

## **S.I. No. 579 of 2002**

### **European Communities (Energy Labelling of Household Electric Ovens) Regulations 2002**

I, Dermot Ahern, Minister Communications, Marine and Natural Resources, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purposes of giving effect to Commission Directive 2002/40/EC of 8 May 2002 and Council Directive 92/75/EEC of 22 September 1992, in so far as it applies to household electric ovens, hereby make the following regulations:

2 OJ No. L297, 13.10.1992, p.16

1 OJ No. L128, 15.5.2002, p.45.

#### Citation

1. (1) These Regulations may be cited as the European Communities (Energy Labelling of Household Electric Ovens) Regulations 2002.
- (2) These Regulations come into operation on 1 January 2003.

#### Interpretation

2. (1) In these Regulations -  
"appliance" means an electric, mains-operated, household oven, including ovens being part of larger appliances;

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

"Commission Directive" means Commission Directive 2002/40/EC of 8 May 2002;

1 OJ No. L128, 15.5.2002, p.45.

"Community" means European Communities;

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

2 OJ No. L297, 13.10.1992, p.16

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

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

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

"harmonised standards" means the harmonised standards referred to in Article 2(1) of the Commission Directive;

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

"Minister" means Minister for Communications, Marine and Natural Resources;

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

- (2) A word or expression that is used in the Council Directive or the Commission Directive and is also used in these Regulations has, unless the contrary intention appears, 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 -
  - (a) a reference to a Regulation or Schedule is to a Regulation of, or Schedule to, these Regulations, unless it is indicated that reference to some other Regulations is intended, and
  - (b) a reference to a paragraph or subparagraph is a reference to a paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

#### Application

- 3. (1) These Regulations apply to new electric oven appliances.
- (2) These Regulations do not apply to -
  - (a) ovens that can also use other energy sources,
  - (b) ovens which do not fall within the scope of the harmonised standards,
  - (c) portable ovens, being appliances other than fixed appliances, having a mass of less than 18kg, provided they are not designed for built-in installations,
  - (d) appliances in respect of a model of which production has ceased before 1 January 2003.
- (3) These Regulations do not apply, until 30 June 2003, to -
  - (a) the placing on the market, the marketing or the display of appliances, and
  - (b) the distribution of communications referred to in Regulation 5(2),which do not conform to these Regulations.
- (4) The energy consumption of the steam functions, other than the hot steam functions, are not covered by these Regulations.

#### Duties of suppliers

- 4. (1) A supplier shall not place an appliance on the market, unless the supplier -
  - (a) either -
    - (i) provides a fiche in a product brochure with the appliance, or
    - (ii) supplies a fiche with other literature provided with the appliance,
  - (b) supplies a label with the appliance,
  - (c) ensures that the label is placed -
    - (i) on the door of the appliance, and
    - (ii) in the case of a multi-cavity appliance, on the door of each cavity, except a cavity that does not fall within the scope of the harmonised standards, in such a way as to be clearly visible and not obscured, and
  - (e) has established technical documentation in the English language version, in accordance with Schedule 5, 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 and easily 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, 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 or her consent to the publication of the information given on a label or fiche supplied by him or her.
- (6) A supplier shall ensure that -
- (a) the information on a label or fiche supplied by him or her is accurate, and
  - (b) when the supply by him or her of labels is requested by a dealer for the purpose of the display of appliances, 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 or her own system for the delivery of labels to dealers.
- (9) The energy efficiency class of each cavity of an appliance shall be determined by the supplier of the appliance in accordance with Schedule 4.
- (10) A supplier who fails to comply with this Regulation is 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 -
    - (i) on the door of the appliance, and
    - (ii) in the case of a multi-cavity appliance, on the door of each cavity, except a cavity which does not fall within the scope of the harmonised standards, 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 or written communication or by other means which imply that the potential customer cannot be expected to see the appliance displayed, such as a written offer, a mail order catalogue, advertisements on the Internet or on other electronic media, the dealer shall ensure that the communication includes all the information specified in Schedule 3 and is in the English language version. This requirement applies in respect of built-in appliances for integrated kitchens.
- (3) A dealer who fails to comply with this Regulation is guilty of an offence.
- (4) A label or fiche is deemed to comply with these Regulations and the Directives unless the contrary is shown.

## Compliance

6. (1) Subject to paragraph (2), a person who -
- (a) displays labels, marks, symbols or inscriptions relating to energy consumption which do not comply with the requirements of these Regulations, and
  - (b) if the display is likely to mislead or confuse a potential customer, is guilty of an offence.
- (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 or her warrant of appointment -
- (a) at all reasonable times, enter any premises or other place or any vehicle if he or she 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 or she reasonably considers to be necessary for the purposes of his or her functions and, if he or she 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 or her 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 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 or she may require the supplier concerned to furnish evidence (including technical documentation referred to in Regulation 4(1) concerning its accuracy.
- (4) A person who -
- (a) obstructs or impedes an authorised officer in the exercise of his or her powers under this Regulation,
  - (b) without reasonable excuse, does not comply with a requirement of an authorised officer under this Regulation, or
  - (c) who, in purported compliance with such a requirement, gives information to an authorised officer that he or she knows to be false or misleading in a material respect, is guilty of an offence.

