

# Energy Regulation Requirements

# Labelling

## Energy Labelling Regulation

~~In the European Union,~~ Many everyday products such as washing machines, refrigerators and cooking appliances carry energy labels and have been designed to meet minimum energy efficiency standards.

**EU Requirements:** Regulation 2017/1369 (the “EU Energy Labelling Regulation”) sets out a framework of rules that apply in the UK for providing information relating to the energy efficiency, the consumption of energy and other resources as part of a product label. The objective of the EU Energy Labelling Regulation is to enable customers to choose products that are more efficient in order to reduce their energy consumption.

It is your responsibility to comply with the EU Energy Labelling Regulation. when selling relevant products in the EU. You must also comply with other national requirements in the Member States in which you sell these products.

Please see below for further information about EU requirements.

## **UK Requirements:**

From 1 January 2021 energy labelling in the UK as a result of the Ecodesign for Energy Related Products and Energy Information Amendment EU Exit Regulations 2019 (the “UK Energy Information Regulations”) under a framework of rules that apply in the UK for providing information, an amended version of Regulation 2017/1369 (the “EU Energy Labelling Regulation”) relates to the energy efficiency, the consumption of energy and other resources as part of a product label. Different rules apply to goods you sell in: (1) Great Britain (England, Scotland and Wales); and (2) Northern Ireland.

It is your responsibility to comply with the UK requirements if you are selling relevant products in the UK. If you also sell such products on Amazon EU website(s), then you must also comply with the EU Energy Labelling Regulation and with other national requirements in the countries in which you sell these products.

Please see below for further information about UK requirements.

This material is for informational purposes ~~only. It is and you should not intended~~ take it as a substitute for legal advice. We encourage you to consult your legal counsel ~~if you have questions for any concerns~~ about the laws and regulations concerning your product. This material only reflects the position at the date of writing and requirements across the EU and in the UK may change. You should refer to current UK Brexit guidance about your products (see below) to learn more about changes that may affect you from 1 January 2021.

## **I. EU requirements**

**What products does the Energy Labelling Regulation apply to? are in the scope of EU requirements for energy labelling?**

The EU Energy Labelling Regulation applies apply to “energy-related products”, these are

products which have an impact on energy consumption during use, which are sold to consumers or used in the EU.

Examples of energy-related products are: air conditioners and comfort fans, air heating and cooling products, lighting, televisions, tumble driers, computers, power transformers, vacuum cleaners, external power supplies and fridges.

The [EU Energy Labelling Regulation](#) does not apply to second hand products, unless the second hand product is imported from outside the [European Union](#).

### **Who has obligations under ~~the Energy Labelling Regulation~~ [EU requirements for energy labelling](#)?**

The [EU Energy Labelling Regulation](#) sets out obligations for suppliers and dealers.

You are a “Supplier” if you are a manufacturer (~~or authorized established in the EU, the authorised representative of a non-EU manufacturer~~) [who is not established in the European Union](#), or an importer who [imports/makes a product from outside available for sale/supply in the European Union](#).

You are a “Dealer” if you ~~are a retailer who offers~~ [offer](#) energy-related products for sale, hire, or hire purchase, or ~~displays~~ [display](#) energy-related products to customers or installers in the course of a commercial activity, ~~whether or not in return for payment~~.

### **What are the key [EU requirements of the Energy Labelling Regulation](#) [for energy labelling](#)?**

All energy-related products must display labels on a scale from A (most efficient) to G (least efficient). Please note this [A-G scale](#) replaces a previous scale of A+++ to G labels, ~~that was used before 2017~~. Labels from before 2017 will be “rescaled” [to the new scale](#) over time.

Energy-related products must be accompanied by a product information sheet. For certain product types, there are specific regulations relating to energy labelling (~~for example, including televisions, computers and services, and tumble dryers~~), ~~amongst others~~.

### **How are Suppliers affected by ~~the Energy Labelling Regulation~~ [EU requirements for energy labelling](#)?**

Suppliers of energy-related products must: ~~–~~ [generally take the following steps](#). [Additional requirements may apply for certain products – you should always consult the specific regulations and relevant delegated acts](#).

