Household Dishwashers:
Recommendations on the final Ecodesign and Energy Labelling proposals

November 2018

Ahead of the Member States vote scheduled in early 2019, we would like to make the following recommendations on the draft ecodesign[1] and energy labelling[2] requirements proposed by the European Commission. In particular, we are concerned by the lack of ambition proposed on the energy efficiency aspects, and we also urge Member States to increase the ambition in terms of the requirements to make repair and recycling of dishwashers easier which have been substantially weakened compared to the previous drafts.

Toughen Ecodesign Tiers

The proposed Tier 1 (2021) maintains the efficiency levels as they have been in place since 2013, meaning that no improvement will be implemented for more than a decade. Although we support the inclusion of the Tier 2, the level for 2024 is very unambitious: still no improvement for small dishwashers, and only a very minimal strengthening for larger ones, i.e. at EEI of 58 in the middle of current A+ class.

We consider this to be contradictory with the least life cycle cost (LLCC) principle of the Ecodesign Directive, and is not acceptable for us. The preparatory study of 2017 showed that the LLCC point for large machines corresponded to an efficiency 24% below the base case, i.e. at an EEI level of 44. And this does not even take into account the technology cost reductions that will take place over the next 6 years. We urge decision-makers to set **Tier 2 at an adequate level, corresponding to at least class D of the new label (EEI of 50).**

Ensure class A is empty from the beginning

The classes of the energy label have been set so that it is relatively easy to move up from the red bottom classes. The base case considered in the preparatory study of 2017 would already reach class D or E. This is a threat to the longevity of the new label. Besides, we see a risk that the proposed scale may contravene Energy Labelling Regulation 2017/1369, which states that **Class A should be empty and the BAT situated in Class B**. We recommend taking more precautions to ensure no heat pump

[1] Draft Commission Regulation on ecodesign requirements for household dishwashers. Notified to WTO on 15 October 2018.
[2] Draft Commission Regulation on energy labelling for household dishwashers. Notified to WTO on 15 October 2018.

dishwashers fall directly in class A at the introduction of the new label. Class A could be set at an EEI of 30.

Improve the label design

Some aspects of the design of the label need improvement:

- We are strongly opposed to displaying the word 'eco' with the circle on the energy label since we doubt that its meaning will be understood. There is a significant risk that consumers believe it implies that the product is "eco-friendly".
- We regret that no icons have been envisaged that could help consumers buy more durable, reparable products, such as the free warranty period offered by the manufacturer or spare parts availability. DG Justice's behavioural study on consumers' engagement in the Circular Economy released last month describes how effective this could be in shifting purchasing decisions towards products with greater durability and reparability.
- The consumer understanding study on refrigerating appliances showed that pictograms are generally better understood when they have boxes around them.
- The energy consumption figure should be closer and more connected to the A-G scale so that consumers realise it is related to the energy performance.
- The cycle energy consumption should have maximum two decimals.

The ecodesign and energy label programme should be representative of real-life use

We are convinced that the test method used for the declaration of the energy label should be as representative of real-life use as possible. This is also required by the new Energy Label Regulation (Article 13). The appropriate scenario would include testing different programmes or a combination of programmes and functions, selected on the basis of consumer habits, instead of only using the eco programme for the labelling purposes as proposed.

In addition, we fully support restricting the use of programme names such as normal/daily/standard/regular, but recommend to reintroduce the wording from the previous regulatory draft, and also restricting the use of related numbers and symbols, i.e.: *Other programme names, symbols or numbers that could divert the user from using the eco programme such as 'normal', 'daily', 'regular', 'standard' or similar, '365', '24/7', '7/7 or similar, shall not be used on the machine*, considering the risk of abuses and name circumvention on the market.

Standby modes: lower delay start allowance, and better regulation of networked modes

The power limit for the delay start condition has been set to much too high a value (6 W). Simply operating a timer does not require this much. The 2017 preparatory study reports values ranging from 0.3 to 3 W. This supports setting the limit at 1 W or less. In addition, the provisions on networked standby miss some important points of horizontal Regulation 801/2013, for example, the possibility for the user to deactivate networked connections. We call for adding the following provision in Ecodesign requirements Annex II point 7:

> *Any household washing machine or washer-dryer that can be connected to a network shall offer the user the possibility to activate and deactivate the network connection(s). The network*

connection(s) shall be deactivated by default."

Strongly reinforce provisions on resource efficiency

Strengthen the availability of spare parts provision

Availability of spare parts is a key material efficiency consideration, and we urge Member States to introduce ambitious provisions on spare parts availability as described below:

- all spare parts should be available **during at least the average product lifetime**, i.e. 12 years after the last unit is supplied. As a minimum, these should be available for 10 years, in line with the Austrian standard ONR 192102.
- spare parts access **should not be restricted to professional repairers** but should be open to retailers, repairers and consumers.
- the list of spare parts should be extended to include batteries, as the ability to remove these once no longer holding charge is key to the potential for products to be repaired.
- A maximum delivery time of **one week** for spare parts should also be introduced.