## Offences and penalties

8. (1) A person guilty of an offence under these Regulations is liable on summary conviction to a fine not exceeding €3,000.
- (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, is guilty of an offence and is liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.
- (3) Proceedings for an offence under these Regulations may be brought by the Minister.

## Schedule 1 Label

### Regulation 2(1)

#### Label design

1. The label shall be in the English language version chosen from the following illustrations:

#### Note

2. The following notes define the information to be included on the label:
  - (a) Supplier's name or trade mark.
  - (b) Supplier's model identifier.
  - (c) The energy efficiency class of the cavity(ies) of the model shall be determined in accordance with Schedule 4. The head of the arrow containing the indicator letter shall be placed at the same level as the head of the relevant class arrow. The height of the arrow containing the indicator letter shall not be less than — and not more than twice — the height of the classes' arrows.
  - (d) 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 No. 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme<sup>1</sup>, a copy of the eco-label may be added here.

10.J. L 237, 21.9.2000, p.1.

- (e) Energy consumption in kWh for the heating function(s) (conventional and/or the forced air convection) (of appliances) based on standard load determined in accordance with the test procedures of the harmonised standards referred to in Article 2 of the Commission Directive.
- (f) Usable volume of the cavity in litres, determined in accordance with the harmonised standards referred to in Article 2 of the Commission Directive.
- (g) The size of appliance determined as follows:

small:	$12\text{ l} \leq \text{volume} < 35\text{ l}$
medium:	$35\text{ l} \leq \text{volume} < 65\text{ l}$
large:	$65\text{ l} \leq \text{volume}$ .

This indicator arrow shall be placed at the same level as the relevant size.

- (h) Where applicable, noise measured during the function determining the energy efficiency, determined in accordance with Directive 86/594/EEC<sup>2</sup>.

The relevant standards are EN 60704-2-10 (noise measurement) and EN 60704-3 (verification).

## 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

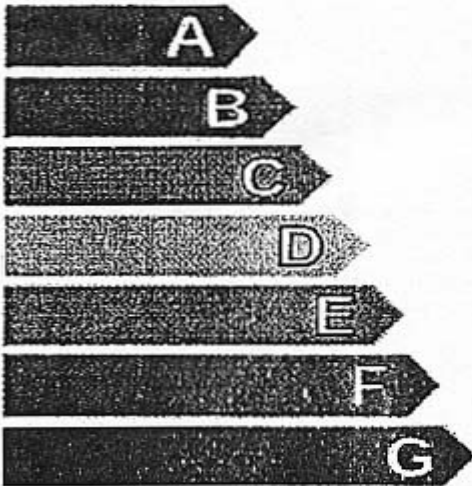



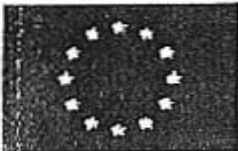
- F: 07X0

- G: 0XX0

Outline colour: X070

The background colour of the energy efficiency class indicator arrow is black.

All text is in black. The background is white.

<b>Energy</b>		Electric oven
Manufacturer Model	Logo ABC123	
<p>More efficient</p>  <p>Less efficient</p>	 	
<p>Energy consumption (kWh)</p> <p>Heating function:</p> <p style="padding-left: 40px;">Conventional</p> <p style="padding-left: 40px;">Forced air convection</p> <p><i>(based on standard load)</i></p>	<p><b>X.YZ</b></p> <p><b>X.YZ</b></p>	
Usable volume (litres)	XYZ	
<p>Size:</p> <p style="padding-left: 40px;">Small</p> <p style="padding-left: 40px;">Medium</p> <p style="padding-left: 40px;">Large</p> <p style="padding-left: 80px;">—</p> <p style="padding-left: 80px;">—</p> <p style="padding-left: 80px;">—</p>		
Noise (dB(A) re 1 pW)		
<p>Further information is contained in product brochures</p> <p>Norm EN 50304 Electric ovens Energy Label Directive 2002/40/EC</p>		

## Schedule 2 Fiche

### Regulation 2(1)

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, or given close to the description of the appliance:

1. Supplier's trade mark.
2. Supplier's model identifier.
3. The energy efficiency class of the cavity(ies) as defined in accordance with 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). The indication of the heating function in which the energy efficiency class is determined.
4. Where the information is provided in a table, and where some of the appliances listed in the table have been granted a 'European Union eco-label' pursuant to Regulation (EC) No 1980/2000, this information may be included here. In this case the row heading shall state 'European Union 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 Community Eco-label award scheme.
5. Energy consumption in kWh for the heating function(s), (conventional and/or forced air convection and/or hot steam)(of appliances) based on standard load determined in accordance with the test procedures of the harmonised standard referred to in Article 2 of the Commission Directive.

6. Usable volume of the cavity in litres, determined in accordance with the harmonised standards referred to in Article 2 of the Commission Directive.

7. The size determined as follows:

small:  $12\text{ l} \leq \text{volume} < 35\text{ l}$

medium:  $35\text{ l} \leq \text{volume} < 65\text{ l}$

large:  $65\text{ l} \leq \text{volume}$ .

