

EUROPEAN COMMUNITIES (ENERGY LABELLING OF HOUSEHOLD DISHWASHERS) REGULATIONS, 1998.

I, Mary O'Rourke, Minister for Public Enterprise, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1992 (No. 27 of 1972), and for the purposes of giving effect to Commission Directive 97/171 of 16 April 1997 and to Council Directive 92/75/EEC of 22 September 1992, in so far as it applies to household dishwashers, hereby make the following Regulations:

10.J. No. L118, 7.5.1997, p. 1

20.J. No. L297, 13.10.1992, p. 16.

Citation

1. (1) These Regulations may be cited as the European Communities (Energy Labelling of Household Dishwashers) Regulations, 1998.

(2) These Regulations shall come into operation on the 1st day of July, 1998.

Interpretation

2. (1) In these Regulations -

"appliance" means an electric mains-operated household dishwasher but does not include-

- (a) an appliance that can also use other energy sources,
- (b) a second-hand appliance, or
- (c) an appliance in respect of a model of which production has ceased before the 1st day of July, 1998.

"authorised office" means a person appointed as an authorised officer under Regulation 7(1);

"dealer" means a retailer or other person who sells, hires, offers for hire-purchase or displays appliances to end-users;

"supplier" means the manufacturer of an appliance or his authorised representative in the Community or the person who places an appliance on the Community market;

"fiche" means a product fiche which complies with Schedule 2;

"label" means a label in the form set out in paragraph 1 of Schedule 1 and which complies with Schedule 1 and the Directives but does not include a rating plate or its equivalent affixed for safety purposes to an appliance;

"the Commission Directive" means Commission Directive 97/17 of 16 April 1997;

"the Council Directive" means Council Directive 92/75/EEC of 22 September 1992;

"the Directives" means the Commission Directive and the Council Directive;

"the Minister" means the Minister for Public Enterprise.

(2) A word or expression that is used in the Council Directive or the Commission Directive and is also used in these Regulations shall, unless the contrary intention appears, have in these Regulations the meaning that it has in the Council Directive or the Commission Directive, as the case may be.

- (3) In these Regulations, unless otherwise indicated -

- (a) a reference to a Regulation is to a Regulation of these Regulations;
- (b) a reference to a paragraph is to a paragraph of the Regulation or Schedule in which the reference occurs;
- (c) a reference to a Schedule is to a Schedule to these Regulations.

Application

3. (1) These Regulations apply to new dishwasher appliances.
- (2) These Regulations do not apply to -
 - (a) the placing on the market, the commercialisation or the display of appliances, and
 - (b) the printed distribution referred to in Regulation 5 (2), before the 31st day of December, 1998.

Duties of Suppliers

4. (1) A supplier shall not place an appliance on the market unless -
 - (a) either-
 - (i) he provides a fiche in a product brochure with the appliance, or
 - (ii) he supplies a fiche with other literature provided with the appliance,
 - (b) he supplies a label with the appliance,
 - (c) he ensures that the label is placed on the outside of the front or top of the appliance in such a way as to be clearly visible and not obscured, and
 - (d) he has established technical documentation in the English language version in relation to the appliance sufficient to enable the accuracy of the information contained in the label and the fiche to be assessed.
- (2) The technical documentation referred to in paragraph (1) shall include -
 - (a) the name and address of the supplier,
 - (b) a general description of the model, sufficient for it to be uniquely identified,
 - (c) information (including any relevant drawings) on the main design features of the model and, in particular, items that appreciably affect its energy consumption,
 - (d) reports of any relevant measurement tests carried out on the model under the test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive, and
 - (e) instructions, if any, for operating the appliance.
- (3) A supplier shall make the documentation specified in paragraph (2) available to authorised officers for the purpose of their functions for a period of 5 years after the last appliance concerned was manufactured.
- (4) A supplier may, for the purpose of establishing the documentation aforesaid, use documentation already required on the basis of relevant Community legislation.
- (5) A supplier shall be deemed to have given his consent to the publication of the information given on a label or fiche supplied by him.
- (6) A supplier shall ensure that—
 - (a) the information on a label or fiche supplied by him is accurate, and
 - (b) when the supply by him of labels is requested by a dealer for the purpose of the display of appliances, that the labels are delivered promptly to the dealer.
- (7) A supplier shall supply free of charge to a dealer the necessary labels for the purpose of the display of appliances.
- (8) A supplier may choose his own system for the delivery of labels to dealers.
- (9) A supplier who fails to comply with this Regulation shall be guilty of an offence.

