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11 January 2001

FINAL  
**A5-0006/2001**

## **\*\*\*I** **REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
on a Community Energy Efficiency Labelling Programme for Office and  
Communication Technology Equipment  
(COM(2000) 18 – C5-0061/2000 – 2000/0033(COD))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Eryl Margaret McNally

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

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## PROCEDURAL PAGE

By letter of 28 January 2000 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 95 of the EC Treaty, the proposal for a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (COM(2000) 18 - 2000/0033 (COD)).

At the sitting of 14 February 2000 the President of Parliament announced that she had referred this proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible and the Committee on the Environment, Public Health and Consumer Policy for its opinion (C5-0061/2000).

The Committee on Industry, External Trade, Research and Energy appointed Eryl Margaret McNally rapporteur at its meeting of 19 April 2000.

It considered the Commission proposal and draft report at its meetings of 4 December 2000 and 9 January 2001.

At the last meeting it adopted the draft legislative resolution by 48 votes to 0, with 1 abstention.

The following were present for the vote: Carlos Westendorp y Cabeza, chairman; Renato Brunetta and Peter Michael Mombaur, vice-chairmen; Eryl Margaret McNally, rapporteur; Gordon J. Adam (for Elena Valenciano Martínez-Orozco), Konstantinos Alyssandrakis, Guido Bodrato, Felipe Camisón Asensio (for Alejo Vidal-Quadras Roca), Massimo Carraro, Gérard Caudron, Luciano Emilio Caveri (for Astrid Thors), Giles Bryan Chichester, Nicholas Clegg, Willy C.E.H. De Clercq, Claude J.-M.J. Desama, Harlem Désir, Colette Flesch, Christos Folias, Glyn Ford, Jacqueline Foster (for Werner Langen), Neena Gill (for François Zimeray), Norbert Glante, Alfred Gomolka (for Angelika Niebler), Lisbeth Grönfeldt Bergman (for Marjo Tuulevi Matikainen-Kallström), Michel Hansenne, Malcolm Harbour, Philippe A.R. Herzog, Hans Karlsson, Bernd Lange (for Rolf Linkohr), Peter Liese (for Konrad K. Schwaiger), Caroline Lucas, Nelly Maes, Erika Mann, Elizabeth Montfort, Reino Kalervo Paasilinna, Elly Plooij-van Gorsel, John Purvis, Godelieve Quisthoudt-Rowohl, Daniela Raschhofer, Imelda Mary Read, Mechtild Rothe, Paul Rübig, Esko Olavi Seppänen, Claude Turmes (for Nuala Ahern), Jaime Valdivielso de Cué, Dominique Vlasto, Anders Wijkman, Joachim Wuermeling (for Christian Foldberg Røvsing) and Myrsini Zorba.

The opinion of the Committee on the Environment, Public Health and Consumer Policy is attached.

The report was tabled on 11 January 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## LEGISLATIVE PROPOSAL

### Proposal for a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (COM(2000) 18 - COM(1999) 120 – C5-0061/2000 – 2000/0033(COD))

The proposal is amended as follows:

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Text proposed by the Commission<sup>1</sup>

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Amendments by Parliament

(Amendment 1)

Recital 2a

*(2a) There are, however, other measures for reducing electricity consumption from such equipment, such as switching it off when not needed. The Commission should ascertain which measures are appropriate in order also to exploit this energy-saving potential.*

*Justification:*

*Whilst improvement of technical standards to prevent stand-by losses is the most important measure for reducing energy consumption by electronic equipment, other measures exist which could also be very cost-effective.*

(Amendment 2)

Recital 6

(6) Moreover, Article 174 of the Treaty calls for the protection and improvement of the environment and prudent and rational utilisation of natural resources, these two objectives being among those of the Community policy on the environment; electricity generation and consumption

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<sup>1</sup> OJ C 150, 30.05.2000, p. 73

account for 30% of man-made carbon dioxides (CO<sub>2</sub>) emissions and some 35% of primary energy consumption in the Community, these percentages are increasing.

account for 30% of man-made carbon dioxides (CO<sub>2</sub>) emissions and some 35% of primary energy consumption in the Community, ***stand-by losses from electrical equipment account for about 10% of electricity consumption***, these percentages are increasing.

