances than water.	We ask for clarification regarding the relevance for consumer products.
Servers and storage equipment	9	8	+ (data in principle available but could not be	-		Used in data-centrer, therefore only indirect consumer relevance (via performance, but not energy efficiency)	

Product group	Initial rank	corrected rank	Lacks data	energy-related	insufficient consideration (with respect to...)	Comments	Conclusion
			purchased)				
Detergents	8	9	-	+	Only detergents for machine washing are considered. Other detergents (for hand cleaning tasks) are also of interest.	Unusually broad consideration is given in task 4 to existing voluntary initiatives (which tend to only address the use phase and not the making of the products). Methodological challenges in determining the exact energy savings potential. Important consumer issues e.g. for washing machines, such as dosage, temperature settings, choice of detergent. There are also safety and health issues as well as other environmental impacts (e.g. eutrophication). Therefore we oppose the exclusion of detergents.	Should remain among the priority products. Various issues to be followed up in later stages.
Mobile phones	14	14	-			Scope should be broadened to other mobile (multi-functional) appliances. Relevant other environmental and health issues (rare raw materials, hazardous waste, EMF, use patterns including product lifetime...) Methodological issues in assessing savings potential (as performance improves rapidly)	We suggest broadening the scope. Various issues in the actual study phase.
Electric kettles / water cookers	15	15	+ (market data)	-		Methodological issues in assessing the effect of technology design on user behaviour (overdosing)	



END.