COMMISSION REGULATION (EU) …/…

of XXX

amending Commission Regulations (EU) 2023/826 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment and (EU) 2023/2533 laying down ecodesign requirements for household tumble dryers pursuant to Directive 2009/125/EC

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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[[1]](#footnote-1), and in particular Article 15 thereof,

Whereas:

1. Annex II of Regulation 2023/826[[2]](#footnote-2) sets the list of energy-related products covered by the Regulation. Its point 1 is to be amended in order to ensure legal certainty, clarifying that grinders designed, tested and marketed for household use are grinders used in the kitchen for the processing of food.
2. In Annex IV of Regulation 2023/826 on measurement methods and calculations, the indications related to the way to perform the measurements for all types of household coffee machines are to be inserted in the beginning of the Annex so that they are not under the conditions of testing network equipment. This is to clarify that the described measurement conditions should be applicable to all coffee machines and not just to coffee machines considered to be networked equipment.
3. Annex II, point 5(1)(b) of Regulation (EU) 2023/2533[[3]](#footnote-3) sets out the minimum period during which spare parts listed in point 5(1)(a) of that Annex must be available for professional repairers. It also sets the modalities regarding access to the list of spare parts, the procedure for ordering them and the repair instructions for the spare parts of that Annex indicating that they must publicly available on the free access website of the manufacturer, importer or authorised representative. For safety reasons, repair information concerning those spare parts, which availability is restricted to professional repairers, should not be publicly available. In this respect, point 5(1)(b) of Annex II is in contradiction with point 5(3)(c), which allows manufacturers to charge a reasonable and proportionate fee for access to that information. In line with this reasoning, also Article 4(2) of the Regulation is amended accordingly.
4. Annex III sets the measurement and calculation methods to be used for the purpose of compliance and verification purposes. Its point 1(f), which establishes the way to calculate the average final moisture content required by the Regulation for the eco programme, omits a tolerance in achieving the 0% average final moisture content. This creates problems during testing of the product for conformity with the Regulation, since to achieve a 0% average final moisture content, the textiles would need to be dried up below their natural water content. Excess of drying may result in an excess of energy consumption and in damage to the textiles. By contrast, a tolerance is authorised in Annex IV of the Regulation for the purpose of verification of conformity with the Regulation by market surveillance authorities.

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| 1. The measures provided for in this Regulation were discussed by the Consultation Forum in accordance with Article 18 of Directive 2009/125/EC.
2. The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 19 of Directive 2009/125/EC.
3. Regulations (EU) 2023/826 and (EU) 2023/2533 should therefore be amended accordingly.
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HAS ADOPTED THIS REGULATION:

Article 1

Amending provisions of Regulation Regulation (EU) 2023/826

Annexes II and IV to Regulation (EU) 2023/826 are amended as set out in the Annex to this regulation

Article 2

Amending provisions of Regulation (EU) 2023/2533

Regulation (EU) 2023/2533 is amended as follows:

1. Article 4(2) is replaced by the following:

‘2. For the purposes of the conformity assessment referred to in Article 8 of Directive 2009/125/EC, the technical documentation file shall contain the following information:

* + - 1. The declared values of parameters listed in Sections 2, 3 and 4 of Annex II to this Regulation; and
			2. the details and results of the calculations carried out in accordance with Annex III to this Regulation, with the exception of point 1(f).
1. Annex II to Regulation (EU) 2023/2533 is amended as set out in the Annex to this Regulation.

Article 3
Entry into force and application

This Regulation shall enter into force on the fourth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

 For the Commission

 The President
 Ursula VON DER LEYEN

1. [OJ L 285, 31.10.2009, p.10](https://eur-lex.europa.eu/legal-content/EN/AUTO/?uri=OJ:L:2009:285:TOC). [↑](#footnote-ref-1)
2. Commission Regulation (EU) 2023/826 of 17 April 2023 laying down ecodesign requirements for off mode, standby mode, and networked standby energy consumption of electrical and electronic household and office equipment pursuant to Directive 2009/125/EC and repealing Commission Regulations (EC) No 1275/2008 and (EC) No 107/2009 (OJ L 103, 18.4.2023, ELI: <http://data.europa.eu/eli/reg/2023/826/oj>). [↑](#footnote-ref-2)
3. Commission Regulation (EU) 2023/2533 of 17 November 2023 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble dryers, amending Commission Regulation (EU) 2023/826, and repealing Commission Regulation (EU) No 932/2012 (OJ L, 2023/2533, 22.11.2023, ELI: <http://data.europa.eu/eli/reg/2023/2533/oj>). [↑](#footnote-ref-3)