We also find that the new wording makes the requirements very weak and difficult to enforce: the verification requirements allow manufacturers three chances to meet the delivery time requirement (Clause 2.2), plus the option of a "force majeure" justification if this is not met. This significantly increases the verification burden for market surveillance authorities, allows the manufacturer not to comply with the required delivery times in 66% of the cases without any justification, and allows a loophole of a "force majeure" justification if requirements are not met. We believe that ANNEX IV, 2.2 should be reformulated as follows:

> *A manufacturer or importer is considered as not fulfilling the Regulation's requirements if, for the same product, ~~three~~* ***two*** *discrete orders of necessary spare parts do not meet the (…) maximum delivery time. ~~without acceptable justification of an event of force majeure.~~*

Ensure unrestricted access to repair & maintenance information from date of placing on the market

We are disappointed to note the additional barriers to the availability of repair and maintenance information that have been put in place. While the previous regulatory drafts foresaw access "to independent operators" and "to any repairers", the information is now restricted to professional repairers covered by a valid liability insurance.

Rather than facilitating the provision of information on repair, the regulation now justifies the significant restriction of information on repair, which conflicts directly with circular economy principles. In a recent study, the most commonly cited reason for an unsuccessful repair was the lack of information; this was the cause for one out of three failed repairs (32%)[3].

We believe that this will create an additional administrative burden for repairers and market surveillance authorities, and inhibit the access that non-profit repair initiatives such as repair cafés will have to the repair information essential for their operation. We understand the intention to prevent non-qualified / unskilled repairers from undertaking repairs, but we also consider that the ability to charge "reasonable or proportionate" fees sufficiently deals with this.

[3] https://www.ellenmacarthurfoundation.org/assets/downloads/ce100/Empowering-Repair-Final-Public.pdf

We call on the reintroduction of the *unrestricted access to appliance repair and maintenance information to independent operators*, supported by an explanatory section to the definition of "independent operator" as in the Regulation EC715/2007 on the availability of vehicle repair and maintenance information:

> *"independent operator" means an undertaking other than authorised retailer and repairer which is directly or indirectly involved in the repair and maintenance of household dishwashers, in particular repairers, manufacturers or distributors of repair equipment, tools or spare parts, publishers of technical information, not-for-profit repair initiatives, operators offering training for repairers.*

Moreover, we understand that the requirement on provision of repair information only applying after 2 years is linked to the restriction of repairs by manufacturers during the time under legal guarantee. However, we would like to stress that as soon as 6 months after the purchase of a product, consumers need to prove that the product was defective to be eligible to this legal guarantee. Hence, it is common that consumers have their products repaired outside guarantee during the first two years, and we consider it essential that this two-year stipulation be removed.

Finally, we call for the reintroduction of the technical manual within the provision on the repair and maintenance information. In order to avoid risks for loopholes from a restrictive list in case essential repair and maintenance information documents are not listed, Annex II section 5 (3) (c) should be reworded as follows:

> *The available repair and maintenance information shall include, albeit non-exhaustively*

Target non-destructive ease of disassembly, not only ease of dismantling

While the previous drafts foresaw an easy access to a list of key parts for repair, the latest Commission proposals only foresee that dismantling shall be facilitated to extract the list of materials and components referred to in Annex VII of the WEEE Directive. This is a big step backwards in terms of reparability of products, and we call on the reintroduction of the previous provision. For dishwashers equipped with a heat pump additionally, to ensure the maintenance and serving of the heat pump as well as the verification of leaks, it shall be possible to disassemble the device to access all components. We call on EU decision-makers to respect the European waste hierarchy and reinstate the objective to facilitate repair through simpler design.

Furthermore, the reference to the WEEE Directive means that some previously included components are not covered anymore, in particular LCD smaller than 100 square centimetres, motors, piping and related equipment including all hoses, valves and filters.

Include information on refrigerants and GWP in the product information sheet

As in the regulations for commercial and professional refrigeration, we call for the inclusion in the product information sheet for dishwashers of an information requirement on the presence of refrigerant fluids, including its name, charge and Global Warming Potential (GWP). The GWP is key to determine the most appropriate treatment for the components as stated in the WEEE Directive, Annex VII point 2.

Other proposed changes

- Broaden Article 5 of the Energy Labelling Regulation to any website to avoid any gap:

Where a website allows the selling of household dishwashers, the website owner shall enable the showing of the electronic Label and electronic product fiche sheet provided by the dealer on the display mechanism in accordance with the provisions of Annex VIII and shall inform the dealer of the obligation to display them.

- Refine Recital 13 of the Ecodesign Regulation and make it a regulatory article, as in Article 6 of the Energy Labelling proposal:

  The relevant product parameters should be measured using reliable, accurate, reproducible and representative of real-life conditions and users' behaviour methods. (…)

- Lower the verification tolerance for Cleaning Performance. Assuming that the quality of test methods improves, any increase in verification tolerances should be clearly justified (i.e. *Cleaning Performance (I_C): The determined value shall not be less than the declared value of I_C by more than 14%*, while the value in the current Regulation is 10%).

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