- Ensure that energy-related products are accompanied, free of charge, with printed labels and a product information sheet. The labels are a graphic diagram, including a closed scale using only letters from A-G, each letter representing a class, each a different colour from dark green to red. [As an alternative to supplying the product information sheet with the product, this information can be entered into the EU product database for some energy-related products](#).
- Deliver printed labels, and product information sheets, to your dealer free of charge, promptly and in any event within five working days upon request.
- Ensure the accuracy of the labels and product information sheets. ~~This involves producing and produce~~ [sufficient technical documentation to allow market surveillance](#) authorities to assess the accuracy of a label and product information sheet of a product. This technical documentation should include test reports or similar technical evidence.

- In respect of product information, suppliers must enter certain information into the EU product database that will be established and maintained by the Commission (as of 1 January 2019) (see here). This database ~~will consist~~consists of a public part and a compliance part, both accessible via ~~an~~the online portal. Some information is required to be submitted into the public part of the database (~~for example, e.g.~~ name or trademark, address, contact details and other legal identification of the supplier, model identifier, label and energy efficiency classes, product information sheet in electronic format) and some information is for the compliance part (the model identifier of all equivalent models already ~~placed on~~made available for sale in the marketEU and certain technical documentation).
- Reference the energy efficiency class of the product and the range of the efficiency classes available on the label in visual advertisements or technical promotional material for any specific model.

### **How are Dealers affected by the Energy Labelling RegulationEU requirements for energy labelling?**

Dealers of energy-related products must: generally take the following steps. Additional requirements may apply for certain products – you should always consult the specific regulations.

- Visibly display the energy label. ~~–~~If required, replace any existing labels on products ~~on display, both in shops and~~displayed online, with the rescaled labels, noting any relevant deadlines in the delegated acts applicable to the product type.
- Make the product information sheet available to customers, ~~including, upon request, in physical form at the point of sale.~~
- Request the label (including rescaled labels) or product information sheet from the supplier, if ~~you~~they do not have it (or, where available, download ~~this~~it from the product database).
- Reference the energy efficiency class of the product and the range of the efficiency classes available on the label in visual advertisements or technical promotional material for a specific model.

### **What if a product is non-compliant with the Energy Labelling RegulationEU requirements for energy labelling?**

If you are a supplier or a dealer, you must both cooperate with ~~market surveillance~~the authorities to remedy any non-compliance and also take action at your own initiative to do so.

#### **Additional Information**

We strongly encourage you to visit the European Commission’s website for more information on energy labelling Regulationrequirements:

- <https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficient-products>
- <https://ec.europa.eu/energy/en/energy-labelling-tools>
- [https://ec.europa.eu/energy/sites/ener/files/documents/list\\_of\\_energ\\_labelling\\_measures.pdf](https://ec.europa.eu/energy/sites/ener/files/documents/list_of_energ_labelling_measures.pdf)

## **II. UK requirements**

### **What products are in the scope of UK requirements for energy labelling?**

The EU Energy Labelling Regulation and UK Energy Information Regulations apply to “energy-

related products”, these are products which have an impact on energy consumption during use, which are sold to consumers or used in the UK, but the provisions apply differently to Great Britain (England, Scotland and Wales, “GB”) and Northern Ireland. You can read more about the position in Northern Ireland (“NI”) below.

Examples of energy-related products are: air conditioners and comfort fans, air heating and cooling products, lighting, televisions, tumble driers, computers, power transformers, vacuum cleaners, external power supplies and fridges.

The legislation does not apply to second hand products, unless the second hand product is imported from outside the EU or UK).

### **Who has obligations under UK requirements for energy labelling?**

The EU Energy Labelling Regulation and UK Energy Information Regulations set out obligations for suppliers and dealers.

You are a “Supplier” if you are a manufacturer established in the UK, the authorised representative of a manufacturer who is not established in the UK, or an importer who imports a product from outside GB. For details of importing into NI, see the “Northern Ireland” section below.

You are a “Dealer” if you offer energy-related products for sale, hire, or hire purchase, or display energy-related products to customers or installers in the course of a commercial activity, whether or not in return for payment.

### **What are the key UK requirements for energy labelling?**

All energy-related products must display labels on a scale from A (most efficient) to G (least efficient). Please note this A-G scale replaces a previous scale of A+++ to G labels that was used before 2017. Labels from before 2017 will be “rescaled” to the new scale over time. This change will still be implemented in the UK after Brexit as planned.

Energy-related products must be accompanied by a product information sheet. For certain product types, there are specific regulations relating to energy labelling (including televisions, computers and services, and tumble dryers, amongst others).