*Justification:*

*Specifying the percentage of electricity consumption concerned makes it clear that this is a very big problem. In terms of electricity consumption, stand-by losses account for a higher proportion than, for instance, all renewable energies combined in the European Union.*

(Amendment 3)  
Recital 12

(12) Most energy-efficient information and communication technology equipment are available at little or no-extra cost and they can pay for their initial cost through electricity savings within a few ***years***.

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***Energy-saving and CO<sub>2</sub>-reduction objectives can therefore be achieved in a cost-effective manner in this area, without disadvantages for consumers or industry.***

*Justification:*

*In most cases, the incorporation of technical features for preventing stand-by losses pays for its initial cost in less than one year rather than within a few years, especially if such features are incorporated on a large scale, which is, of course, the objective of this directive.*

(Amendment 4)  
Recital 14a (new)

***(14a) In order to influence demand for this***

***label, which is used worldwide, the European Union should participate in the labelling scheme and in drawing up associated standards. However, regular reviews must be carried out to ascertain whether the standards set are ambitious enough and take sufficient account of the concerns of the European Union.***

*Justification:*

*Approval of the Energy Star label, which is actually an American scheme, is a compromise which has to be accepted in view of current constraints but which must also be kept constantly under review to ascertain whether it meets sustainability requirements.*

(Amendment 5)  
Recital 14b (new)

***(14b) In addition to labelling especially efficient equipment, the most inefficient equipment should be gradually withdrawn from the market. The Commission should therefore examine whether it is possible to conclude a voluntary agreement with manufacturers of the equipment concerned, ensuring that particularly inefficient equipment is taken off the market altogether. The Commission should present a proposal for relevant legislation, should it not be possible to conclude such a voluntary agreement.***

*Justification:*

*In other areas, too, the European Union aims not only to promote the best products by means of labelling schemes but also to ensure that products which fall far short of the relevant standards are withdrawn from the market.*

(Amendment 6)  
Article 8(1)

1. The Commission shall establish a European Union Energy Star Board consisting of representatives of the National Bodies mentioned in Article 9 as well as relevant interested parties, hereinafter referred to as the "EUESB". The EUESB shall in particular contribute to the review of the Specifications as well as the product group coverage. The EUESB shall also advise the Commission on common information and education campaigns, and where appropriate co-ordinate them.

1. The Commission shall establish a European Union Energy Star Board consisting of representatives of the National Bodies mentioned in Article 9 as well as ***national energy policy experts and*** relevant interested parties, hereinafter referred to as the "EUESB". The EUESB shall in particular contribute to the review of the Specifications as well as the product group coverage. The EUESB shall also advise the Commission on common information and education campaigns, and where appropriate co-ordinate them.

*Justification:*

*The participation of the Member States in the drafting of recommendations to the Commission is limited. However, the significance of these issues means that Member States must be more closely involved.*

(Amendment 7)  
Article 8(2a) (new)

***One year following the entry into force of this Regulation, and every year thereafter, the EUESB shall draw up a report on the market penetration of products bearing the Energy Star logo and on the technology available for reducing energy consumption.***

*Justification:*

*The EUESB should review the market regularly, i.e. so as to keep pace with technological development, in order to establish how high a proportion of the equipment concerned is Energy Star labelled. This is the only way to ensure that the label is awarded only in respect of products whose energy efficiency is substantially higher than the average for all similar equipment on the market.*

(Amendment 8)  
Article 10, last sentence

The Working Plan shall be reviewed periodically.

The Working Plan shall be reviewed periodically.

***No more than twelve months shall elapse after the report is presented to the Council***



***and the European Parliament before the first review takes place. The working plan will then be reviewed on a twelve monthly basis.***

*Justification:*

*Regular reviews of the working plan will enable the Council and the European Parliament as well as the EUESB to monitor the progress of the scheme and make any changes which may be required.*

(Amendment 9)  
Article 8a (new)

***Article 8a***

***The Commission shall keep the Council and the European Parliament informed of the activities of the European Union Energy Star Board.***

*Justification:*

*Parliament should clarify this demand for information as asked for by the rapporteur.*

(Amendment 10)  
Article 8b (new)

***Article 8b***

***The Commission shall set up in the framework of the SAVE activities or similar activities related to energy efficiency a special unit which will follow the evolution of energy efficiency performances in the field of OCTE.***

*Justification:*

*The EU needs independent expertise outside the European Union Energy Star Board in order*

