

S.I. No. 110/1996: EUROPEAN COMMUNITIES (ENERGY LABELLING OF HOUSEHOLD ELECTRIC TUMBLE DRIERS) REGULATIONS, 1996.

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I, MICHAEL LOWRY, Minister for Transport, Energy and Communications, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Commission Directive 95/13/EC of 23 May 1995 and to Council Directive 92/75/EEC of 22 September 1992, in so far as it applies to household appliances to which the Commission Directive aforesaid applies, hereby make the following Regulations:

1 O.J. No. L136, 21-6-1995, p.28.

2 O.J. No. L297, 13-10-1992, p.16.

1. These Regulations may be cited as the European Communities (Energy Labelling of Household Electric Tumble Driers) Regulations, 1996.

2. (1) In these Regulations—

"appliance" has the meaning assigned to it by Regulation 3;

"authorised officer" shall be construed in accordance with Regulation 9 (1);

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

"fiche" means a product fiche complying with Schedule 2 and the Directives;

"label" means a label complying with Schedule 1 and the Directives but does not include a rating plate or its equivalent affixed for safety purposes to an appliance;

"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;

"the Commission Directive" means Commission Directive 95/13/EC of 23 May 1995;

"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 Transport, Energy and Communications.

(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—

(a) a reference to a Regulation is to a Regulation of these Regulations;

(b) a reference to a paragraph is to a paragraph of these Regulation in which the reference occurs;

(c) a reference to a Schedule is to a Schedule of these Regulations.

3. In these Regulations "appliance" means an electric mains-operated household tumble drier but does not include—

- (a) a combined washer-drier,
- (b) an appliance that can also use other energy sources,
- (c) a second-hand appliance, or
- (d) an appliance of which production has ceased before the 1st day of April, 1996.

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, and
- (c) 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 appliance, sufficient for it to be uniquely identified,
- (c) information (including any relevant drawings) on the main design features of the appliance and, in particular, items that appreciably affect its energy consumption,
- (d) the results of any relevant design calculations,
- (e) reports of any relevant measurement tests carried out in accordance with the harmonised standards referred to in Article 1.2 of the Commission Directive,
- (f) where values are derived from those obtained for similar appliances, the same information for the appliance, and
- (g) 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 labels required by the dealer for the purpose of the display of appliances.

(8) A supplier may choose his own system for the delivery of labels to dealers.


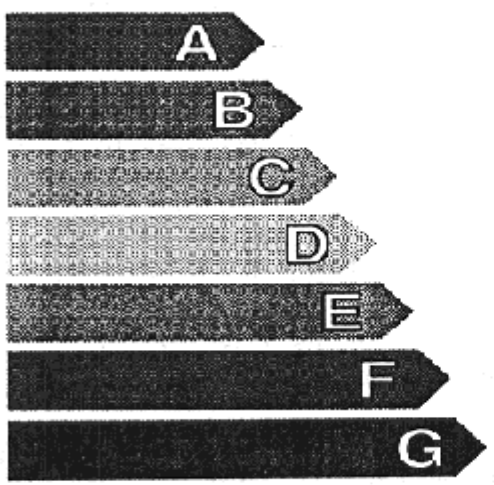





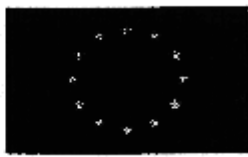
5. A dealer shall not offer an appliance for sale, hire or hire-purchase or display it to end users unless—
- (a) label, in the English language version, has been placed on the outside of the front or top of the appliance in such a way as to be clearly visible and not obscured,
 - (b) a fiche, in the 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.
6. (1) 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 complies with Schedule 3, is in the English language version and complies with the Directives.
- (2) 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 30th day of September, 1996, if the dealer shows to the satisfaction of the court that the communication referred to in that paragraph for the appliance was printed before the 1st day of April, 1996, and that he or she has been unable to obtain or, as the case may be, produce the information specified in Schedule 3.
7. A label or fiche shall be deemed to comply with these Regulations and the Directives unless there is evidence to the contrary.
8. (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 the Council Directive (in so far as it relates to appliances) or the Commission Directive 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.
9. (1) The Minister may appoint such and so many persons as he may determine to be authorised officers for the purposes of these Regulations and a person so appointed is referred to in these Regulations as "an authorised officer".
- (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 places 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 places 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.