### **How are suppliers affected by UK requirements for energy labelling?**

Suppliers of energy-related products must generally take the following steps. Additional requirements may apply for certain products – you should always consult the specific regulations.

- Ensure that energy-related products are accompanied, free of charge, with:
  - printed labels. The labels are a graphic diagram, including a closed scale using only letters from A-G, each letter representing a class, each a different colour from dark green to red. From 1 January 2021, energy labels for products sold in GB will bear the UK flag instead of the EU flag and will only contain English language text. Where QR codes are present, they must link to the product information sheet only on a publicly accessible website. Products sold in NI will continue to use EU energy labels (see “Northern Ireland” section below).
  - a product information sheet which must be supplied with the product.

- Deliver printed labels, and product information sheets, to your dealer free of charge, promptly and in any event within five working days upon request. Ensure the accuracy of the labels and product information sheets and produce sufficient technical documentation to allow authorities to assess the accuracy of a label and product information sheet of a product. This technical documentation should include test reports or similar technical evidence.
- In respect of product information, suppliers must, from 1 January 2021 make the technical documentation available for inspection within 10 days of a request from the GB authorities (the Office for Product Safety and Standards or Trading Standards).
- Reference the energy efficiency class of the product and the range of the efficiency classes available on the label in visual advertisements or technical promotional material for any specific model.

### **How are dealers affected by the UK requirements for energy labelling?**

Dealers of energy-related products must generally take the following steps. Additional requirements may apply for certain products – you should always consult the specific regulations.

- Visibly display the energy label. If required, replace any existing labels on products displayed online with the rescaled labels, noting any relevant deadlines.
- Make the product information sheet available to customers.
- Request the label (including rescaled labels) or product information sheet from the supplier, if they do not have it.
- Reference the energy efficiency class of the product and the range of the efficiency classes available on the label in visual advertisements or technical promotional material for a specific model.

### **What if a product is non-compliant with UK requirements for energy labelling?**

If you are a supplier or a dealer, you must both cooperate with the Office for Product Safety and Standards, Trading Standards (in Great Britain) and the Department for the Economy (in Northern Ireland) to remedy any non-compliance and also take action at your own initiative to do so.

### **Northern Ireland**

Please note that different rules apply in NI from 1 January 2021 as a result of the Northern Ireland Protocol. In particular:

- You should ensure that products meet EU requirements.
- You are an importer if you are established in the EU or NI and you sell products from a country outside of the EU and Northern Ireland (including from GB) into NI. Products sold in NI should be marked with details of any EU / NI based importer.

Authorised representatives can be based in NI or the EU. From 16 July 2021, new rules come into force under EU Regulation 2019/1020 and some businesses may need to appoint a responsible person in the EU or NI to carry out compliance functions (if there is no other entity in the supply chain who is able to carry out the functions). Further guidance on the new rules will be made available by the UK Government.

### **BREXIT: UK Government Guidance**

The UK Government has released guidance on selling products in GB and NI from 1 January 2021. This guidance provides information for suppliers and dealers regarding compliance requirements, including on:

- new labelling requirements in GB;
- whether your legal responsibilities will change;
- how to deal with existing stock; and
- specific rules for selling products in Northern Ireland.

We encourage you to review this guidance (linked below), alongside any other specific UK Government guidance that applies to your product. You should consult your legal counsel if you have questions about how the laws and regulations apply to your products from 1 January 2021.

The Brexit guidance for GB and NI can be found here:

- Meeting climate change requirements from 1 January 2021

### Additional Information

We strongly encourage you to review UK Government guidance for more information on energy labelling requirements:

- <https://www.gov.uk/guidance/the-energy-labelling-of-products>

We also encourage you to review UK Government Brexit guidance on ecodesign and energy labelling compliance requirements from 1 January 2021:

- <https://www.gov.uk/government/publications/meeting-climate-change-requirements-if-theres-no-brexid-deal/meeting-climate-change-requirements-if-theres-no-brexid-deal>

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More information on UK product compliance rules can be found on the Business Companion website:

- <https://www.businesscompanion.info/en/get-started>
- <https://www.businesscompanion.info/en/quick-guides/goods/energy-rating-information>
- <https://www.businesscompanion.info/en/quick-guides/goods/energy-rating-information-from-1-january-2021>