



## **JOINT INDUSTRY RECOMMENDATIONS ON DRAFT REPORT OF RAPPOREUR TAMBURRANO: A NEW ENERGY LABELLING FRAMEWORK**

Brussels, 12 June 2016

In view of the European Parliament's ITRE committee vote on 14 June 2016, CECED, DIGITALEUROPE and ORGALIME call for the support of honourable Members of the European Parliament for a final committee report that:

- preserves Intellectual Property Rights, confidential business data and know how.
- gives preference to market surveillance and enforcement programmes that effectively combat free riding and unfair competition.
- increases energy efficiency.
- provides a maximum of consumer confidence in the label.
- rewards top performing products and associated investments in energy efficiency through a simple, stable, credible, trustworthy energy label for consumer products.
- guarantees the functioning of the Internal Market for products with fully harmonised requirements at EU level.
- establishes a sufficiently generic and flexible EU framework taking into account the inherent different product characteristics and efficiency potentials of the various products in scope according to their specific impact assessment studies.
- provides maximum legal stability and planning certainty.

Therefore, the industry recognises the important contribution of the European Parliament in the following areas:

- **Scope provisions and definitions** that reflect that the energy label, while successful for informing consumers, is not a promising tool for informing professional business partners. A harmonised label at EU level is the right tool for the European internal market, rather than national labelling systems: "Services" should be deleted from the definition of "energy related product". The Energy Label should focus on energy efficiency.
- A **rescaling procedure** that is triggered by technological advancement happens when duly justified by product specific impact assessments and the top class is saturated. After rescaling, the label should be stable for at least 10 years.

### **INDUSTRY OPINION ON COMPROMISE AMENDMENTS 1, 3, 7 and 12**

**Addition 2 to compromise amendment 1** should be adopted.

**Addition 3 to compromise amendment 1** should be rejected.

Regarding **compromise amendment 3, addition 1** should be rejected, since the suggested timeframe is unrealistic.

**Compromise amendment 7** should be adopted.

**Compromise amendment 12** should be adopted including addition 3.

**Addition 2 to compromise amendment 12** should be rejected, since overlapping with ongoing Commission work.

Industry remains concerned with the proposals for a **product database**. The real added value of market surveillance, which we require, can only be provided by physical checks, which no database can replace. These should take precedence over the suggested public interface and compliance interface.

We acknowledge and thank MEPs for the efforts made to meet our concerns in this area. We particularly welcome amendments that strive for introducing a market surveillance plan, stronger requirements on physical product testing and more coordination and exchange of related activities among Member States in use of the ICSMS system. We also take note of the option to make the compliance information available via an interface with suppliers' servers.

The database, however, despite all efforts made by MEPs, that we indeed appreciate, remains unacceptable for industry, since in our view they are disproportionate in terms of costs and burden on manufacturers, risks of losing confidential business data, know-how and IPR and arising uncertainties concerning liability and negative consequences on businesses in case of technical or similar failures of the database. In addition, if future compliance control will be performed by reviewing data in the database, the data in the database itself must be verified to ensure that it is correct and complete. Otherwise, it provides a competitive advantage for irresponsible market actors. By entering incorrect data in the database, or not registering a product at all in the database, actors can avoid further product compliance controls. This damages overall consumer trust in the label.

#### **INDUSTRY OPINION ON COMPROMISE AMENDMENTS 2, 4, 5, 6 and 8**

**Compromise amendment 8** should be rejected. **Amendment 599 (=598) of the initial draft report** should be adopted instead.

Should MEPs decide against industry's advice and adopt compromise amendment 8,

- additions 1 and 2 and CAR16a should be adopted, and
- a new addition ensuring Member States' obligation to control and verify database entries is necessary to combat free riding and to uphold consumer trust in the label.

Should amendment 599(=598) be adopted, these additions would no longer be relevant.

References to the product database in **compromise amendments 2, 4 and 5** should be voted separately and be rejected. The so modified compromise amendments 2, 4 and 5 should be adopted.

**Compromise amendment 6** should be adopted including addition 2.

The joint implementation of the existing Energy Labelling and Ecodesign Framework Directives are to realise almost half of the EU's 2020 energy efficiency target, thus energy savings of around 175 Mtoe by 2020, equaling a saving of €465 per year on household energy bills for consumers.

We call on honourable Members of the European Parliament to support European technology leaders through a final report that combines environmental with economic ambition and thereby helps them to further stand harsh global competition.

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**ORGALIME**, the European Engineering Industries Association, speaks for 41 trade federations representing the mechanical, electrical, electronic, metalworking & metal articles industries of 24 European countries. The industry employs some 10.9 million people in the EU and in 2015 accounted for more than €1,900 billion of annual output. The industry accounts for over a quarter of manufacturing output and a third of the manufactured exports of the European Union. <http://www.orgalime.org>