

## **ANEC study reveals: Significant shortcomings in implementation of EU Energy Label scheme**

That hardly any enforcement action is taken by the Member States to ensure a proper functioning of the EU Energy Label Directive (92/75/EC) is the major finding of a recent study commissioned by ANEC. As a result, a significant number of appliances in shops is not properly labelled. Independent verification of industry claims, through product testing commissioned by Member States, is an exception rather than the rule. The results show that a large proportion of the appliances meet their declared energy rating only due to the high measurement tolerances allowed in European standards. Furthermore, the use of A+ and A++ ratings is considered as highly confusing by consumers. On the basis of this and other studies, ANEC calls for a substantive reinforcement of the energy labelling scheme.

### **BACKGROUND**

The EU energy labelling scheme provides for a legal obligation to indicate the energy consumption of certain household appliances using a graphical display and graded energy levels, together with other relevant information. The scheme is widely recognised as an effective and successful means to reduce the energy demand of the products concerned. However, it has also been clear for a long time that the scheme exhibits some significant flaws and urgently needs a boost (e.g. by incorporating more product groups, regular adaptations to the technical progress etc.). One of the concerns has been related to the suspected limited compliance monitoring by the Member States.

### **MAJOR FINDINGS OF THE ANEC STUDY**

The study was based on interviews with 11 governmental bodies in 9 Member States (Austria, Denmark, Finland, France, Germany, Greece, Italy, The Netherlands, UK), and consumer organisations from 6 countries (Denmark, Finland, France, Germany, The Netherlands, UK). In addition, available literature, including reports on the situation in some Central and Eastern European countries, was reviewed. The work was carried out by the Danish consultancy Viegand & Maagøe, and was financed jointly by ANEC and the UK government's Market Transformation Programme ([www.mtprog.com](http://www.mtprog.com)).

Whilst shop inspections are to some extent carried out in all of the 9 investigated Member States, only 3 of them were able to present figures concerning the number of inspected shops (Denmark, Finland and The Netherlands). In just 4 out of 9 countries (Austria, Denmark, Finland and The Netherlands) the authorities asked for corrective action in writing. Only in one case (Denmark) was further legal action taken. This could indicate a high level of compliance. However, the contrary is true: **typically 20-30% of the appliances found in the shops were unlabelled.** In some countries the number of appliances without an energy label appears to be even higher (up to 40%). It should be noted that these figures do not even include cases of incorrect labelling.

Only two Member States were able to report comprehensive market surveillance tests (Denmark, The Netherlands). In other countries the figures are either not centrally collected, or testing simply does not take place in relevant numbers.

The energy consumption of many appliances corresponds to their declared values on the label only because of the **unacceptably high measurement tolerances permitted by inadequate European standards.** Available data from the UK Market Transformation Programme during 2003-2004 suggest that 15% of the tested A-rated dishwashers and washing machines were incorrectly labelled because of too high energy consumption. A further 64% of the appliances had a measured energy consumption which was higher than permitted for class A. However, as a result of the permitted tolerance of 15%, they were still considered correctly labelled. In fact, this means that the appliances would have to be placed in a lower class (B), were the tolerance deleted. Only 21% of the appliances had a measured energy consumption corresponding to the A-rating!

Originally, energy labelling consisted of 7 levels designated A-B-C-D-E-F-G. Instead of adapting the energy levels corresponding to the letters in line with the technical progress, additional ratings A+ and A++ were introduced later on to match technical progress. The study reconfirms that this is highly confusing for the consumer.

#### **ANEC RECOMMENDATIONS FROM THIS AND PREVIOUS STUDIES**

- Market surveillance by the Member States should be considerably strengthened through collective European action supervised by the European Commission. Concrete annual national minimum targets for market surveillance ought to be elaborated at the European level and should include shop inspections, as well as third party testing of appliances. This should be enhanced by European funding. Also, some funds ought to be made available for spot checks independently of Member State activities.
- All market surveillance activities in the Member States should be centrally registered and reported to the European Commission. A summary report of the national activities should be produced at least every three years and should be made publicly available.

- The European Commission should insist that the measurement tolerance of 15%, contained in some European standards, is removed immediately. If not removed, the Commission should declare the standards as invalid for the purpose of implementing the Energy Labelling Directive. In addition, the test standards need to better reflect real life situations and should be simplified.
- The intended revision of the Energy Labelling Directive should be revived and should include, amongst other things:
  - Ø dropping the A+ and A++ ratings and going back to the original scales (A-G);
  - Ø incorporating additional product groups, such as cars and products that influence energy consumption but do not use energy themselves;
  - Ø ensuring a timely update of the product-specific criteria, e.g. by defining obligatory review periods to avoid outdated provisions. This would ensure that e.g. the majority of products is A-labelled (instead of only the best performing products on the market);
  - Ø requiring third party testing.

#### ANEC in brief

*ANEC is the European consumer voice in standardisation, representing and defending consumer interests in the process of standardisation and certification, also in policy and legislation related to standardisation. Our aim is a high level of consumer protection. ANEC was set up in 1995 as an international non-profit association under Belgian law. We represent consumer organisations from the European Union Member States and EFTA countries. The European Commission and EFTA fund ANEC, while national consumer organisations contribute in kind. The ANEC Secretariat is based in Brussels.*

The full study is available at:

[http://www.anec.org/attachments/ANEC-R&T-2006-ENV-008%20\(final\).pdf](http://www.anec.org/attachments/ANEC-R&T-2006-ENV-008%20(final).pdf)

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