*to follow the evolution of the market.*

(Amendment 11)  
Article 10, last sentence

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***No more than twelve months shall elapse after the report is presented to the Council and the European Parliament before the first review takes place. The working plan will then be reviewed on a twelve monthly basis.***

*Justification:*

*Regular reviews of the working plan will enable the Council and the European Parliament as well as the EUESB to monitor the progress of the scheme and make any changes which may be required.*

(Amendment 12)  
Article 10a (new)

***Article 10a***

***The Commission shall produce and submit to the Council and Parliament every two years a report monitoring the energy efficiency of the OCTE market in the EU, giving an evaluation of the effectiveness of the Energy Star programme and proposing, if necessary, complementary measures to the Energy Star programme.***

*Justification:*

*The EU should not rely exclusively on the Energy Star programme to achieve progress in the important field of energy efficiency in OCTE. The results achieved by Energy Star should be closely monitored and regularly reviewed.*

(Amendment 13)

Article 11(4)

4. The Commission shall take into account the EUESB proposal for the revision of the Specifications and product coverage in the negotiations with the U.S EPA.

4. The Commission shall take into account the EUESB proposal for the revision of the Specifications and product coverage in the negotiations with the U.S EPA.

***In so doing, it shall take particular account of the objective of setting specifications at a high level, with due regard for the technology available for reducing energy consumption analysed in the EUESB report, as specified in Article 8.***

*Justification:*

*The award of an official label is warranted only in the case of products which consume markedly less energy than the average for all similar equipment on the market. It must therefore be made clear in the Regulation that the European Union will, in its negotiations with the USA (Article 11), endeavour to ensure that the requirements for awarding the label are set sufficiently high as to be met by only a small proportion (25%) of the equipment on the market*

(Amendment 14)

Article 13, introductory sentence

Each Member State shall ensure that consumers and undertakings are informed by appropriate means of the following:

Each Member State shall ensure that consumers and undertakings are informed by appropriate means, ***preferably a short pamphlet to be included with the appliance at the time it is sold,*** of the following:

*Justification:*

*This amendment clarifies the ways in which information on the Energy Star labelling scheme can be disseminated.*

(Amendment 15)  
Article 14

Member States shall within six months of the entry into force of this Regulation inform the Commission of the measures taken to ensure compliance with this Regulation.

Member States shall within six months of the entry into force of this Regulation inform the Commission of the measures taken to ensure compliance with this Regulation.

***Appropriate action will be taken to ensure that all member states make the maximum effort to encourage take up of the energy star labelling scheme.***

*Justification:*

*Member states have a responsibility to promote the Star energy labelling scheme and achieve take up. Member states should be as closely involved with the scheme as possible.*

(Amendment 16)  
Article 15(1)

1. Within **five** years of the entry into force of this Regulation, and prior to any renewal of the Agreement, the Commission shall review the Energy Star Programme in the light of the experience gained during its operation.

1. Within **two** years of the entry into force of this Regulation, and prior to any renewal of the Agreement, the Commission shall review the Energy Star Programme in the light of the experience gained during its operation.

***The review must in particular examine whether Energy Star requirements are ambitious enough and whether the European Union has been able to assert its concerns adequately in the dialogue with the USA.***

*Justification:*

*A review after five years would seem to come too late, as the chosen approach of taking over American standards is highly problematic. A review must be carried out after a very short period in order to ascertain whether this approach is the right one in practice.*

## DRAFT LEGISLATIVE RESOLUTION

### **European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment (COM(2000) 18 – C5-0061/2000 – 2000/0033(COD))**

#### **(Codecision procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 18<sup>1</sup>),
  - having regard to the Communication from the Commission to the Council and the European Parliament on Policy Instruments to Reduce Stand-by Losses of Consumer Electronic Equipment (COM(1999) 120)
  - having regard to Article 251(2) and Articles 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament(C5-0061/2000),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion(s) of the Committee on the Environment, Public Health and Consumer Policy (A5-0006/2001),
1. Approves the Commission proposal as amended;
  2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C 150, 30.05.2000, p. 73

## EXPLANATORY STATEMENT

### I. Introduction

The Commission is proposing a Regulation which would introduce a voluntary labelling scheme to promote energy efficiency in office and communications technology equipment (OCTE): personal computers, monitors, fax machines, scanners, copiers and printers. This action comes under the SAVE programme, the European Community programme designed to improve energy efficiency and thereby reduce the environmental impact of energy use in transport, industry, commerce and the domestic sector. The European Parliament has supported the SAVE programme, and the idea of a new measure designed to promote energy efficiency in office equipment is something of which it can approve, especially because of the continuing growth of the tertiary sector in the European economy. This phenomenon is a practical reflection of the development of the knowledge-based economy, which has been identified as a goal for European policy.