10. (1) A person who contravenes a provision of these Regulations or the Directives shall be guilty of an offence.
- (2) A person guilty of an offence under these Regulations shall be liable on summary conviction to—
- (a) a fine not exceeding £1,500, or
 - (b) imprisonment for a term not exceeding 6 months, or to both.
- (3) 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.
11. Proceedings for an offence under these Regulations may be brought by the Minister.
12. (1) These Regulations shall not apply in relation to an appliance supplied to a dealer before the 30th day of September, 1996, if the dealer shows to the satisfaction of the court that he was unable, or did not have a reasonable opportunity, to obtain a label or, as the case may be, a fiche, in respect of the appliance, in the English language version that is in compliance with the Council Directive and the Commission Directive.
- (2) Where, as respects an appliance supplied by a supplier (whether to a dealer or another person) before the 30th day of September, 1996, the supplier provides a product brochure but shows to the satisfaction of the Court that he was unable, or did not have a reasonable opportunity, to insert a fiche into the brochure, the supplier shall be deemed to have complied with Article 3.2 of the Council Directive if he provides with the brochures a fiche in the English language version that is in compliance with the Council Directive and the Commission Directive.

SCHEDULE 1

THE LABEL

<h1>Energy</h1> <p>Manufacturer Model</p>	<h2>Drier</h2>  ABC 123	- I - II
<p>More Efficient</p>  <p>Less Efficient</p>	 	- III - IV
<p>Energy Consumption kWh/cycle <i>(based on standard test results for 'Dry Cotton' cycle)</i></p> <p>Actual energy consumption will depend on how the appliance is used</p>	<p>X.YZ</p>	- V
<p>Capacity (cotton) kg</p>	<p>X.Y</p>	- VI
<p>Air vented — Condensing —</p>	  	- VII
<p>Noise (dB(A) re 1 pW)</p>	<p>xyz</p>	- VIII
<p>Further information is contained in product brochures</p> <p>Norm EN 61121 Electric Drier Label Directive NO 64/XX/EC</p> 		

NOTES CONCERNING THE LABEL

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

Note:

