
Intellectual Property, Media, IT and Public Law

Legal Flash | Portugal

February 23, 2021



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- > **Regulations for new
ecodesign requirements**



I. Regulations for new ecodesign requirements

On October 1, 2019, the European Commission adopted 10 regulations, which apply directly to all Member States under the framework established by Article 15 of Directive 2009/125/EC. The regulations define the ecodesign requirements for energy-using products, to optimize their environmental and energy performance in the European market and reduce consumption of natural resources and energy.

By 2030, the European Commission estimates that these measures will result in a drop-in energy consumption of 167 TWh, corresponding to a drop-in emission of at least 46 million tonnes of greenhouse gases, together with annual savings of €150 per year in each European household.

Except for certain regulations, others that are already in force **only apply from March 1, 2021**, for the following product groups:

- > Refrigerators (including, under a separate regulation, retail refrigerators; i.e., supermarket refrigerators and automatic vending machines)
EU Regulation 2019/2019, applicable from March 2021
- > Washing machines
EU Regulation 2019/2023, applicable from March 2021
- > Domestic dishwashers
EU Regulation 2019/2022, applicable from March 2021
- > Screens, including televisions
EU Regulation 2019/2021, applicable from March 2021
- > Lamps and remote control devices under Directive 2009/125/EC
EU Regulation 2019/2020, applicable from September 2021
- > Electric motors
EU Regulation 2019/1781, applicable from July 2021

Regulations in force and applicable:

- > Welding equipment
EU Regulation 2019/1784, applicable since January 2021
- > External power supplies
EU Regulation 2019/1782, applicable since April 2020
- > Low, medium and high-power transformers
Regulation 2019/1783, applicable since November 2019



These regulations aim to establish ecodesign requirements, which can be classified into four groups:

- **Energy efficiency requirements.** Referring to a maximum limit on the energy efficiency index (EEI).
- **Functional requirements.** Concerning functions that must be met by the product groups; e.g., the winter regulation should be automatically activated or deactivated based on the need to maintain frozen product compartments at the necessary temperature.
- **Efficient resource use requirements.** To make sure devices are easier to repair, thereby extending their lifespan, the European Commission adopted several measures to make it easier to repair products by ensuring spare parts are available:
 - Spare parts must be available for a long period after purchase; e.g., at least 7 years for refrigerators, and at least 10 years for domestic washing machines and dryers. During that period, the manufacturer must also ensure spare parts are delivered within 15 working days.
 - Manufacturers must ensure repair and technical maintenance information is available for repair professionals.
- **Information requirements.** Manufacturers, their representatives and importers must ensure information is provided in instruction manuals for end users and installers, as well as a description of items that must be freely accessible on manufacturers, importers, or representatives' websites.

The manufacture, import and distribution of products in breach of ecodesign requirements is an aggravated economic offense, as provided for in Decree-Law no. 12/2011, of January 24, subject to fines of up to €24,000, under the Regulatory Economic Offenses Act (Decree-Law no. 9/2021, of January 29).

Voluntary agreements or other self-regulating measures may be presented by the sectors concerned as an alternative to the mandatory ecodesign requirements. The European Commission will formally recognize these voluntary agreements if they meet certain criteria.



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