At the same time it is necessary to scrutinise the Commission's proposal carefully, for two principal reasons. First, the Parliament needs to be satisfied that the practical approach proposed by the Commission in this case is the right one. Second, there are legal and procedural issues involved in this dossier which require to be disentangled.

The rapporteur has examined carefully the procedure adopted, which contains two separate but related parts. First, there is a proposal by the Commission for a Regulation of the European Parliament and of the Council on a Community Energy Efficiency Labelling Programme for Office and Communication Technology Equipment [COM(2000)18 final], dated 28 January 2000. This is proceeding by the co-decision procedure. Second, there is a proposal by the Commission for a Council Decision concerning the conclusion on the behalf of the European Community of an agreement between the United States of America and the European Community on the Co-ordination of Energy-Efficient Labelling Programmes[COM(1999)328 final], dated 1 July 1999. The European Parliament has not yet been consulted on this document, which should become the object of an assent procedure. The rapporteur and the Chairman of the Committee have written to the Legal Service of the Parliament to request an opinion on this and other relevant matters.

It is the position of the rapporteur that Parliament should deliver its opinion on the two matters together, and that they should therefore both be the subject of this one report.

The present report is also to be taken as covering the Communication from the Commission on Policy instruments to reduce stand-by losses of consumer electric equipment (COM(1999) 120).

## **II The objectives of the proposed Regulation**

The proposed regulation is to be seen as an integral part of the EU's drive towards energy saving and energy efficiency. It is numbered among the 72 separate initiatives grouped under the recently-published Action Plan to improve energy efficiency in the European Community.<sup>1</sup>

Two topics need to be discussed: (1) Will the labelling scheme have a significant effect?, and (2) Is the Commission right to propose that Europe signs up to a scheme that has originally been devised in the US?

### **II.1 Will the labelling scheme have a significant effect?**

The scheme being proposed is a voluntary one. Nevertheless, the Commission is expecting significant benefits from it in terms of energy saving and the reduction of CO<sub>2</sub> emissions. In its impact assessment, the Commission says that present OCTE electricity consumption in the EU is about 50TWh per year. By the end of 2015, it has calculated, application of the proposed Energy Star labelling programme will be resulting in electricity savings of about 10TWh and about 5m tonnes of CO<sub>2</sub> emissions per year. This estimate is based on previous experience in various countries with similar schemes.

The anticipated results are well-worth achieving, and the Commission is also right to say that this is a cost-effective approach. At the same time, even if the programme is as successful as we hope, it is necessary to stress that there is still more that can be done to promote energy-saving and environmental protection in the use of office equipment, including computers.

The principal technique of energy conservation which the Energy Star scheme promotes is the incorporation into the design of computers and office equipment of a 'sleep mode' whereby, when the machine is not being used, it falls into a state of low energy consumption. Thus a PC which when working might use 100 watts of energy (comparable to a bright light-bulb) can enter an extremely low-power mode where it needs perhaps even less than 5 watts. The capacity to design computers to do this is a fruit of recent technological advances. Current technology not only makes the 'sleep mode' possible, but it now also delivers instantaneous 'awakening' - an important consideration when considering the acceptability of the feature to the user. In large organisations, where thousands of computers may be left on more or less permanently, it is clear that the savings will be real: both to society and the environment at large, and to the organisations themselves, which relish the cost-savings that result. Thus the fact that the labelling scheme is voluntary may not make it as weak as it seems: to have the right to carry the label into the market place is not a negligible one.

The cost-savings to companies which are consumers both of OCTE and of electricity reduce what is called the 'Total Cost of Ownership' of computers and other office equipment. However, they are only one component of such costs. Among the others it is necessary to mention the cost of air-conditioning. A modern PC warms the air in the room where it is placed. It is also equipped with a monitor screen which produces heat, as does the laser-

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<sup>1</sup> Communication: "Action plan to improve energy efficiency in the European Community - COM(2000) 247 - Annex I.

printer and other items. Commonly, rooms where network servers are working need to be kept permanently air-conditioned, not for the comfort of the human users but for the safety of the machines. The Commission should be encouraged to come forward with proposed energy saving schemes measures for heating, ventilation and air-conditioning systems. It might be argued that the cost of cooling office-space that has been heated by the waste-heat from computers in summer is offset by the usefulness of the heating effect in winter. This is only partially true, since the heating often occurs in areas of the building which have been set aside for computer use and may well require cooling even in winter, and there are, in any case, better ways of heating offices than by the waste heat of equipment which, in principle, ought to be more energy-efficient than it is.

