

Discussion note on Taps and showers

Introduction

As planned in the Ecodesign Working Plan 2016-2019¹, the Commission services have updated the preparatory study on taps and showers. This note intends to summarise the main conclusions from this study and to propose a way forward, for discussion with stakeholders in the framework of the Ecodesign and Energy Labelling Consultation Forum.

The Ecodesign preparatory study on Taps and Showers², undertaken by the European Commission Joint Research Centre (JRC) in 2014 following the MEERp methodology, pointed out that:

- Water consumption and scarcity is an increasing problem in many areas of the European Union;
- A large number of taps and shower models are on the market which offer to consumers the possibility of choosing between different levels of water and energy consumption;
- Water-saving technologies represent technically effective, economically affordable and flexible product options;
- Environmental improvements achieved through existing policy and labelling initiatives could be further enhanced through the implementation of additional policy measures and/or a broader labelling of products;
- The water- and energy-saving potential of taps and showers can be significant at European level, as also reported³ in the Ecodesign Working Plan 2016-2019.

Among the possible policy options assessed in the study, a European mandatory energy label was found at that time to be a suitable tool to accelerate the market transformation towards more water- and energy-saving products, which could ultimately result in benefits at EU level in terms of water, energy and cost savings, including savings for consumers, and reduction of GHG emissions.

At the same time, ecodesign requirements (e.g. water flow restrictions, mandatory presence of water/energy-saving devices) appeared as a less attractive option, considering:

- The technical difficulties associated with the scope definition (e.g. conventional vs. luxury/wellness products; bathroom vs. kitchen taps; exhaustive but flexible list of water/energy-saving devices);
- The risk of not meeting the expectations of consumers;
- The more limited benefits⁴, as modelled in the study, compared to labelling options.

¹ <https://ec.europa.eu/docsroom/documents/20375>

² http://susproc.jrc.ec.europa.eu/taps_and_showers/docs/MEERp_Study_TS_Final_DRAFT_V2_codes.pdf

³ Up to 70 TWh per year (and 1900 Mm³ of abstracted water) in 2025; up to 17 TWh per year (and 700 Mm³ of abstracted water) in 2030 – in the same order of magnitude as eco-design measures on televisions.

⁴ Up to 13 TWh per year (and 400 Mm³ of abstracted water) in 2025; up to 11 TWh per year (and 300 Mm³ of abstracted water) in 2030

Partly based on such considerations, the potential development of an energy label for water-related products was included in the Ecodesign Working Plan 2016-2019⁵.

Subsequently, a follow-up study to the Preparatory Study on Taps and Showers was undertaken by the JRC in 2018/2019.

In parallel, a part of the industry sector has been working on the development of a unified label for taps and showers to inform about the performance of their products and expressed its interest in a Voluntary Agreement with the Commission as an alternative to the adoption of an EU energy label.

Results of studies and stakeholder consultations

The two studies and associated discussions with stakeholders, lead to the following findings:

- The main policy options considered feasible at this stage are: (i) a mandatory water and energy label under the Energy Labelling Regulation; (ii) a voluntary agreement under the Ecodesign Directive, including information on the maximum water flow and associated energy used in the form of a label; (iii) no policy initiative at EU level but an industry-led unified label without formal voluntary agreement; (iv) a standardisation request to EU standardisation organisations may be envisaged in parallel to each of the three options (i), (ii) and (iii).
- A mandatory water and energy label seems the preferred options for some of the stakeholders representing Member States and NGOs. However, no European or international standard test method is so far available for assessing functional performance aspects such as rinsing efficiency or comfort in a satisfactory way. The majority of the European industry does not consider the Swedish standards as a suitable reference on these aspects. The risk to establish a mandatory label without performance measurement is that such label could be criticised for not ensuring that a good grade on the label would also mean a satisfactory functional performance – and therefore for not providing a fair comparison between products.
- An industry-led unified label would be the preferred option for most industry representatives. This option is also backed by some non-industry representatives (e.g. from energy agencies and non-profit organisations). This may be done in the framework of a formal Voluntary Agreement under Ecodesign provided the specific conditions set out in the Ecodesign Directive and detailed in the dedicated Guidance are met.
- The development of a CEN standard on the measurement of the functional performance of taps and showers could run in parallel with a Voluntary Agreement or an independent industry-led unified label, especially if the Voluntary Agreement includes a commitment to apply such standard when applicable; this can be triggered by a standardisation request to European standardisation organisations from the European Commission, given that such performance measurement standards would contribute to Ecodesign and Energy Labelling objectives.
- The labelling context in Europe is still quite heterogeneous, although the European Bathroom Forum has managed to bring together an important portion of the market (about 60% in October 2018 according to the information provided by the Forum). The

⁵ <https://ec.europa.eu/docsroom/documents/20375>

possible harmonisation of labelling by industry will depend also on the engagement of various schemes and on the strategy followed by the Commission;

- The market of taps and showers is apparently moving slowly towards more efficient products, as registration of products in labelling schemes seems to indicate.

