

**Question for oral answer O-000049/2017
to the Commission**

Rule 128

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Subject: Compensation for wrongly labelled energy-related products

During the recent negotiations on the energy efficiency labelling regulation, Parliament's negotiating team sought to include specific provisions addressing the issue of consumers who purchase energy-related products, the real energy and environmental performance of which is inferior to that displayed on the energy label. Parliament's position took into account the fact that the incorrect energy class may not always be discovered within the two-year limit established by Directive 99/44/EC and that the damage to the consumer could also include the excess energy consumed by the product. For these reasons, Parliament deemed it appropriate to include a provision requiring suppliers to compensate consumers in cases of such non-conformity and suggested that the following remedies might be envisaged:

- to have a product brought into conformity by replacement, free of charge, with an equivalent product that corresponds to the energy class displayed on the original, non-compliant product, and
- to provide compensation for the additional energy used for the period which has elapsed since the purchase. This compensation should be based on the difference between the average consumption of the energy class indicated on the label and the actual energy class of the product.

Nevertheless, it did not prove possible to reach agreement with the Member States, and no reference was made in the final text of the legislation provisionally agreed between the institutions. However, the Commission has made the following statement on this issue, annexed to the agreement:

'In view of its ongoing efforts to strengthen the enforcement of Union harmonisation legislation for products, the Commission - in order to address potential financial loss by consumers due to wrongly labelled products or inferior energy and environmental performance than labelled - should investigate whether compensation for consumers in case of non-compliance with regard to energy class displayed on the label can be addressed.'

In light of the foregoing:

- Could the Commission further elaborate on the precise actions it intends to take, including a timetable for such actions, in order to make good on its commitment?
- When will this investigation be completed and does the Commission consider that the existing legislative framework is sufficient?

Tabled: 6.6.2017

Forwarded: 8.6.2017

Deadline for reply: 15.6.2017