Users will already have seen the Energy Star logo in software produced in America as well as in hardware. It is important to remember that power-management is facilitated by the appropriate software. Unless the software is adapted to the power-management task, energy-saving features in hardware may lose part of their effectiveness.

## **II.2 Why a US scheme?**

The proposal is that Europe should sign up to the 'Energy Star' programme. This is a collaboration between the US Department of Energy, the US Environmental Protection Agency and a number of companies, which proclaims that it "is designed to prevent pollution by helping consumers buy products that use less energy". The ENERGY STAR<sup>®</sup> label and other activities are intended to "raise awareness about the environmental and economic benefits of energy efficient products and help consumers easily identify them when shopping". (Further details are available from the website, at "<http://www.energystar.gov/>").

At first sight it may seem strange that Europe should need to rely on an American scheme. However, the Energy Star logo is often seen already on US products, of which many are in use in Europe. Energy Star, it could be argued, is a de facto accepted standard in Europe.

Moreover, if by joining the scheme Europe gains the right to participate in decision-making on the future development of the Energy Star standards this will be a distinct benefit. Therefore the rapporteur has concluded that, in terms of practical effectiveness, the Energy Star scheme can offer real advantages to the EU.

The value of a voluntary scheme, rather than a compulsory one, might be questioned. The Commission has argued that a voluntary scheme at European level leaves it open to individual Member States to introduce stricter regimes, if they so wish, without infringing the single market.

On the other hand, there is room for concern on the issue of (a) legal base, and (b) the procedures for consulting the European Parliament on the Regulation and the international agreement.

## **III The proposed Council Decision on the US-EC agreement**



### III.1 Comparison of the Decision and the Regulation

The Regulation sets out the rules for Europe's management of its own participation in the Energy Star scheme for OCTE. These are principally legal and administrative matters, including the establishment of a European Union Energy Star Board (EUESB). The technical content of the measure is to be found in the proposed Council Decision concerning the US-EC agreement. There is something perverse in this arrangement, since it reduces the ability of the European Parliament to influence the effective content of this instrument of energy-saving policy. The comparatively slow evolution of Parliament's role in decision-making on international agreements has never been justified on grounds of its competence to judge the technical merits of proposals falling within the competence of its various specialist committees, but on completely different grounds, based on considerations of foreign policy and its mechanisms.

The technical heart of the proposed measure is to be found, not in the Regulation, but in an annex to the Council Decision. This is Annex C, which stipulates the technical specifications and product types that are the subject of this initiative. Perhaps the most important part of the whole package is Article 10 of the Council Decision, which lays down the procedures whereby a 'Management Entity' may seek to amend Annex C in order to revise existing specifications or to add a new product type. In the case of the EU, the managing entity will be the EUESB.

The rapporteur considers that a way should be found to associate the Parliament with the procedure for amending the specifications. Although the actual participation of Members of Parliament in the meetings called for this purpose might not be appropriate, a method of keeping the Parliament informed in writing must be implemented.

### III.2 The Side Letter

Procedural difficulties have made the treatment of the present dossier unusually complicated. For example, there has been delay in achieving an agreed text of the agreement between the European Community and the United States that could be made available to Parliament for scrutiny. The Commission and Council have been helpful to the rapporteur in these difficult circumstances, but in future it is doubtful whether a similar procedure should be followed again. An additional feature of the situation is that the international agreement will be accompanied by a 'Side Letter' in which the parties give information about their modalities for implementing the agreement's provisions. In the event, this side letter provides an opportunity for affirming the Parliament's role in a situation where the chosen procedure would otherwise have left this unclear.

Accordingly, the rapporteur has undertaken discussions with representatives of the Commission and Council designed with a view to the European side inserting a point in the Side Letter to make it clear that Parliament will have a role in the updating of the technical specifications. Agreement has been achieved with the Commission and Council on the insertion of the following text:

#### Point 8

The European Commission hereby informs the United States Government that the

European Parliament, which would be the co-legislator for similar initiatives at European level, will be consulted by the European Commission on matters concerning the technical specification.