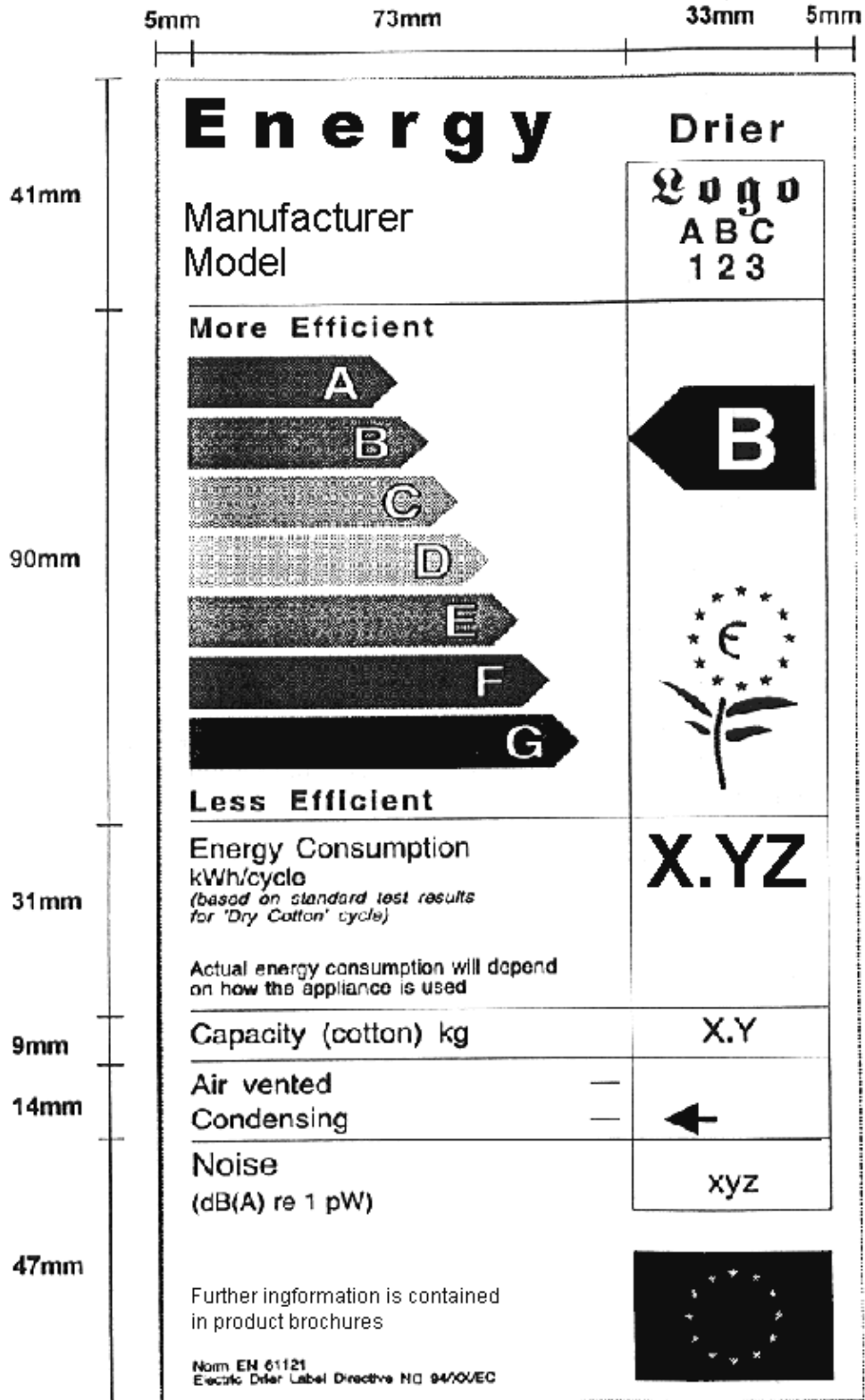
- I. Supplier's name or trade mark.
- II. Supplier's model identifier.
- II. The energy efficiency class of an appliance shall be determined in accordance with Schedule 4. This letter shall be placed at the same level as the relevant arrow.
- IV. Without prejudice to any requirements under the EU eco-label scheme, where an appliance has been granted an 'EU eco-label' pursuant to Council Regulation (EEC) No. 880/92 of 23 March 1992, a copy of the eco-label may be added here. The 'electric tumble drier label design guide' referred to below, explains how the eco-label mark may be included in the label.

3 O.J. No. L99, 11-4-1992, p.1.

- V. Energy consumption in kWh per cycle, for 'dry cotton cycle' in accordance with the test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive.
- VI. Rated capacity of cotton, in kg, in accordance with the harmonised standards referred to in Article 1.2 of the Commission Directive.
- VI. The type of appliance, air vented or condensing, in accordance with the harmonised standards referred to in Article 1.2 of the Commission Directive. The arrow shall be placed at the same level as the relevant type.
- VIII. Where applicable, noise measured in accordance with Council Directive 86/594/EEC of 1 December 1986.

4 O.J. No. L344, 6-12-1986, p.24.

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 in black. The background is white.

Complete printing information is contained in the 'Electric tumble drier label design guide', which is for information only, obtainable from:

The Secretary of the Committee on energy labelling and standard product information for household appliances, Directorate-General for Energy XVII,

European Commission,

Rue de la Loi/Wetstraat 200,

B-1049 Brussels.