Duties of Dealers

5. (1) A dealer shall not offer an appliance for sale, hire or hire-purchase or display it to end users unless -
- (a) a label, in the English language version, has been placed on the outside of the front or top of the appliance in such a way as to be clearly visible and not obscured, or
 - (b) a fiche, in the English language version, is supplied with the appliance and is available for inspection by end-users before a sale or an agreement for hire or hire purchase is concluded.
- (2) Where a dealer offers an appliance for sale, hire or hire-purchase by means of a printed communication, such as a mail order or other catalogue, or in circumstances that imply that the potential customer cannot be expected to see the appliance displayed, the dealer shall ensure that the printed communication includes all the information specified in Schedule 3 and is in the English language version.
- (3) Paragraph (1) shall not apply in relation to an appliance offered for sale, hire or hire purchase by a dealer during the period ending on the 31st day of December, 1998.
- (4) A dealer who fails to comply with this Regulation shall be guilty of an offence.
- (5) A label or fiche shall be deemed to comply with these Regulations and the Directives unless there is evidence to the contrary.

Compliance

6. (1) Subject to paragraph (2), a person who displays labels, marks, symbols or inscriptions relating to energy consumption which do not comply with the requirements of these Regulations shall be guilty of an offence if the display is likely to mislead or confuse.
- (2) Paragraph (1) does not apply to displays for the purpose of Community or national environmental labelling schemes.

Authorised Officers

7. (1) The Minister may appoint such and so many persons as he or she may determine to be authorised officers for the purposes of these Regulations.
- (2) An authorised officer may, at all reasonable times, on production, if so requested by any person affected, of his warrant of appointment -
- (a) enter any premises or other place or any vehicle if he reasonably believes that an appliance is kept therein or thereon for the purpose of being placed on the market,
 - (b) inspect the premises or other place or the vehicle,
 - (c) carry out or have carried out such examinations, tests, inspections and checks of any appliances found there as he reasonably considers to be necessary for the purposes of his functions and, if he so thinks fit, remove or have removed from there any appliance and retain the appliance for a reasonable period to facilitate such testing,
 - (d) require any person on or at the premises or other place or the vehicle to give to the officer any information in the person's power or control that the officer may reasonably require and to produce to him any records (in whatever form kept) or books or documents (including labels and fiches) that are in the person's power or control,
 - (e) inspect and copy or extract information from any data (within the meaning of the Data Protection Act, 1988) found by or produced to the officer under this Regulation,
 - (f) inspect and take copies of, or of extracts from, any records (in whatever form kept), books or documents (including labels and fiches) found by or produced to the officer under this Regulation.
- (3) If an authorised officer has reason to suspect that the information on a label or fiche is inaccurate, he may require the supplier concerned to furnish evidence (including technical documentation referred to in Regulation 4(1)) concerning its accuracy.

(4) A person who obstructs or impedes an authorised officer in the exercise of a power or, without reasonable excuse, does not comply with a requirement of an authorised officer under these Regulations or who, in purported compliance with such a requirement, gives information to an authorised officer that he knows to be false or misleading in a material respect shall be guilty of an offence.

Penalties and Offences

8. (1) A person guilty of an offence under these Regulations shall be liable on summary conviction to a fine not exceeding £1,500.

(2) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of, or to be attributable to any neglect on the part of, any person, being a director, manager, secretary or other officer, of such a body, or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and shall be liable to be proceeded against and punished as if he were guilty of the first-mentioned offence.

(3) Proceedings for an offence under these Regulations may be brought by the Minister.

SCHEDULE 1

THE LABEL

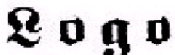
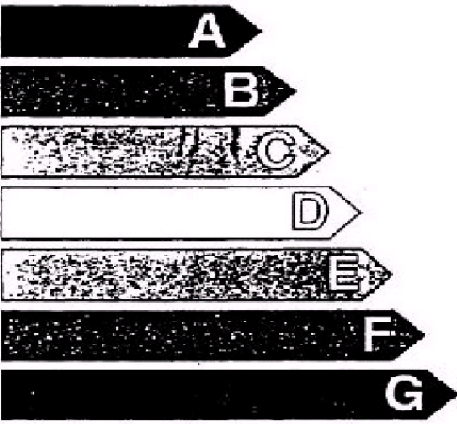



