

Position on the review of Regulation 327/2011 (ENER Lot 11) following the Consultation Forum of 1 April 2022

29 April 2022

EXECUTIVE SUMMARY AND RECOMMENDATIONS

The European Commission is reviewing Ecodesign Regulation (EU) No 327/2011 on fans (ENER Lot 11). EPEE, the voice of the air conditioning, heat pump, and refrigeration industry in Europe, supports the EU ecodesign and energy labelling policies, and agrees with the need to keep the legislation up-to-date and in line with the latest technological developments.

This paper provides the EPEE position on the most recent proposals from the Commission on the review of the requirements for fans. It offers our recommendations divided in seven different topics as a reaction to the Consultation Forum of 1 April 2022.

1. Avoid double regulation.
2. Clarify the distinction between complete and incomplete products.
3. Refine the requirements for custom fans as well.
4. Maintain a three-year timeline for Tier 2.
5. Avoid lowering the threshold for forward curved fans.
6. Remove requirements to publish technical data on publicly accessible websites.
7. Exclude material efficiency requirements on spare parts for fans integrated in other product-specific ecodesign requirements.

Introduction

EPEE, the voice of the air conditioning, heat pump, and refrigeration industry in Europe, welcomes the opportunity to provide comments to the Commission's proposals for a revised Ecodesign Regulation (EU) No 317/2011 for fans (ENER Lot 11). We welcome the discussion that followed the Consultation Forum of 1 April 2022 and support the need for reviewing the ecodesign requirements for fans.

Nonetheless, we believe that certain aspects of the Commission proposal could be further optimised. Please see our recommendation below.

Recommendations

1. Avoid double regulation

See Arts. 1(2) and 1(3)(q)

EPEE recommends removing any risk of double regulation, as it is counterproductive and may even lead to contradictory requirements. Moreover, the impact of the proposed requirements on fans integrated in other products has not been properly assessed (such as the impact on the sound of the final product, and the fact that improved fan performance does not necessarily lead to a better performance of the final product).

As such, fans integrated in other products should be out of scope of the revised ENER Lot 11 requirements. Fans are integrated in, amongst other, space heaters (ENER Lot 1), water heaters (ENER Lot 2), air conditioners (ENER Lot 10), commercial refrigeration (ENER Lot 12), air heating and cooling products and high-temperature process chillers (ENER Lot 21), professional refrigeration (ENFR Lot 1), or ventilation products (ENFR Lot 6), which are themselves covered by product-specific energy efficiency requirements under Ecodesign Directive implementing regulations.

Therefore, EPEE does not see the added value in setting separate requirements for integrated fans, especially when considering that fans account for less than 10 % of the energy consumption of the products in which they have been integrated.

2. Clarify the distinction between complete and incomplete products

See Art. 2(20) and Art. 3

The current proposal distinguishes between complete and incomplete fans, which leads to ambiguity concerning the separation between both types, in particular regarding the scope of incomplete products as such. For example, is a fan classified as an incomplete fan reclassified into a complete product after it is integrated into a final product, such as a space heater?

Therefore, EPEE requests that the Commission provides additional clarity as to what the complete / incomplete differentiations entails in practice, what the aim is of this split between the two fan types, how it will be implemented, and whether the Commission can provide examples.

3. Refine the requirements for custom fans as well

See Annex I(24) and Annex II.3

EPEE supports the principle of custom fans. Nonetheless, energy efficiency and spare part requirements should be excluded for custom fans, as these are elements that are already considered by the customer for the optimisation of the custom-made product and are already available to the customers through contracts. In view of their limited numbers and due to the fact that they are indeed custom-made to fulfil specific, often one-off, customer-requested design specifications, the ecodesign rules should be adapted to reflect their market reality.

4. Maintain a three-year timeline for Tier 2

See Annex II(1)

Industry needs sufficient time to adopt the new rules, potentially test fans that were not tested separately in the past (leading to, amongst other, the need to develop new testing facilities), and implement the necessary changes in its production and supply chain in order to comply with the new ecodesign rules. As such, EPEE supports the Commission's proposal to introduce a 3-year timeline for the adoption of Tier 2 and suggests removing Tier 1.

In addition, we would like to understand the rationale regarding the information requirement proposal in Annex II.3, which would be introduced 18 months after publication for custom fans and three years for all other fans.

5. Avoid lowering the threshold for forward curved fans

See Annex II(1), Table 1

Forward curved fans cannot be replaced by backward curved fans, as this would impact the size of final products incorporating fans, resulting in a phaseout of certain product and technology types (e.g., slim duct units) and an increase of the noise levels. As a result, concealed products may become unavailable.

EPEE supports keeping forward the limits for curved fans and radial fans at < 5 kW and that all centrifugal fans > 5 kW have the same minimum requirements. The value of 5 kW should not be lowered to guarantee technical neutrality as centrifugal fans are essential components delivering a higher amount of air flow than the same-sized backward curved fans.

6. Remove requirements to publish technical data on publicly accessible websites

See Annex II(2)(1)(d)

EPEE strongly opposes the proposal to published technical information on fans incorporated in final products on publicly accessible websites. First, there is no need to add such information, as it is irrelevant for consumers. Moreover, the information is commercially

sensitive and could lead to breaches of antitrust legislation and to anti-competitive behaviours that will impact commercial trust with customers.

It would be possible, however, to include such information in the technical documentation of a final product destined for market surveillance authorities, such as a space heater. To facilitate this, we propose to amend Annex II(2)(1)(d) as follows:

Current text:

“where relevant the technical data sheet supplied with products in which the fan is incorporated.”

Proposal:

“or for fans incorporated in products in the technical documentation sheet for the product.”

7. Exclude material efficiency requirements on spare parts for fans integrated in other product-specific ecodesign requirements

See Annex II(5)(2)

In order to avoid misalignment between component and final product legislation, EPEE urges the legislators to remove the requirements for spare parts that are already covered in other product-specific ecodesign implementing acts. This means that all spare parts will have to be clearly marked or labelled as such, so that they will be clearly differentiated from other fans.

EPEE emphasises that replacing existing fans by functionally identical models complying with ecodesign requirements is disproportionate, technically impossible in some products, and detrimental to the environment. Aside from a significant cost increase for both end-users and manufacturers, it would lead to additional waste generation due to the reduction of the useful lifetime of equipment in case of a fan failure.

ABOUT EPEE

EPEE represents the Refrigeration, Air-Conditioning and Heat Pump industry in Europe. Founded in the year 2000, EPEE's membership is composed of over 50 member companies as well as national and international associations from three continents (Europe, North America, Asia). With manufacturing sites and research and development facilities across the EU, which innovate for the global market, EPEE member companies realize a turnover of over 30 billion Euros, employ more than 200,000 people in Europe and also create indirect employment through a vast network of small and medium-sized enterprises such as contractors who install, service and maintain equipment. Please see our website (<https://www.epeeglobal.org/>) for further information.