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 appliances 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 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 an 'EU eco-label' pursuant to Regulation (EEC) No. 880/92, this information may be included here. In this case the row heading shall state 'EU eco-label', and the entry shall consist of a copy of the eco-label mark. This provision is without prejudice to any requirement under the Community eco-label mark scheme.
5. Energy consumption (Schedule 1 note V).
6. Rated capacity of cotton (Schedule 1 note VI).
7. Water consumption in accordance with test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive, for 'dry cotton' programme cycle, if applicable.
8. Drying time in accordance with test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive, for 'dry cotton' cycle.
9. The same information as given above, under notes 5, 6, 7 and 8, but in respect of the 'iron dry cotton' and 'easy care textiles' programmes. These lines may be omitted if there is no such cycle on the machines in question.
10. Suppliers may include the information in points 5 to 8 in respect of other drying cycles.
11. The average annual consumption of energy (and water if applicable) based on the drying of 150 kg using 'dry cotton', plus 280 kg using 'iron-dry' cotton, plus 150 kg using 'easy care' textile programmes. This shall be expressed as 'estimated annual consumption for a four person household normally using a drier'.
12. The type of appliance, air vented or condensing, in accordance with test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive, (Schedule 1 note VII).
13. Where applicable, 'noise' in accordance with Directive 86/594/EEC4.

4 O.J. No. L344, 6-12-1986, p.24.

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

SCHEDULE 3.

MAIL ORDER AND OTHER DISTANCE SELLING

Mail order catalogues and other printed communications referred to in Article 2.4 of the Commission Directive, shall contain the following information, given in the order specified:

1. Energy efficiency class (Schedule 2 point 3).
2. Energy consumption (Schedule 1 note V).
3. Capacity (Schedule 1 note VI).
4. Water consumption per cycle (if applicable) (Schedule 2 point 7).
5. Estimated annual consumption per household (Schedule 2 point 11).
6. Noise (Schedule 1 note VIII).

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 defined for the fiche.

SCHEDULE 4.

ENERGY EFFICIENCY CLASS

The energy efficiency class of an appliance shall be defined in accordance with the following tables:

Table 1 — Air vented driers

Energy Efficiency Class	Energy consumption 'C' in kWh per kg of load using test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive with 'dry cotton cycle'.
A	$C \leq 0.51$
B	$0.51 < C \leq 0.59$
C	$0.59 < C \leq 0.67$
D	$0.67 < C \leq 0.75$
E	$0.75 < C \leq 0.83$
F	$0.83 < C \leq 0.91$
G	$< C \leq 0.91$

Table 2 — Condensing driers

Energy efficiency class	Energy consumption 'C' in kWh per kg of load using test procedures of the harmonised standards referred to in Article 1.2 of the Commission Directive with 'dry cotton cycle'.
A	$C \leq 0.55$
B	0.55 0.64
C	0.64 0.73
D	0.73 0.82
E	0.82 0.91
F	0.91 1.00
G	$C > 1.00$

GIVEN under my Official Seal, this 18th day of April, 1996.

MICHAEL LOWRY,

Minister for Transport, Energy and Communications.

EXPLANATORY NOTE.

The purpose of the Regulations is to give legal effect to Commission Directive 95/13/EC of 23 May, 1995 and Council Directive 92/75/EEC of 22 September, 1992 in so far as it relates to household electric tumble driers.

These Regulations apply to electric mains operated household tumble driers. Tumble driers that may also use other energy sources, second-hand tumbler driers, tumble driers of which production has ceased before 1st April, 1996 and combined washer-driers, are excluded.

The Regulations prohibit the placing on the market, for sale, hire or reward, of a tumble drier 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 suppliers, 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 Publication Sales Office, Molesworth Street, Dublin 2.

Source: Irish Statute Book Database

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