ANNEX 1

THE LABEL

Label design

1. The label shall be the relevant language version, chosen from the following illustrations:

Notes concerning the label

Energy	Dishwasher	
Manufacturer Model	 ABC 123	I II
More efficient  Less efficient	 	III IV
Energy Consumption kWh/cycle <i>(based on test results for manufacturer's standard cycle using cold fill)</i> Actual consumption will depend on how the appliance is used.	X.YZ	V
Cleaning Performance A: higher G: lower	A B C D E F G	VI
Drying Performance A: higher G: lower	A B C D E F G	VII
Standard Place Settings Water Consumption l/cycle	YZ YX	VIII IX
Noise (dB(A) re 1 pW)	XY	X
Further information is contained in product brochures. <small>Norm EN 50242 Dishwasher (appliance) Directive 97/17/CE</small>		

2. The following notes define the information to be included:

Note:

- I. Supplier's name or trade mark.
- II. Supplier's model identifier.
- III. The energy efficiency class of the model shall be determined in accordance with Schedule 4. This letter shall be placed at the same level as the relevant arrow.
- IV. Without prejudice to any requirements under the Community Eco-label scheme, where an appliance has been granted a 'Community Eco-label' pursuant to Council Regulation (EEC) No 880/923 a copy of the Eco-label may be added here.

3 O.J. No. L99, 11.4.1992, p. 1.

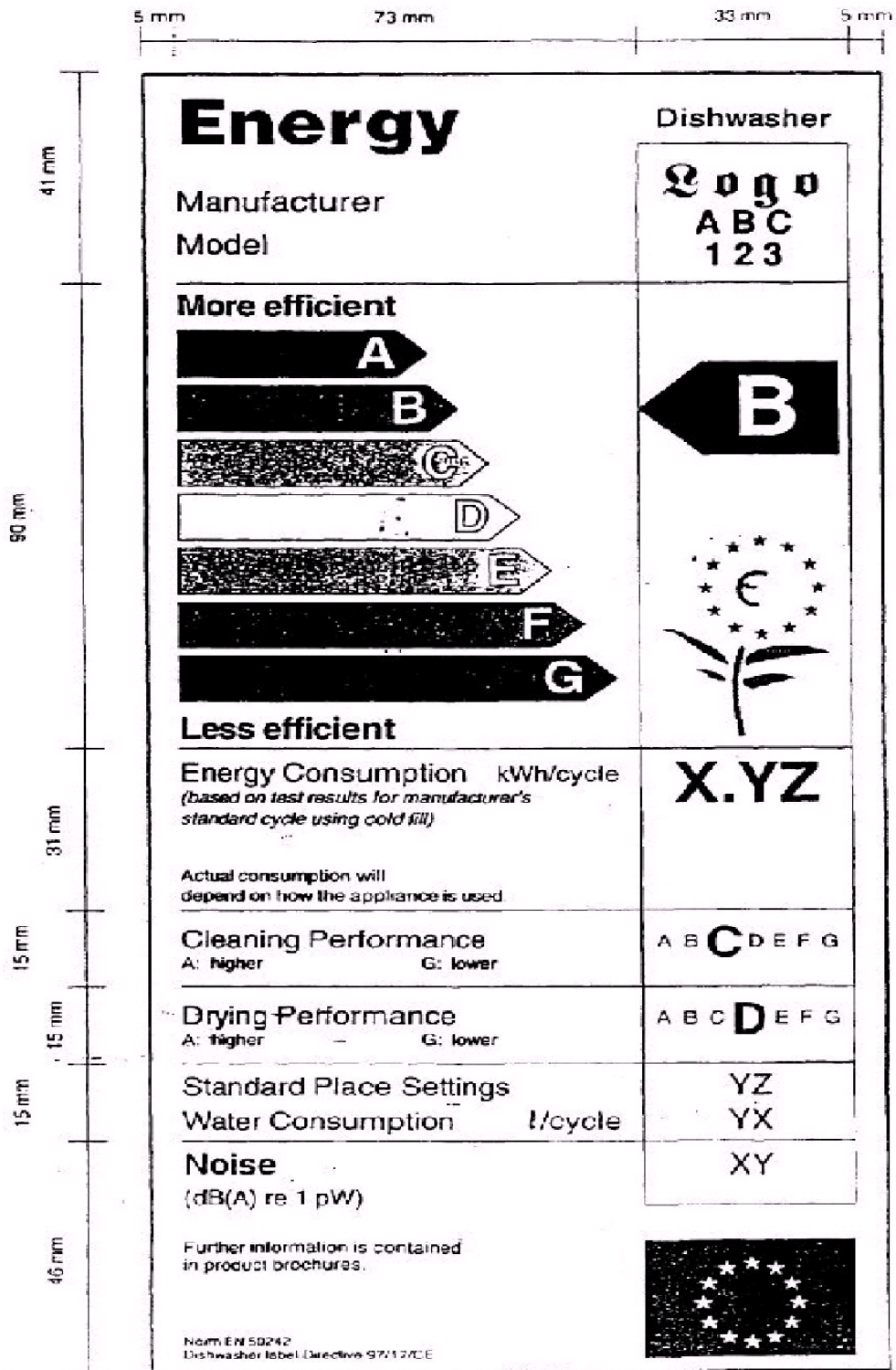
- V. Energy consumption in kWh per cycle using standard cycle determined in accordance with the test procedures of the harmonised standards referred to in Article 1(2) of the Commission Directive.
- VI. Cleaning performance class, determined in accordance with Schedule 4.
- VII. Drying performance class, determined in accordance with Schedule 4.
- VIII. Capacity of appliance in standard place settings, determined in accordance with the harmonised standards referred to in Article 1(2) of the Commission Directive.
- IX. Water consumption, in litres, per complete cycle using standard cycle, determined in accordance with the test procedures of the harmonised standards referred to in Article 1(2) of the Commission Directive.
- X. Where applicable, noise during standard, determined in accordance with Council Directive 86/594/EEC4