The JRC report, as well as the analysis of other organisations, show a significant water and energy saving potential for taps and showers, in comparison with a 'business and usual' scenario. A mandatory Energy Label could aim at exploiting this potential but the absence of broadly accepted test standards on the products functional performance creates an important obstacle to its feasibility. An industry-led label – either as part of a Voluntary Agreement with the EC (which would have to fulfil the requirements for VAs under the Ecodesign Directive) or on an independent basis – could also be effective in achieving water and energy savings, especially in case of broad adoption by the market in the short term. Both market coverage and implementation time are key factors to take into account.

Legal considerations

The Directive 2009/125/EC on ecodesign requirements for energy-related products provides in Article 15, paragraph 3, that the Commission, when preparing draft implementing measures, should take into account relevant self-regulation such as voluntary agreements, following an assessment in accordance with Article 17 and Annex VIII. The evaluation criteria of Annex VIII have been further detailed in the Commission Recommendation (EU) 2016/2015 on guidelines for self-regulation measures concluded by industry.

The proposal for a voluntary agreement drafted by the European Bathroom Forum includes commitments similar to ecodesign requirements and information requirements in the form of a label with categories on the maximum water flow and additional information to users. Without pre-judging on the conclusions of the evaluation to be undertaken by the Commission, this seems to provide the substance for a voluntary agreement in the sense of the Directive 2009/125/EC.

Preliminary conclusions

Taking into account the above, the Commission intends to start negotiations on a voluntary agreement with the EBF and, in parallel, to prepare a mandate to standardisation organisations to develop a functionality standard for taps and showers. The Ecodesign Consultation Forum is hereby consulted on this plan.

This two steps approach should allow for a quicker achievement of savings objectives by the industry since the European Bathroom Forum (EBF) is already promoting a water label that includes functionality requirements. The EBF claims that the water label represents already more than 60% of the market and could reach 80% of market coverage in the framework of a voluntary agreement.

The negotiation of a voluntary agreement under the Ecodesign Directive does not exclude the development of an Energy Label in future, when the appropriate conditions are met in particular as regards the availability of an accepted functionality performance test. The European Commission will issue a mandate to European standardisation organisations to develop such functionality testing that can be later integrated in the voluntary agreement or that can serve as a

basis for a future mandatory label, should the voluntary approach not deliver the expected results.

The EBF was requested to present to the Commission and to the Consultation Forum, a proposal of voluntary agreement (which is transmitted together with the invitation to the Consultation Forum), in line with the Commission Recommendation (EU) 2016/2015 of 30 of November, with the following information:

- List of participating companies and proof of market coverage;
- Relevant indicators to assess market coverage (objective, measurable and verifiable by an independent body);
- Quantified objectives for water, energy saving and resource efficiency, staged in time if appropriate;
- Entry level functionality requirements;
- Commitment to include a functionality test, when the relevant standard is approved, in the requirements for the water label;
- The operational settings of a Steering Committee and information on structure and functions;
- The reference to the specific website that will provide information to the public on the voluntary agreement and the label;
- The establishment of an Independent Inspector;
- Information on how compliance reporting and verification will be performed.

This proposal should be accompanied by a study why the voluntary approach will meet the ecodesign objectives more quickly and at less expense than mandatory requirements and the added value in terms of environment and energy consumption.

Questions for discussion

- 1. Does the Consultation Forum agree with the conclusions drawn from the 2014 MEERP preparatory study on taps and showers, including the 2019 follow-up study?**
- 2. Does the Consultation Forum have a preference at this stage between the different options discussed in this paper?**
 - a. Mandatory water and energy label under the Energy Labelling Regulation**
 - b. Voluntary Agreement under the Ecodesign Directive, including information on the maximum water flow and energy used in the form of a label**
 - c. No policy intervention (possible development of an industry-led unified label)**
- 3. Does the Consultation Forum agree that a standardisation request to European standardisation organisations on functionality testing should be prepared?**