#### IV Conclusions

The rapporteur informs the Committee that she has arrived at the following conclusions:

1. that the proposed insertion of the text cited in III.2 above into the Side Letter is, in the circumstances, a satisfactory means of affirming Parliament's role in the procedure for monitoring and updating the technical specifications;
2. that Parliament can approve the proposed Regulation;
3. that Parliament can approve the proposed Decision;
4. that the procedure used in this case should not, as a matter of principle, be used in similar cases in future; Europe should generate its own regimes for energy-saving, as for analogous schemes with technical content; in particular, where the Treaty provides for co-decision, the substantive content which Parliament has a duty to scrutinise ought not to be masked by a procedure involving international agreements not subject to co-decision.

30 August 2000

## **OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER POLICY**

for the Committee on Industry, External Trade, Research and Energy

on the proposal for a European Parliament and Council regulation on a Community energy efficiency labelling programme for office and communication technology equipment (COM(2000) 18 – C5-0061/2000 – 2000/0033((COD)))

Draftsman: Emilia Franziska Müller

### **PROCEDURE**

The Committee on the Environment, Public Health and Consumer Policy appointed Emilia Franziska Müller draftsman at its meeting of 22 March 2000.

It considered the draft opinion at its meetings of 11 July 2000 and 28 August 2000.

At the last meeting it adopted the amendments below unanimously.

The following were present for the vote: Caroline Jackson, chairman; Emilia Franziska Müller, draftsman; Maria del Pilar Ayuso González, Hans Blokland, David Robert Bowe, John Bowis, Chris Davies, Avril Doyle, Laura González Álvarez, Françoise D. Grossetête, Roger Helmer, Mary Honeyball (for Marialiese Flemming), Anneli Hulthén, Torben Lund, Jules Maaten, Minerva Melpomeni Malliori, Erik Meijer (for Mihail Papayannakis), Jorge Moreira Da Silva, Rosemarie Müller, Riitta Myller, Giuseppe Nisticò, Karl Erik Olsson, Marit Paulsen, Guido Sacconi, Karin Scheele, Ursula Schleicher (for Per-Arne Arvidsson), Inger Schörling, Jonas Sjöstedt, Renate Sommer (for Marielle de Sarnez), María Sornosa Martínez, Dirk Sterckx (for Frédérique Ries), Phillip Whitehead.

## SHORT JUSTIFICATION

I. In general, the Commission's proposal for a regulation on a voluntary labelling programme is to be welcomed.

\* Consumption labelling is, in my view, an important free-market instrument for promoting the use of energy-efficient equipment. By introducing such a label, the European Union will be providing the impetus needed to encourage people to use energy more sparingly. It is all the more likely to succeed if applied just about globally to office equipment. This would give us a joint labelling scheme, not only with the USA but also with Japan and some other countries which already apply the Energy Star scheme by agreement with the USA. By applying this scheme, we would be taking account of the fact that the office equipment market is a global market, and further barriers to trade could be removed. Given the rapid pace of technological development, it is important to establish international standards for this sector in order to enhance the energy-saving effects.

The following are particularly welcome features of the proposal:

- \* designation of at least one national body (Article 9),
- \* establishment of the European Union Energy Star Board (EUESB), consisting of representatives of the national bodies mentioned in Article 9, as well as representatives of industry and other interest groups (Article 8),

as are:

- \* national registration of equipment (Article 5(1)),
- \* provision by Member States of information to consumers and undertakings (Article 13(1)).

This will enable Member States to take account of what are possibly matters and features of national interest, and consumers will have contacts for information on the labelling programme in their own Member State.

- \* An important feature of the proposed regulation is that Article 7 explicitly states that existing and new schemes may co-exist in the Member States with the Energy Star Programme.

The co-existence of independent labelling schemes will make it possible to take account of specific national features. Additionally, competition between voluntary labelling schemes will help make them more innovative.

## II. Amendments

The award of an official label is warranted only in the case of products which consume markedly less energy than the average for all similar equipment on the market.

\* It must therefore be made clear in the Regulation that the European Union will, in its negotiations with the USA (Article 11), endeavour to ensure that the requirements for awarding the label are set sufficiently high as to be met by only a small proportion (25%) of the equipment on the market

\* To this end, the EUESB should review the market regularly, i.e. so as to keep pace with technological development, in order to establish how high a proportion of the equipment

concerned has been Energy Star labelled. This is the only way of ensuring that the label is awarded only in respect of products whose energy efficiency is substantially higher than the average for all similar equipment on the market.