4 O.J. No. L344, 6.12.86, p. 24. The relevant noise measurement standards are EN 60704-2-3 (noise measurement) and EN 60704-3(verification).

The following defines certain aspects of the label :

Printing

3. The following defines certain aspects of the label:



Colours used:

CMYK - cyan, magenta, yellow, black

For example: 07X0: 0% cyan, 70% magenta, 100% yellow, 0% black.

Arrows:

- A: X0X0

- B: 70X0

- C: 30X0

- D: 00X0

- E: 03X0

- F: 07X0

- G: 0XX0

Outline colour: X070

All text is in black. The background is white.

Regulation 2 (1)

SCHEDULE 2

THE FICHE

The fiche shall contain the following information. The information may be given in the form of a table covering a number of models supplied by the same supplier, in which case it shall be given in the order specified below unless it is contained in a more general description of the appliance.

1. Supplier's trade mark.
2. Supplier's model identifier.
3. The energy efficiency class of the model as defined in Schedule 4. Expressed as 'Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)'. Where this information is provided in a table, this may be expressed by other means provided it is clear that the scale is from A (more efficient) to G (less efficient).
4. Where the information is provided in a table, and where some of the appliances listed in the table have been granted a 'Community Eco-label' pursuant to Regulation (EEC) No 880/92, this information may be included here. In this case the row heading shall state 'Community Eco-label', and the entry shall consist of a copy of the Eco-label mark. This provision is without prejudice to any requirements under the EU Eco-label scheme.
5. Manufacturer's name, code or indication for the 'standard' cycle to which the information in the fiche and the label relate.
6. Energy consumption in kWh per cycle using standard cycle determined in accordance with the test procedures of the harmonised standards referred to in Article 1(2) of the Commission Directive, and described as 'Energy consumption XYZ kWh per standard test cycle, using cold water fill. Actual energy consumption will depend on how the appliance is used'.
7. Cleaning performance class determined in accordance with Schedule 4. Expressed as 'cleaning performance class ... on a scale of A (higher) to G (lower)'. This may be expressed by other means provided it is clear that the scale is from A (higher) to G (lower).
8. Drying performance class determined in accordance with Schedule 4. Expressed as 'drying performance class ... on a scale of A (higher) to G (lower)'. This may be expressed by other means provided it is clear that the scale is from A (higher) to G (lower).
9. Capacity of appliance in standard place settings, as defined in Schedule 1, note VIII.
10. Water consumption per cycle litres using standard cycle, as defined in Schedule I note IX.
11. Programme time for a standard cycle determined in accordance with the test procedures of the harmonised standards referred to in Article 1 (2).
12. Suppliers may include information under points 5 to 11 above in respect of other cycles.
13. The estimated annual consumption of energy and water equal to 220 times the consumption expressed in points 6 (energy) and 10 (water). This shall be expressed as 'estimated annual consumption (200 cycles)'.
14. Where applicable, noise during standard cycle, in accordance with Council Directive 86/594/EEC.