This indicator arrow shall be placed at the same level as the relevant size.

8. Time taken to 'cook' standard load determined in accordance with the test procedures of the harmonised standards referred to in Article 2 of the Commission Directive.

9. Where applicable, noise measured during the function determining the energy efficiency, determined in accordance with Directive 86/594/EEC1.

The relevant standards are EN 60704-2-10 (noise measurement) and EN 60704-3 (verification).

10. The declaration of the power consumption when no heating function is performed and the oven is in the lowest power consuming mode as soon as a suitable harmonised standard for stand-by-losses becomes available.

11. The area of the largest baking sheet expressed in cm<sup>2</sup> and determined as 'surface area' according to the harmonised standard referred to in Article 2 of the Commission Directive.

If a copy of the label, either in colour or black and white is included in the fiche, only then does the further information need to be added.

### **Schedule 3**

#### **Mail Order and other Distance Selling**

##### **Regulation 5(2)**

Mail order catalogues, communications, written offers, advertisements on the Internet or on other electronic media referred to in Regulation 5(2), including offers for built-in ovens for integrated kitchens, shall contain the following information, given in the order specified:

1. Supplier's trade mark and model identifier

(Schedule 2, paragraphs 1 and 2)

2. Energy efficiency class

(Schedule 2, paragraph 3)

3. Energy consumption

(Schedule 2, paragraph 5)

4. Usable volume

(Schedule 2, paragraph 6)

5. Size

(Schedule 2, paragraph 7)

6. Noise

(Schedule 2, paragraph 9)

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

## Schedule 4 Energy Efficiency Class

### Regulation 4(9)

The energy efficiency class of a cavity shall be determined as follows:

**Table 1 — Small volume cavities**

Energy efficiency class	Energy consumption E <sup>1</sup> (kWh) based on standard load
A	$E < 0.60$
B	$0.60 \leq E < 0.80$
C	$0.80 \leq E < 1.00$
D	$1.00 \leq E < 1.20$
E	$1.20 \leq E < 1.40$
F	$1.40 \leq E < 1.6$
G	$1.60 \leq E$

<sup>1</sup> Determined according to Schedule 1, note V

**Table 2 — Medium volume cavities**

Energy efficiency class	Energy consumption E <sup>1</sup> (kWh) based on standard load
A	$E < 0.80$
B	$0.80 \leq E < 1.00$
C	$1.00 \leq E < 1.20$
D	$1.20 \leq E < 1.40$
E	$1.40 \leq E < 1.60$
F	$1.60 \leq E < 1.80$
G	$1.80 \leq E$

<sup>1</sup> Determined according to Schedule 1, note V

**Table 3 — Large volume cavities**

Energy efficiency class	Energy consumption E <sup>1</sup> (kWh) based on standard load
A	$E < 1.00$
B	$1.00 \leq E < 1.20$
C	$1.20 \leq E < 1.40$
D	$1.40 \leq E < 1.60$
E	$1.60 \leq E < 1.80$
F	$1.80 \leq E < 2.00$
G	$2.00 \leq E$

<sup>1</sup> Determined according to Schedule 1, note V

**Regulation 4(1)(d)**

(here set out in English language version of Table with references corresponding to references in Schedules)

Note label Schedule 1	Fiche Schedule 2	Mail Order Schedule 3	EN
•			Energy
•			Electric Oven
(a)	1	1	Manufacturer
(b)	2	1	Model
•			More efficient
•			Less efficient
	3	2	Energy efficiency class...on a scale of A (more efficient) to G (less efficient)
			Baking area
(e)	5	3	Energy Consumption
(e)	5	3	kWh

(e)	5	3	Heating function
(e)	5	3	Conventional
(e)	5	3	Forced air convection
(e)	5	3	Based on standard load
(f)	6	4	Usable volume
(g)	7	5	Size
(g)	7	5	Small
(g)	7	5	Medium
(g)	7	5	Large
	8		Time to cook standard load
(h)	9	6	Noise [dB(A) re 1 pW]
•			Further information is contained in product brochures
	11		The area of the largest baking sheet
•			Norm EN 50304

Further information is contained in product brochures

Energy Label Directive 2002/40/EC of electric ovens

GIVEN under my Official Seal,

11 December 2002.

Dermot Ahern,

Minister for Communications, Marine and Natural Resources

## **EXPLANATORY NOTE**

(This note is not part of the instrument and does not purport to be a legal interpretation).

The purpose of the Regulations is to give legal effect to Commission Directive 2002/40/EC of 8 May 2002 and Council Directive 92/75/EEC of 22 September 1992 in so far as they relate to household electric ovens.

These Regulations apply to household electric ovens. Household electric ovens that may also use other energy sources, ovens which do not fall within the scope of the harmonised standards, portable ovens, provided they are not designed for built-in installations, and household electric ovens of which production has ceased before 1 January 2003, are excluded.

The Regulations prohibit the placing on the market, for sale, hire or reward, of electric ovens unless accompanied by information relating to the consumption of electrical energy in addition to certain supplementary information. This information is to be conveyed to the consumer 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 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.

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