Member State participation in drafting recommendations to the Commission is limited in relation to decisions relating specifically to energy policy, such as:

- establishment of the working plan referred to in Article 10, which sets out:
  - energy-saving targets,
  - the list of product groups for inclusion in the Energy Star Programme,
- plans for educational and promotional campaigns and other necessary measures,
- revision of the specifications and product groups, as specified in Article 11.

However, the significance of such issues means that Member States must be more closely involved, for instance through a specialist committee with a political mandate.

## AMENDMENTS

The Committee on the Environment, Public Health and Consumer Policy calls on the Committee on Industry, External Trade, Research and Energy, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission <sup>1</sup>	Amendments by Parliament
(Amendment 1) Article 8(1)	
1. The Commission shall establish a European Union Energy Star Board consisting of representatives of the National Bodies mentioned in Article 9 as well as relevant interested parties, hereinafter referred to as the "EUESB". The EUESB shall in particular contribute to the review of the Specifications as well as the product group coverage. The EUESB shall also advise the Commission on common information and education campaigns, and where appropriate co-ordinate them.	1. The Commission shall establish a European Union Energy Star Board consisting of representatives of the National Bodies mentioned in Article 9 as well as <b><i>national energy policy experts and</i></b> relevant interested parties, hereinafter referred to as the "EUESB". The EUESB shall in particular contribute to the review of the Specifications as well as the product group coverage. The EUESB shall also advise the Commission on common information and education campaigns, and where appropriate co-ordinate them.

### *Justification:*

*The participation of the Member States in the drafting of recommendations to the Commission is limited. However, the significance of these issues means that Member States must be more*

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<sup>1</sup> not yet published

*closely involved.*

(Amendment 2)  
Article 8(2a) (new)

***One year following the entry into force of this Regulation, and every year thereafter, the EUESB shall draw up a report on the market penetration of products bearing the Energy Star logo and on the technology available for reducing energy consumption.***

*Justification:*

*The EUESB should review the market regularly, i.e. so as to keep pace with technological development, in order to establish how high a proportion of the equipment concerned is Energy Star labelled. This is the only way to ensure that the label is awarded only in respect of products whose energy efficiency is substantially higher than the average for all similar equipment on the market.*

(Amendment 3)  
Article 10, last sentence

The Working Plan shall be reviewed periodically.

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***No more than twelve months shall elapse after the report is presented to the Council and the European Parliament before the first review takes place. The working plan will then be reviewed on a twelve monthly basis.***

Or. en

*Justification:*

*Regular reviews of the working plan will enable the Council and the European Parliament as well as the EUESB to monitor the progress of the scheme and make any changes which may be required.*

(Amendment 4)

Article 11(4)

4. The Commission shall take into account the EUESB proposal for the revision of the Specifications and product coverage in the negotiations with the U.S EPA.

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***In so doing, it shall take particular account of the objective of setting specifications at a high level, with due regard for the technology available for reducing energy consumption analysed in the EUESB report, as specified in Article 8.***

*Justification:*

*The award of an official label is warranted only in the case of products which consume markedly less energy than the average for all similar equipment on the market. It must therefore be made clear in the Regulation that the European Union will, in its negotiations with the USA (Article 11), endeavour to ensure that the requirements for awarding the label are set sufficiently high as to be met by only a small proportion (25%) of the equipment on the market*

(Amendment 5) Article 13, introductory sentence

Each Member State shall ensure that consumers and undertakings are informed by appropriate means of the following:

Each Member State shall ensure that consumers and undertakings are informed by appropriate means, ***preferably a short pamphlet to be included with the appliance at the time it is sold,*** of the following:

Or. en

*Justification:*

*This amendment clarifies the ways in which information on the Energy Star labelling scheme can be disseminated.*

(Amendment 6)  
Article 14

Member States shall within six months of

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the entry into force of this Regulation inform the Commission of the measures taken to ensure compliance with this Regulation.

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***Appropriate action will be taken to ensure that all member states make the maximum effort to encourage take up of the energy star labelling scheme.***

Or. en

*Justification:*

*Member states have a responsibility to promote the Star energy labelling scheme and achieve take up. Member states should be as closely involved with the scheme as possible.*