The information on the label may be given in the form of a representation of the label in colour or in black and white.

Regulation 5 (2)

SCHEDULE 3

MAIL ORDER AND OTHER DISTANCE SELLING

Mail order catalogues and other printed communications shall contain the following information, given in the order specified:

1. Energy efficiency class (Schedule 2 point 3)
2. Name of standard cycle (Schedule 2 point 5)
3. Energy consumption (Schedule 2 point 6)
4. Cleaning performance class (Schedule 2 point 7)
5. Drying performance (Schedule 2 point 8)
6. Capacity (Schedule 1 note VIII)
7. Water consumption (Schedule 1 note IX)
8. Estimated annual consumption (200 cycles) (Schedule 2 point 13)
9. Noise, where applicable (Schedule 1 note X)

Where other information contained in the fiche is provided, it shall be in the form specified in Schedule 2 and shall be included in the above table in the order defined for the fiche.

Regulation 2(2)

SCHEDULE 4

ENERGY EFFICIENCY CLASS

1. The energy efficiency class of an appliance shall be determined as follows:

A reference consumption C_R shall be calculated as follows:

$$C_R = 1.35 + 0.025 \times S \text{ when } S \geq 10$$

$$C_R = 0.45 + 0.09 \times S \text{ when } S \leq 9$$

where S is the capacity of the appliance in standard place settings (Schedule 1 note VIII).

An energy efficiency index E_1 is then set as $E_1 = C$

C_R

where C is the energy consumption for the appliance (Schedule 1 note V).

The energy efficiency class is then determined in accordance with Table 1:

Table 1

Energy efficiency class Energy efficiency index E_1

A	$E_1 < 0.64$
B	$0.64 \leq E_1 < 0.76$
C	$0.76 \leq E_1 < 0.88$
D	$0.88 \leq E_1 < 1.00$
E	$1.00 \leq E_1 < 1.12$
F	$1.12 \leq E_1 < 1.24$
G	$E_1 \leq 1.4$

2. The cleaning performance class of an appliance shall be determined by Table 2:

Table 2

Cleaning performance class Cleaning performance index P_c as defined in the harmonised standards referred to in Article 1(2) using a standard cycle

A	$P_c > 1.12$
B	$1.12 \geq P_c > 1.00$
C	$1.00 \geq P_c > 0.88$
D	$0.88 \geq P_c > 0.76$
E	$0.76 \geq P_c > 0.64$
F	$0.64 \geq P_c > 0.52$
G	$0.52 \geq P_c$

3. The drying performance class of an appliance shall be determined in accordance with Table 3:

Table 3

Drying performance class Drying performance index P_d as defined in the harmonised standards referred to in Article 1(2).

A	$P_d > 1.08$
B	$1.08 \geq P_d > 0.93$
C	$0.93 \geq P_d > 0.78$
D	$0.78 \geq P_d > 0.63$
E	$0.63 \geq P_d > 0.48$
F	$0.48 \geq P_d > 0.33$
G	$0.33 \geq P_d$

Given under my Official Seal, this 15th day of June, 1998.

Mary O'Rourke, T.D.,

Minister for Public Enterprise

EXPLANATORY NOTE

The purpose of the Regulations is to give legal effect to Commission Directive 97/17 of 16th April, 1997 and Council Directive 92/75/EEC of 22nd September, 1992 in so far as they relate to dishwashers.

These Regulations apply to dishwashers. Dishwashers that may also use other energy sources, secondhand dishwashers and dishwashers of which production has ceased before 1st July, 1998, are excluded.

The Regulations prohibit the placing on the market, for sale, hire or reward, of dishwashers unless accompanied by information relating to the consumption of electric energy in addition to some supplementary information. This information is to be conveyed to the customer by means of a specified label and an associated fiche (product information notice). The Regulations place the onus for the accuracy of the labels and fiches on the manufacturers, who will also be required to establish technical documentation sufficient to enable the accuracy of the information contained in the labels and the fiches to be assessed.

Provision is made for the appointment and powers of authorised officers and penalties for offences under the Regulations, in addition to a transitional period to facilitate those who have been unable or have not had a reasonable opportunity to comply with the Regulations.

These Regulations may be purchased from the Government Publications Sales Office, Molesworth Street, Dublin 2.

Source: Irish Statute Book Database

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